



The Scottish Parliament
Pàrlamaid na h-Alba

David Robb
Chief Executive
Office of the Scottish Charity
Regulator

**Public Audit and Post-legislative
Scrutiny Committee**

Room T 3.60
The Scottish Parliament
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Dear Mr Robb

THE 2016/17 AUDIT OF NHS TAYSIDE

Thank you for your letter of 3 May providing information about the inquiry that the Office of the Scottish Charity Regulator (OSCR) is undertaking into the use of Endowments Funds by NHS Tayside. The Committee is a little concerned about the lack of clarity over the timescale for the inquiry. Please refer to my comments in the [Official Report](#) of the Committee's meeting on 10 May, which are attached for reference.

As such, the Committee looks forward to receiving your update at the end of May advising the Committee of the inquiry's timescale and date of completion.

Yours sincerely,

Jenny Marra MSP
Convener

Annex

Extract from the Official Report from meeting of the Public Audit and Post-legislative Scrutiny Committee on 10 May (Cols. 4-5)

The Convener: I am a little concerned about the OSCR report. Last week, I wrote to David Robb to ask for clarity on the timescale on this, because we will hear back from Grant Thornton on Tuesday, 15 May. In his letter, David Robb said:

“At the current stage of the inquiry it is not possible for us to set a particular timescale”,

and he goes on to say that he would

“expect to be in a position by 31 May to report to the Committee on the inquiry’s progress and its future direction”.

Given that the endowment fund issue was the thing that precipitated the change at NHS Tayside, and the fact that there is huge public interest in this, I am a little concerned about the lack of clarity over timescale and how this is going to progress. Do you share that concern?

Paul Gray: I would like to see as much information as quickly as possible. For public confidence, it is important that we resolve these issues in a way that is transparent and speedy. OSCR operates independently under its own legislation but I can assure the committee that we are keeping in close touch with OSCR. I know that Christine McLaughlin spoke to the chief executive yesterday, and OSCR knows very clearly that we are anxious to see material, including any recommendations, as quickly as it can feasibly do that.

As with other public scrutiny bodies, such as Audit Scotland, we cannot direct OSCR. It is for OSCR to decide the pace at which it will do the work. However—and again I think that this is on the record already—we have offered to fund any backfill within OSCR if it needs to release people to do the work. Should the chief executive decide that additional resource would help, as accountable officer for the NHS, I am willing to fund any costs that he faces. We are doing everything that we can to support OSCR but clearly it must maintain its independence from us.

The Convener: That is good to hear because, as I say, in terms of public interest, the OSCR report will be one of the key reports that the committee receives.