

Our Reference North East and North Cumbria ICB\
FOI ICB 24-483

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By Email

18 March 2025

Dear Applicant

Freedom of Information Act 2000 – Request for Information – NHS North East and North Cumbria Integrated Care Board (NENC ICB)

Thank you for your request received by North of England Commissioning Support (NECS) on 26 February 2025 for information held by NHS North East and North Cumbria Integrated Care Board (the ICB) under the provisions of the Freedom of Information Act 2000.

The ICB covers the areas of County Durham, Gateshead, Newcastle, North Cumbria, North Tyneside, Northumberland, South Tyneside, Sunderland, and Tees Valley (which covers the five local authorities of Darlington, Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton-on-Tees).

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

Your Request

Under the freedom of information act, can I please request the following information as a matter of priority.

1. Two short-term, Urgent Dental Access Centres (UDACs) have been commissioned as pilots in Darlington (opened 11 June 2024) and Carlisle (opened mid-September 2024). Please provide details of why a competitive process was not undertaken to award these pilots. Furthermore, please detail if the persons they were awarded to, or are involved with it in any personal capacity - are or have ever had a role within the ICB directly, or indirectly.
2. Please detail if any further UDAC's have been commissioned and whether a transparent, and competitive process was undertaken. Please also detail the locations of these and how long the contracts are for. Furthermore, please detail if the persons they were awarded to, or are involved with it in any personal capacity - are or have ever had a role within the ICB directly, or indirectly.
3. Please detail any and all GDP practices that have had their Uda value increased since 2023. Please detail the Uda value they had and what it was increased to. Additionally, please provide me with the transparent methodology and framework that was used to determine that uplift.

4. What percentage of the GDS and PDS NHS dental practices (not PDS orthodontic contracts) in our region have achieved their NHS target (96% and above) in the contract years 21/22, 22/23, 23/24
5. What was the total number of Units of dental activity (Uda's) not delivered in the contract years 21/22, 22/23 and 23/24?
6. How much NHS clawback in pounds sterling there was in the region in the contract years 21/22, 22/23, 23/24?
7. How much of this clawback related to point 5 was reallocated in the contract years 21/22, 22/23, 23/24?
8. How many NHS dental providers handed back their NHS contracts 21/22, 22/23, 23/24 (and the total number of Uda's lost as a result)?
9. How many of the eleven NHS tenders procured in March 2024 are currently being mobilised as of 1st March 2025, and how many have had contracts signed?
10. What date did the ICB first explore internally to raise the minimum UDA value across the region to £31.51

Our Response

We can confirm, as per Section 1(1) of the Freedom of Information Act 2000, the ICB does hold the information requested. Please note that NENC ICB only took over the commissioning responsibility for dental services on 1 April 2023 hence the responses relate to 2023-24 only.

1. Formal procurements for contracts including both general access and urgent care in North Cumbria and Darlington as well as local commissioning in these areas had been largely unsuccessful. In light of the continued urgent dental care pressures in these areas a decision was taken to award a short-term emergency contract using the flexibility within the procurement regulations to ensure patient safety is maintained. The contracts were awarded to Cumbria Healthcare Community Interest company as an existing provider of NHS primary care urgent care services and in Darlington Hyder Dental Care Group following an approach by the local MP. The ICB has processes in place to manage any conflict of interest and we can confirm that these were adhered to, and the above contract holders are not employed by or involved in the governance process under which the decision for the awards of these contract was made.
2. No further Urgent Dental Access Centre (UDAC) contract other than those outlined above have been awarded to date. The new provider selection regime and national flexibility commissioning arrangements published by NHS England allow GDS contracts to be re-negotiated outside of a competitive process. Under these flexibilities a decision has been taken to roll out the UDAC model via negotiation with existing providers using the criteria outlined below in the first instance:
 - Approach existing urgent care providers delivering to the required standards of performance to gauge interest.
 - GDS practices that are part of the current Phase 3 pilot work currently being undertaken

Where it is not possible to secure the required UDACs via the above the intention is to identify from pre-existing NHS General Dental Service (GDS) dental service providers, contracts that are within identified areas of need for negotiation under the new flexibilities identified above. Where this fails, we will move to formal procurement.

3. Please refer to the spreadsheet attached for current contracts where a recurrent change to their UDA rate has been actioned. The increases were implemented in line with the approach

set out in the national guidance in relation to the £28 min UDA rate, the principles of which were also applied when implementing the local decision to raise the minimum rate in NENC to £31.46 using the flexibilities given to ICBs within NHS England Opportunities for flexible commissioning in primary care dentistry: A framework for commissioners [NHS England » Opportunities for flexible commissioning in primary care dentistry: A framework for commissioners](#)

4. 38% of GDS/PDS contracts (excluding PDS ortho contracts) met or exceeded the 96% contractual threshold in 2023-24.
5. A total of 918,105 of the contracted UDAs for 23/23 were not delivered.
6. £33,589,255 under-performance figure for 2024/24 for all primary and community care dental services.
7. £7,853,569.78 of clawback was reallocated on a non-recurrent basis in 2023/24.
8. This information is held for 2023-24 and is provided below:

Year	Number of NHS contract hand backs	UDAs ⁽¹⁾
2023-24	16	114,900

(1) reflects the contracted UDAs associated with the contracts that were handed back. To note where possible the ICB has tried to re-commission lost capacity with varying degrees of success.

9. Four contracts were offered with discussions on-going with the providers around contract signature and mobilisation – to date one contract has been signed.
10. For the avoidance of doubt the minimum local UDA rate implemented was £31.46. The increase was discussed and supported at the ICB's Primary Care Sub-Committee in April 2024 and subsequently agreed in May by the ICB Executive.

In accordance 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 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 review, you do have the right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act 2000. 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.org.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

S Davies

S Davies
Information Governance Officer