



# North East and North Cumbria

Our Reference      North East & North Cumbria  
ICB FOI 315

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21 April 2023

By Email

Dear

**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 05 April 2023 for information held by NHS North East and North Cumbria Integrated Care Board (NENC ICB) under the provisions of the Freedom of Information Act 2000.

NENC ICB covers the areas of County Durham, Gateshead, Newcastle, 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 2000, I'm requesting the following information:

Please could you provide a copy of the most recent draft of NHS North East and North Cumbria ICB's Joint Forward Plan? According to [guidance from NHS England](#) these were due to be drafted for consultation as of 31 March 2023 (pg 2).

**Our Response**

*NHS North East and North Cumbria ICB can confirm that they hold the information in scope of your request however it is exempt from disclosure because it is intended for future publication.*

NHS North East and North Cumbria ICB is not obliged to provide information that is intended for future publication (section 22 of the Act) as this information will be published by 30<sup>th</sup> June on the ICB's website <https://northeastnorthcumbria.nhs.uk/>

At present the document is an internal working draft document and will be shared in public once finalised in line with the NHS England timescales. A final draft will be presented to the ICB Board. Papers for this meeting are also published on the website 7 days in advance of the meeting.

As section 22 is a 'qualified exemption', it requires NHS North East and North Cumbria ICB to demonstrate the prejudice which would occur if the information were to be released, and to consider whether the public interest is in favour of releasing the information regardless. When assessing whether or not it was in the public interest to disclose the information to you, NHS North East and North Cumbria took into account the following factors:

### **Public interest considerations favouring disclosure**

- Disclosure FOIA would be consistent with the government's commitment to transparency
- Transparency of functions and services to NHS
- Encourage and instil trust and confidence
- The disclosure would not bear any threat to the protection of the public

### **Public interest considerations favouring withholding the information**

- Future publication is the most cost-effective way of releasing information
- The report is prepared for NHS England. It would therefore not be in the public interest for the report to be disclosed in advance of it being shared with the body for which it was commissioned.
- The report and its contents are not yet finalised, and it is not in the public interest to provide an interim version which could provide inaccurate information. Such disclosure would not promote credibility or trust
- The information is due to be made public given its value and interest to a wide audience. It is not in the public interest to disclose such information to a small number of individuals in advance of wider publication
- It is in the public interest to ensure that the information is available to all members of the public at the same time; premature publication could undermine the principle of making the information available to all at the same time through the official publication process.
- Early release of the information in response to a FoI request could put unnecessary pressure on the ICB to publish earlier than planned, potentially resulting in reduced quality of the final data. This is clearly not in the public interest as it negatively impacts on the ICB's ability to publish information in a co-ordinated and considered fashion. The ICB want the public to have confidence in the information and data it publishes.

Having undertaken the balancing exercise, NHS North East and North Cumbria ICB has concluded that the public interest in maintaining the exemption outweighs the public interest in disclosing the requested information and that given the necessary preparation and administration involved in publishing the information, which includes liaison with other organisations, and collation of information, the ICB consider that our publication timetable is reasonable.

Should you require further information regarding the full Act or in particular section 22 this available here; <http://www.legislation.gov.uk/ukpga/2000/36/section/22>

In line 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 make a complaint or 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 complaint, you may apply directly to the Information Commissioner for a decision. 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.gov.uk](http://www.ico.gov.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 sincerely

*Pamela Coxon*

**Pamela Coxon**  
**Information Governance Officer**