

Our Reference North East and North Cumbria ICB\  
FOI ICB 25–439

North East and North Cumbria ICB  
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By Email

17 February 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 27 January 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**

Under the Freedom of Information Act, I would like to request the following information:

1. The contract held between NENC ICB and STSFT regarding anticoagulation.
2. Copies of service specification documents supporting this contract.

**Our Response**

1. 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.

NENC ICB holds the following contracts with South Tyneside and Sunderland FT (STSFT) for anti-coagulation:

QHM-2025-8699 – South Tyneside Non-Complex INR  
QHM-2022-0002 – Sunderland Non-Complex INR  
QHM-2024-3556 – Complex Anti-coagulation as part of the main STSFT acute contract (spec not available).

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 1 in its entirety.

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 South Tyneside and Sunderland NHS Foundation Trust (as the provider), and NHS North East and North Cumbria Integrated Care Board (as the commissioning authority).

The Trust has not been formally consulted on this occasion. However, the ICB considers consultation unnecessary as the commercial sensitivity of contracts is well established. The contracts contain pricing information and contractual mechanisms, disclosure of which would reasonably be expected to prejudice the Trust's commercial position and the ICB's ability to commission services effectively in the future.

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.

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

The factors in favour of disclosure would include:

- Promotes transparency and accountability in how NHS services are commissioned and funded.
- Supports public confidence in the use of public money.
- Enables understanding of the scope and purpose of commissioned anticoagulation services.

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

- Disclosure would undermine the ICB's purchasing and negotiating position in future commissioning activity
- Would place the provider at a competitive disadvantage by revealing commercially sensitive pricing and contractual arrangements
- Risks prejudicing fair and effective procurement processes and value for money

To summarise, disclosure of the full contracts would be likely to cause real and significant prejudice to the commercial interests of both NHS North East and North Cumbria ICB and South Tyneside and Sunderland NHS Foundation Trust.

The contracts contain commercially sensitive information, including pricing, payment mechanisms and contractual risk arrangements. Releasing this information would undermine

the Trust's commercial position by revealing financial and contractual terms that are not publicly available and could be used to its disadvantage in future negotiations.

Disclosure would also prejudice the ICB's ability to commission services effectively and secure value for money, by weakening its negotiating position in future contract discussions and setting precedents around pricing and contractual structures.

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

2. Please find attached copies of the service specifications for South Tyneside Non-Complex INR and Sunderland Non-Complex INR. The Complex Anti-coagulation service specification is not held as this is part of the main STSFT acute contract.

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](http://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](http://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**