



North East and North Cumbria

Our Reference North East & North Cumbria
ICB\314

NECS - John Snow House
Durham University Science Park
Durham
DH1 3YG

Tel: (0191) 301 1300
Fax: (0191) 374 4102
E-mail: Necsu.icbfoi@nhs.net

02/05/2023

Applicant,
By Email

Dear Applicant,

Freedom of Information Act 2000 - Request for Information – NHS North East & North Cumbria Integrated Care Board.

Thank you for your request received by North of England Commissioning Support (NECS) on 05/04/2023 for information held by NHS North East and North Cumbria Integrated Care Board (ICB) under the provisions of the Freedom of Information Act 2000.

For information Clinical Commissioning Groups ceased to exist on 30 June 2022. Services that were previously delivered by the CCG are now being delivered by the successor organisation NHS North East and North Cumbria (ICB). This covers the areas of County Durham, Newcastle Gateshead, North Cumbria, North Tyneside, Northumberland, South Tyneside, Sunderland and Tees Valley.

Please find the information you requested on behalf of the ICB as follows.

Request

Under the Freedom of Information Act please send the following information for the period 1 July 2022 to 31 March 2023:

- 1) The number of times that the ICB has waived its requirement to tender for goods and services under its SFIs and procurement rules.**
- 2) The total value of the goods and services purchased when tender requirements have been waived**

3) The total number of occasions and value from qs 1 & 2 broken down into any specific circumstances/ categories listed in the ICBs procurement rules/ SFIs that describe when tender requirements can be waived.

Response

1) The ICB has waived the requirement to tender for goods and services under relevant UK Procurement Regulations on 6 occasions during the period 1 July 2022 to 31 March 2023.

2) The total value of goods and services purchase when tender requirements have been waived was approximately £6.4m (total expected contract value over the life of relevant contracts).

3) See table below:

Circumstances	Number of occasions	Value (£'000)
Regulation (32) (a) – where no tenders, no suitable tenders, no requests to participate or no suitable requests to participate have been submitted in response to an open procedure or a restricted procedure, provided that the initial conditions of the contract are not substantially altered;	1	824
Regulation (32) (b) where the works, supplies or services can be supplied only by a particular economic operator for any of the following: (i) the aim of the procurement is the creation or acquisition of a unique work of art of artistic performance (ii) competition is absent for technical reasons (iii) the protection of exclusive rights, including intellectual property rights	2	4,200
Regulation (32) (c) – insofar as is strictly necessary where, for reasons of extreme urgency brought about by events unforeseeable by the ICB, the time limits for the open or restricted procedures or competitive procedures with negotiation cannot be complied with.	3	1,414
Total	6	6,438

In line with the Information Commissioner’s directive on the disclosure of information under the Freedom of Information Act 2000 your request will form part of our disclosure log. Therefore, a version of our response which will protect your anonymity will be posted on the NHS ICB website <https://northeastnorthcumbria.nhs.uk/>.

If you have any queries or wish to discuss the information supplied, please do not hesitate to contact me on the above telephone number or at the above address.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you should write to the Senior Governance Manager using the contact details at the top of this letter quoting the appropriate reference number.

If you are not content with the outcome your complaint, you may apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by The North of England Commissioning Support Unit.

The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

www.ico.gov.uk

Any information we provide following your request under the Freedom of Information Act will not confer an automatic right for you to re-use that information, for example to publish it. If you wish to re-use the information that we provide and you do not specify this in your initial application for information then you must make a further request for its re-use as per the Re-Use of Public Sector Information Regulations 2015 www.legislation.gov.uk . This will not affect your initial information request.

Yours sincerely

Ehren Smith

Information Governance Officer