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NHS SCOTLAND

[redacted]

[redacted]

Date 18 November 2026
Your Ref FOI-2026-3544
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Enquiries to [redacted]
Email psd.foi@nhs.scot

Dear [redacted]

Freedom of Information Reference FOI-2026-3544

I refer to your Freedom of Information (Scotland) Act 2002 (FOISA) request that we received on 29 October 2026 requesting the following information:

> **Could you please provide the following recorded information held by NHS Education for Scotland, including the Scottish Dental Clinical Effectiveness Programme (SDCEP), for the period 1 January 2024 to the date of this request:**
>
> 1. **Any project plan, timetable or schedule for the review of the Combined Practice Inspection (CPI) checklist (currently version 4, dated 1 February 2020), including any expected publication or implementation date for a revised version.**
> 2. **Minutes, notes or action logs of meetings of the CPI Working Group, or any group reviewing the CPI or sedation checklists.**
> 3. **Any summary, report or analysis of the results of the CPI consultation survey that closed on 10 November 2025.**
> 4. **Any list or summary of proposed changes to the CPI checklist.**
> 5. **Any evaluation, report or results of the digital route for submitting practice inspection documents piloted in NHS Grampian, and any record of plans to extend it to other Health Boards.**
> 6. **Any record that NES has commissioned, scoped, planned or budgeted for a digital tool for dental practices to keep CPI or compliance records.**
> 7. **Which body is responsible for owning and revising the CPI checklist. If NES does not hold some of this information, please tell me which body may hold it.**

It is important to note that from 1 April 2026, NHS National Services Scotland (NSS) and NHS Education for Scotland (NES) joined to form Public Services Delivery Scotland (PSD Scotland),

Chair Mr Keith Redpath
Chief Executive Professor Karen Reid

enabling transformation in health, social care, and the wider public sector. More information regarding PSD Scotland can be found at the following URL:

Public Services Delivery Scotland (PSD Scotland)

After a search of our electronic and paper records I can confirm the following:

1. **Any project plan, timetable or schedule for the review of the Combined Practice Inspection (CPI) checklist (currently version 4, dated 1 February 2020), including any expected publication or implementation date for a revised version.**

   The Combined Practice Inspection (CPI) Working Group is currently undertaking a review of the CPI process and checklist. While the review remains ongoing, the current anticipated timetable is for the review to conclude by autumn 2027, with publication and implementation to follow. These timescales are indicative and may be revised as the work progresses.

2. **Minutes, notes or action logs of meetings of the CPI Working Group, or any group reviewing the CPI or sedation checklists.**

   The information you have requested has been deemed by PSD Scotland to be exempt from disclosure under Section 30(c) of FOISA for "The effective conduct of public affairs".

   The CPI Working Group is currently undertaking a review of the CPI process and checklist. Disclosure of minutes, notes and action logs at this very early stage of development is likely to cause substantial inhibition within the CPI Working Group to provide opinions and advice due to the possibility of opinions and advice being disclosed into the public domain at such and early stage of the review and update of the CPI process and checklist.

   Closely linked to the inhibition to providing/recording free and frank advice or exchange of views, another consideration is the "*chilling effect",* (page 4, paragraphs 23 to 27 of the Scottish Information Commissioner's FOISA Section 30 exemption briefing). The chilling effect would have an effect on officials to avoid recording their views and rely upon oral briefings and discussions; while this might not inhibit the free and frank nature of advice, it might limit the number and location of those who could be involved in the exchange and also make it difficult to maintain the public record as to how decisions were arrived at.

   Additionally, it is likely that the review and the development of the CPI checklist would indeed require advice and opinions which would not be part of the final version, and if released at this stage may give the public an incorrect perception that current drafts would be finalised processes.

   In addition, it is also likely that disclosure of draft discussions or emerging proposals at this stage could lead to changes in behaviour within the dental profession in anticipation of possible revisions to the CPI process or checklist that may not ultimately be implemented.

   For the exemption to apply PSD Scotland has performed a Public Interest Test in order to decide whether, on balance, it serves the interests of the public better to withhold or disclose information. The "public" in this context does not necessarily mean the entire

population. It might relate to a relatively localised public (e.g. a small community or interest group) or to the wider public at large.

PSD Scotland has determined that there is always a strong public interest in public authorities operating in an open and transparent manner, however, on review it has been determined that due to the strong likelihood of substantial inhibition of providing advice and opinions in conjunction with the chilling effect discussed above and premature behavioural changes within the dental profession as a result of publication of draft processes and checklists that the public interest in withholding the information outweighs the public interest in disclosure at this time, as release could prejudice the effective conduct of the ongoing review process.

3. **Any summary, report or analysis of the results of the CPI consultation survey that closed on 10 November 2025.**

   The information requested is exempt from disclosure under the Section 38(1)(b) exemption for "Third party personal data" and the Section 30(c) exemption for "The effective conduct of public affairs".

   Section 38(1)(b) applies because the information contains personal data relating to individuals who participated in the survey. Although direct identifiers may have been removed, disclosure of the raw survey responses could result in the identification of individuals when read in conjunction with other information, and release would therefore contravene the data protection principles set out in UK data protection legislation.

   Section 30(c) applies because participants provided information on the understanding that their responses would be used to inform the review process and would not be published externally in their raw form. Disclosure of the information would be likely to undermine confidence in future surveys, consultations and evidence-gathering exercises, reducing individuals' and organisations' willingness to participate openly and candidly in such activities.

   We have considered the public interest in disclosure, including the interests of openness, transparency and accountability. However, on balance, we have concluded that the public interest in maintaining the exemptions under sections 38(1)(b) and 30(c) outweighs the public interest in disclosure. There is a strong public interest in ensuring that stakeholders can participate in surveys and research activities with confidence that information provided under agreed conditions will be handled appropriately, and that organisations can continue to obtain frank and comprehensive evidence to inform their work.

4. **Any list or summary of proposed changes to the CPI checklist.**

   The information requested is exempt from disclosure under the Section 30(c) exemption for "The effective conduct of public affairs".

   The CPI Working Group is currently reviewing the CPI process and checklist, and the proposed changes remain under active consideration. Disclosure of proposed amendments at this stage could lead to inappropriate external lobbying of Working Group members

before recommendations have been finalised and agreed.

In addition, release of information relating to potential changes could result in members of the dental profession altering their practices in anticipation of revisions to the CPI process or checklist that may ultimately be amended or not implemented.

We have considered the public interest in disclosing the information, including promoting openness and transparency in the development of regulatory processes. However, on balance, we have concluded that the public interest in withholding the information outweighs the public interest in disclosure at this time, as release could prejudice the effective conduct of the ongoing review and decision-making process.

5. **Any evaluation, report or results of the digital route for submitting practice inspection documents piloted in NHS Grampian, and any record of plans to extend it to other Health Boards.**

   Under Section 17 of FOISA for "Information not held" PSD Scotland does not hold the information that you have requested. In order to obtain this information we suggest that you contact NHS Grampian directly using the email address gram.foi@nhs.scot, as under the terms of FOISA I am unable to transfer this request on your behalf.

6. **Any record that NES has commissioned, scoped, planned or budgeted for a digital tool for dental practices to keep CPI or compliance records.**

   Under Section 17 of FOISA for "Information not held" PSD Scotland does not hold the information that you have requested as any proposal for the development of a national digital tool for the purposes described would be subject to the relevant commissioning and governance processes within the Scottish Government.

   It is important to note that there is currently no formal request from the CPI Working Group to the Scottish Government Health Directorate for the development of such a tool.

   The current review and update of the CPI process and checklist does not include the development of a digital tool. Any such development would be considered as a separate project and would be subject to its own approval, commissioning and governance arrangements.

7. **Which body is responsible for owning and revising the CPI checklist. If NES does not hold some of this information, please tell me which body may hold it.**

   The review and update of the CPI process and checklist was commissioned by the Chief Dental Officer's (CDO) Office. The CDO will approve and sign off the final revised CPI documentation following completion of the review process. Accountability for the review and update of the CPI process and checklist lies with the CPI Working Group. Accountability for the project processes to support the current review and update lies with PSD Scotland.

If you require any further information, please do not hesitate to contact me using the email address psd.foi@nhs.scot

If you are unhappy with any aspect of how we have dealt with your request, you can make representations to us asking us to review the handling of your request. Please write to the Associate Director Corporate Governance using the email address psd.foi@nhs.scot within 40 working days of the date of this correspondence.

If after a review you are still unhappy, you also have the right to apply to the Scottish Information Commissioner, who can be contacted at Kinburn Castle, St Andrews, Fife, KY16 9DS, or via their online Appeal form.

Yours sincerely,

