



Feidhmeannacht na Seirbhíse Sláinte
Health Service Executive

Oifig an Phríomhoifigigh Airgeadais
Feidhmeannacht na
Seirbhíse Sláinte
Seomra 125, Ospidéal
Dr. Steevens
BÁC 8

Office of the Chief Financial Officer
Health Service Executive
Room 125, Dr Steevens
Hospital
Dublin 8

10th March 2021

Deputy Brian Stanley TD,
Dáil Éireann,
Leinster House,
Kildare Street,
Dublin 2.

Re PQ 10513 21: *To ask the Minister for Health the value of transfers of value received by HSE organisations from pharmaceutical companies from 2017 to 2019.*

PQ 10514 21: *To ask the Minister for Health the value of transfers of value received by HSE employees from pharmaceutical companies from 2017 to 2019.*

PQ 10515 21: *To ask the Minister for Health if the HSE has a policy on its staff and facilities receiving donations from pharmaceutical companies.*

Dear Deputy Stanley,

The Health Service Executive has been requested to reply directly to you in the context of the above Parliamentary Questions, which you submitted to the Minister for Health for response. Your PQs above has been referred to me for response.

In relation to **PQ 10513 21**, I am advised that the information you have requested is not available through the HSE as it is not centrally collated by the HSE.

However, the Irish Pharmaceutical Healthcare Association (IPHA) has, since July 2016, publicly disclosed details of pharmaceutical companies' engagements with, and support of, Healthcare Professionals (HCPs) and Healthcare Organisations (HCOs) through direct or indirect financial support or 'Transfers of Value' by the pharmaceutical industry, in accordance with the Code of Practice for the Pharmaceutical Industry. This disclosure of Transfers of Value (ToV) to HCPs and HCOs can be accessed using the following link - <https://www.transferofvalue.ie/>

NFR 17

In relation to your **PQ 10514 21** and **PQ 10515 21**, the HSE policy in relation to donations from any source is covered by the HSE National Financial Regulation No 17 on Voluntary Donations, Gifts, Bequests, Membership of Boards and Committees - NFR 17. The National Financial Regulations are part of the overall system of Corporate Governance and Internal Control within the HSE. In particular NFR 17 highlights in section 17.3.1. that in accordance with the Department of Health's *A Code of Conduct for Health and Social Service Providers* ("the Code"), employees should avoid receiving benefits or hospitality of any kind from a third party which might reasonably be seen to compromise their personal judgement or integrity and report such instances to their line manager, retaining only those of nominal value. The Department of Health's *A Code of Conduct for Health and Social Service Providers* (the Code) sets out the obligations of employees. This includes the need for employees to avoid conflict of interest and to be impartial in the performance of their duties.

NFR 17 includes an Acceptance Form with a checklist of control assurances that staff should complete in cases of any gifts/donations other than voluntary fundraising activities. Any Acceptance Forms would be held locally and are not centrally collated.

In addition section 17.5 deals with unsolicited donations and bequests made to the HSE and lays out controls and checks required including under section 17.5.2 the requirement for Gifts in excess of €100,000 to be approved by the Board of the HSE.

Please see the complete NFR 17 in the link below:

<https://www.hse.ie/eng/staff/resources/financial%20regulations/>

The HSE's National Financial Regulations form an integral part of the system of internal control and have been designed to be consistent with statutory requirements and to also ensure compliance with public sector guidelines issued by DPER.

CARP

Under the Code of Practice for the Governance of State Bodies, the HSE must complete a formal annual review of the effectiveness of their system of internal controls. One of the tools used to measure the effectiveness of the HSE's system of internal controls is the Annual Controls Assurance Review Process (CARP). The CARP is a regulatory requirement that the CEO and the Board must fulfill to the Minister for Health. Employees at Grade VIII salary scale and above are invited to participate in the annual review which includes a statement requesting the confirmation of their awareness of the obligations under NFR-17 Voluntary Donations, Gifts, Bequests, Membership of Boards and Committees.

Ethics in Public Office

The Ethics in Public Office Act 1995 and Standards in Public Office Act 2001 requires the HSE to ensure that all relevant employees are informed of their statutory obligations under these Acts regarding statements of a material interest and annual statements of interest. Relevant employees in the HSE are employees across all grades remunerated at or above the minimum point of the Grade VIII salary scale. These employees must comply with the Ethics in Public Office legislation.

Code of Standards and Behaviour

The Code of Standards and Behaviour for the HSE in accordance with section 25(3) of the Health Act 2004 and the Ethics in Public Office Acts 1995 to 2001 applies to all employees of the HSE. The Code sets out the standards of behaviour and values required of employees in the discharge of their duties. These standards are to support a high quality public service based on high levels of performance and responsibility. In the performance of duties, employees must maintain high standards of service delivery, observe appropriate behaviour at work, maintain the highest standards of probity, and support and be loyal to the HSE. The Code forms part of the terms and conditions of employment. Guidelines in relation to the legislation are available from the Standards in Public Office Commission website: <http://www.sipo.ie/acts-and-codes/guidelines/public-servants/index.xml>

If you have any queries, please do not hesitate to contact me at sarah.anderson1@hse.ie or tel: 087 9423319.

Yours sincerely



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