

Our Reference North East and North Cumbria ICB\
FOI ICB 26–275

North East and North Cumbria ICB
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By Email

16 September 2026

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 on 28 August 2026 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, 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.

Your Request

I am writing to make a request under the Freedom of Information Act 2000 for recorded information relating to the development and proposed transformation of adult autism assessment pathways within the North East and North Cumbria Integrated Care Board (NENC ICB) area.

For the purposes of this request, please provide information held between 28 August 2025 and 28 August 2026.

1. Neurodevelopmental Steering Group

Please provide copies of recorded information relating to meetings of the Neurodevelopmental Steering Group, or any equivalent group involved in the planning, transformation or redesign of neurodevelopmental services, involving NENC ICB and Cumbria, Northumberland, Tyne and Wear NHS Foundation Trust (CNTW).

This should include, where held:

- agendas;
- minutes and/or meeting notes;
- meeting papers;
- presentations;

- reports and briefing papers;
- action logs;
- records of decisions or recommendations;
- terms of reference;
- membership of the group; and
- correspondence directly relating to discussions, decisions or actions arising from these meetings.

If no formal minutes were produced, please provide any alternative recorded notes, summaries, action logs or other records documenting the discussions.

2. Adult autism assessment pathway transformation

Please provide copies of any recorded information relating to proposed, considered or agreed changes to the adult autism assessment pathway during the above period.

This should include, but not be limited to:

- pathway redesign proposals;
- proposed or agreed pathway maps;
- service specifications;
- business cases;
- options appraisals;
- commissioning intentions;
- transformation plans;
- implementation plans;
- reports or briefing papers;
- proposals presented to boards, committees or steering groups;
- consultation documents; and
- records of decisions or recommendations concerning the future model of adult autism assessment.

3. Right to Choose (RTC) and external providers

Please provide recorded information relating to any proposals, discussions or decisions concerning the use of NHS RTC and/or independent/external providers for adult autism assessments.

In particular, please provide any recorded information concerning:

- proposed changes to the role of RTC providers within the adult autism assessment pathway;
- the commissioning or use of independent/external providers;
- the intended balance between locally commissioned NHS services and Right to Choose/external provision;
- any proposed changes to the role or capacity of CNTW in providing adult autism assessments;
- provider selection or commissioning criteria;
- service specifications or contractual arrangements;
- indicative activity plans or capacity plans; and
- any assessment of the anticipated impact of these changes on patients and existing NHS assessment services.

4. Evidence and rationale for the proposed changes

Please provide copies of the recorded evidence, analysis and documentation considered by NENC ICB and/or CNTW in developing or supporting the proposed changes to the adult autism assessment pathway.

This should include, where held:

- evidence reviews or literature reviews;
- clinical or professional advice;
- demand and capacity analysis;
- waiting-list and waiting-time data;
- activity data;
- benchmarking information;
- quality and outcome data;
- patient/service-user experience information;
- equality impact assessments;
- risk assessments;
- financial or economic analysis;
- workforce analysis;
- analysis of the impact on clinical quality and diagnostic practice;
- analysis of the impact on continuity of care;
- analysis of the impact on post-diagnostic support; and
- any comparison of the proposed model with the existing CNTW adult autism assessment pathway.

In particular, please provide any recorded evidence or analysis demonstrating the anticipated benefits of the proposed changes, including evidence relating to:

- reduction in waiting times;
- increased assessment capacity;
- improved access;
- clinical quality;
- diagnostic accuracy;
- patient experience;
- value for money; and
- outcomes for patients.

5. Decision-making and governance

Please provide copies of any recorded information showing:

- who has responsibility for approving the proposed changes;
- the governance process through which the proposed pathway has been or is being considered;
- recommendations made to decision-making bodies;
- decisions already made; and
- any planned decision dates or implementation dates.

6. Correspondence

Please provide relevant recorded correspondence between NENC ICB and CNTW concerning the proposed transformation or redesign of adult autism assessment services during the above period, including correspondence relating to Right to Choose or independent providers where this relates to the future adult autism assessment pathway.

This request is intended to obtain recorded information already held by the organisations and does not require NENC ICB to create a new analysis or explanation.

Where information is considered exempt from disclosure, please provide the remainder of the information with the exempt material redacted and identify the relevant exemption(s) being relied upon.

If any part of this request is considered too broad or would exceed the appropriate cost limit, I would be grateful if you could provide advice and assistance under section 16 of the Freedom of Information Act 2000 to enable me to refine the request, rather than refusing the request in its entirety.

I would prefer the information to be provided electronically, ideally in its original document format where practicable.

Please treat this as a request under the Freedom of Information Act 2000.

Our Response

1. On this occasion it is not possible to provide the requested information. In line with your rights under section 1(1)(a) of the Act to be informed whether information is held, we confirm the ICB does not hold any of the information requested.

There was an operational group involved, however, no formal agendas or minutes for this group are held by the ICB. A paper – Autism and Attention Deficit Hyperactivity Disorder (ADHD) Briefing – was taken to the ICB's executive committee on 14 October 2025. This is attached.

The transformation decision was taken by the ICB's leadership group and then executive committee on 9 June 2026 and papers are attached.

2. All recorded discussions relevant to adult autism assessment pathway transformation held by the ICB were included at executive and leadership meetings. Papers are attached and the link to the ICB's board minutes and approved executive committee public minutes is [ICB Board meetings NENC NHS](#)
3. Changes to the role of RTC providers within the adult autism assessment pathway are determined by patient choice and clinical suitability.

The [NHS Choice Framework](#) sets out some of the choices available to patients/parents in the NHS. In some circumstances patients (of all age) have legal rights to choose (RTC) and you must be given these choices by law. In other circumstances patients do not have a legal RTC, but should be offered choice about their care, depending on what is available locally.

In summary and for ease, patients/parents have legal rights to choose based on the following criteria, however more detail on each element can be found in the link above to help inform a decision:

- the patient has an elective referral for a first outpatient appointment (second opinions do not qualify as a legal right, however as best practice choice should be sought locally where possible for a second opinion).
- A GP must refer the patient.

- the referral is clinically appropriate for the presenting needs of the patient, deemed by the referring GP.
- the receiving service and team are led by a consultant or a mental healthcare professional.
- the receiving provider has in place a signed NHS Standard Contract with NHS England or any NHS ICB in England for the required service.

NENC ICB does not hold information on proposed changes to the role or capacity of CNTW in providing adult autism assessments and there are no changes proposed by the ICB for autism pathways within CNTW.

Independent providers delivering ADHD and Autism assessments and ADHD medication pathways are contracted with ICBs across the country. Patient choice is personal to the patient and a clinical decision and not something the ICB have any plans to remove.

NENC ICB funds over 46 RTC providers delivering ADHD and Autism assessments. In May 2026 we commissioned six providers on a NENC ICB NHS standard contract to provide these services under NHS Choice Framework. The process we undertook was provider selection regime process B and the assessment criteria are as the Form A, attached.

The intended balance between locally commissioned NHS services and RTC/external provision is determined by patient choice and clinical suitability.

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

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 question 3 and right to choose providers. 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 both the ICB and RTC providers.

The Information Commissioner's 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.

The application of this exemption requires an examination of the public interest in disclosure in comparison as opposed to that in non-disclosure.

NENC ICB funds over 40 independent providers contracted to offer ADHD and Autism assessments under Right to Choose pathways, on NHS contracts with ICBs elsewhere in the country. We do not directly commission with these organisations which are all commercial businesses. We are preparing to enter into a process to determine and set 2027/28 IAPs. Disclosing this information may jeopardise this process.

The factors in *favour of disclosure* would include:

- Encourage and promote good competition and value for money
- Transparency of functions; procurement and services to NHS

Factors in favour of *withholding the information* are largely laid out in the explanation for the use of the exemption above but would include:

- Disclosing the IAPs and values for over 40 RTC providers would prejudice the bargaining position of the ICB in any future procurement processes and influence the pricing within the market and to disclose the budget allowance, and the pricing could impact the provider's competitive position.
- The information requested is not routinely shared publicly and is considered sensitive due to its potential to reveal operational strategies and business decisions. The RTC providers we fund would reasonably expect this information to remain confidential.

To summarise, disclosing this information may impact on our purchasing position. Tariffs and specifications are set by the host commissioning organisation and releasing this information may cause disparity. All RTC independent providers offer commercially competitive services and rates, not determined by NENC. There is significant potential to create unfair market competition and/or disadvantage patients if providers are able to compare proportionate ICB allocation.

After consideration of the above factors, we believe, on balance, the public interest lies in maintaining the exemption.

4. The evidence and rationale is provided in the papers attached.
5. Please refer to the specification and final choice accreditation form provided in response to question 3.
6. NENC ICB does not hold the information requested for the periods requested. Discussions relating to the proposed transformation took place prior to August 2025.

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 Information 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 ICB's complaints procedure.

The Information Commissioner can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or 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

Information Governance Support Officer

**Information Governance Support Officer
North East and North Cumbria Integrated Care Board**