

Our Reference North East and North Cumbria ICB\
FOI ICB 24–223

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

Tel: 0191 301 1300
E-mail: necsu.icbfoi@nhs.net

By Email

4 September 2024

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 30 August 2024 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

Please can the following information be provided under the Freedom of Information Act.

We are seeking to establish a directory of providers holding qualifying contracts that enables them to accept Right to Choose referrals for Autism assessments and ADHD assessments and treatment for both adults and children. The following information is requested, a spreadsheet is attached for ease of completion:

Adult Autism Assessments

- Name of Provider
- Whether the provider is NHS or Independent Sector
- Whether the payment mechanism is block or tariff
- Expiry Date of Contract
- Whether the contract has an option to extend
- Expiry date of the contract with the option to extend exercised
- A copy of the contract Particulars

Children and Young People's Autism Assessments

- Name of Provider
- Whether the provider is NHS or Independent Sector
- Whether the payment mechanism is block or tariff
- Expiry Date of Contract
- Whether the contract has an option to extend
- Expiry date of the contract with the option to extend exercised
- A copy of the contract Particulars

Adult ADHD Assessments and Treatment

- Name of Provider
- Whether the provider is NHS or Independent Sector
- Whether the payment mechanism is block or tariff
- Expiry Date of Contract
- Whether the contract has an option to extend
- Expiry date of the contract with the option to extend exercised
- A copy of the contract Particulars

Children and Young People's ADHD Assessment and Treatment

- Name of Provider
- Whether the provider is NHS or Independent Sector
- Whether the payment mechanism is block or tariff
- Expiry Date of Contract
- Whether the contract has an option to extend
- Expiry date of the contract with the option to extend exercised
- A copy of the contract Particulars

Our Response

We can confirm, as per Section 1(1) of the Freedom of Information Act 2000, the ICB does hold the information requested.

Adult Autism Assessments and Adult ADHD Assessments and Treatment

Adult Autism assessments and adult ADHD assessments and treatment are answered both in the same response below. NENC ICB commission the following providers on a block basis for ADHD services and Autism assessment and treatment services:

- Cumbria, Northumberland, Tyne & Wear NHS Foundation Trust (FT) – expiry date of contract is 31st March 2027 with an option to extend the contract term twice, up to a maximum of two years.
- Tees, Esk and Wear Valleys NHS FT – expiry date of contract is 31st March 2027 with an option to extend the contract term twice, up to a maximum of two years.
- Psychiatry UK (North Cumbria, non-NHS) – expiry date of contract is 31st March 2025 – no option to extend.

Please note information can only be provided for this FOI based on patients accessing locally commissioned services. Patients are also able to access services provided by providers outside of locally commissioned services under the NHS Right to Choose, but the NENC ICB would not hold this information.

Children and Young People's (CYP) Autism Assessments and CYP ADHD Assessment and Treatment

Children and young people (CYP) Autism assessments and CYP ADHD assessments and treatment are answered both in the same response below:

- Cumbria, Northumberland, Tyne & Wear NHS FT – expiry date of contract is 31st March 2027 with an option to extend the contract term twice, up to a maximum of two years.
- Tees, Esk and Wear Valleys NHS FT – expiry date of contract is 31st March 2027 with an option to extend the contract term twice, up to a maximum of two years.

We can confirm, as per Section 1(1) of the Freedom of Information Act 2000, the ICB does hold the requested information for contract particulars. However, on this occasion, it is not possible to satisfy all elements of your request.

The Freedom of Information Act (FOIA) 2000 contains a number of exemptions that allow a public authority to withhold certain information from release. Some of the requested information is exempt under s.43(2) of the FOIA2000 as disclosure is likely to prejudice the commercial interests of a person as defined by the Act. The s.43(2) exemption applies to all point 7 in all questions.

S.43(2) of the Freedom of Information Act protects against the disclosure of information where it would be likely to prejudice the commercial interests of either a third party or the public authority itself. We are of the opinion the release of the specific details would, or would be likely to, prejudice the commercial interests of the public authority, NENC ICB.

The Information Commissioners Office has established a multi criteria test for assessing whether a section 43(2) exemption is applicable to the requested information. The first criteria is to determine if the information relates to or could impact on a commercial activity, the second criteria is if the commercial activity is conducted in a competitive environment, and finally if that information is commercially sensitive.

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 faithfully

S Davies

S Davies
Information Governance Officer