

Our Reference North East and North Cumbria ICB\
FOI ICB 25–529

North East and North Cumbria ICB
Pemberton House
Colima Avenue
Sunderland Enterprise Park
Sunderland
SR5 3XB

Tel: 0191 512 8484
E-mail: nencicb.foi@nhs.net

By Email

15 April 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 25 March 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 submitting this request under section 1 of the Freedom of Information Act 2000 to NHS North East and North Cumbria Integrated Care Board, in respect of the administration of personal health budgets under NHS Continuing Healthcare in the North Tyneside area.

Background

The NHS published guidance on personal health budgets sets out three recognised management mechanisms: notional budget, third party budget, and direct payment for healthcare. The third-party budget mechanism specifically provides that an organisation legally independent of both the budget holder and the NHS may hold the funds and pay for and arrange the care and support agreed in the care plan.

It has come to my attention through direct correspondence with North Tyneside Council's Direct Payments Team that in practice, third-party budget management does not appear to be offered to CHC PHB holders in North Tyneside. I note in this context that I have obtained data from the ICB's own CHC performance reporting for the Northumberland area, covering April to October 2025, which shows zero third party budget payments recorded across every single month of that period – despite hundreds of patients receiving PHBs in that area.

I am seeking to understand how the national guidance has been implemented across the ICB's area, and what governance and equality considerations have informed that implementation.

NHS England's website on these matters can be viewed here: <https://www.nhs.uk/nhs-services/help-with-health-costs/what-is-a-personal-health-budget/>

Implementation of the National PHB Framework

1. Please provide any documents, policies, procedures, or guidance setting out how the ICB has implemented the third-party budget mechanism for CHC PHB holders in North Tyneside, in accordance with the NHS published guidance on personal health budgets and the National Framework for NHS Continuing Healthcare (2022, corrected 2023).
2. Please provide any documents showing how the ICB ensures that CHC PHB holders in North Tyneside are made aware of all three management mechanism options – notional budget, third party budget, and direct payment for healthcare – and supported to choose between them.
3. If no such documents are held, please confirm this explicitly.

Governance and Decision-Making

4. Please provide any documents, minutes, board papers, or correspondence recording how the ICB has considered and given effect to the third-party budget mechanism in North Tyneside, including any decisions about how it should be operationalised in practice.
5. Please provide any documents showing how these arrangements have been reviewed or updated since the NHS PHB regulations came into force.
6. If no such documents are held, please confirm this explicitly.

Equality Impact Assessment

7. Please provide any equality impact assessments, equality analyses, or records of due regard consideration relating to how the ICB has implemented PHB management mechanisms for CHC PHB holders in North Tyneside, including any consideration of whether the practical availability of third-party budget management is consistent with the Public Sector Equality Duty under section 149 of the Equality Act 2010.
8. Please provide any documents showing how the ICB has satisfied itself that its approach to PHB management in North Tyneside does not place disabled people – who are, by definition, the entire CHC PHB population – at a disadvantage in exercising the choices the national framework is designed to provide.
9. If no equality impact assessment has been conducted in relation to PHB management mechanisms, please confirm this explicitly.

Quantitative Data

10. Please provide data showing, for each of the past three financial years, the number of active CHC PHBs in North Tyneside broken down by management mechanism: notional budget, third party budget, direct payment, and council managed.
11. If third party budgets are recorded as zero or near zero in North Tyneside – as appears to be the case in Northumberland based on the ICB's own performance data – please provide any documents showing how the ICB has satisfied itself that this outcome is consistent with the national framework's requirement that all three mechanisms be made available to eligible individuals.

Section 75 Delegation and Joint Working

12. Please confirm whether any Section 75 agreement or equivalent arrangement between the ICB and North Tyneside Council covers the administration of CHC PHBs, and if so, provide a copy of the relevant agreement.

13. Please provide any documents, correspondence, or analysis showing how the ICB has ensured that any joint working or delegation arrangements with North Tyneside Council preserve the distinct statutory framework governing NHS CHC – and in particular the full range of PHB management options – as distinct from local authority social care direct payment arrangements.

If no documents are held for any of the above questions, please confirm this explicitly for each question.

Closing Statement

This request is made in the public interest. NHS Continuing Healthcare exists to meet the needs of people with the most complex and severe health conditions. The management mechanism chosen for a personal health budget directly affects whether a disabled person is able to exercise genuine choice and control over their care, or whether that control is effectively transferred to a local authority. It is therefore essential to understand how local practice in North Tyneside aligns with the national framework and the statutory duties it embodies.

Our Response

We can confirm, as per Section 1(1) of the Freedom of Information Act 2000, the ICB holds some of the information you have requested.

Implementation of the National PHB Framework

1. The ICB is committed to clarifying the PHB offer across the region and has developed a PHB policy and PHB standard operating procedure which contains more detail to inform staff. These documents are due to be signed off in the next 3 months.
2. Please refer to the response to question 1.
3. Please refer to the response to question 1.

Governance and Decision-Making

4. There are a limited number of providers offering third-party arrangements in our ICB region. This is because providers often prefer to deliver the care directly, rather than acting solely as an independent third party to hold/manage the PHB funds and pay for and arrange the care and support set out in the person's care plan. The ICB delivers PHB training to staff and this includes an overview of the options.
5. Within the Tees Valley ICB place – an in-depth pilot site when direct payments for health were first introduced – the team attempted to engage providers in this third-party role, however, over time this arrangement turned into a standard service without the benefits anticipated. The provider was called Bespoke and had previously operated in Nottingham. There is no specific information relating to third party as this is just one of the range of options for people.
6. Please refer to the response to question 1.

Equality Impact Assessment

7. NENC ICB does not hold equality impact assessments, equality analyses, or records of due regard consideration relating to how the ICB has implemented PHB management mechanisms for CHC PHB holders in North Tyneside.
8. The policy referred to in response to question 6 includes an equality impact assessment. The policy is due to be signed off in the next 3 months.
9. Please refer to the response to question 8.

Quantitative Data

10. ICB wide personal health budget data is publicly available at <https://digital.nhs.uk/data-and-information/publications/statistical/personal-health-budgets>. In accordance with s.21 of the FOIA, we are not required to provide information in response to a request if it is reasonably accessible to you by other means. Information specific to North Tyneside ICB place is not held by the ICB.
11. The ICB acknowledges the option of a third-party but for a range of reasons this is not the option chosen by individuals, the ICB offers training to staff which explains the options for PHB delivery. A copy of the training slides is attached for your reference.

Section 75 Delegation and Joint Working

12. NENC ICB and North Tyneside Council has a payment mechanism agreement only; the ICB's CHC Team arranges and monitors the PHB process.
13. We can confirm, as per Section 1(1) of the Freedom of Information Act 2000, the ICB on this occasion is not able to provide the requested information specific to North Tyneside ICB place. 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. However, we have determined that the information is held by North Tyneside Council.

In accordance with our duty under s.16 of the FOIA to provide reasonable advice and assistance to an individual requesting information, we have provided the FOI contacts for the council – foiofficer@northtyneside.gov.uk – to make your request.

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**