

Our Reference      North East and North Cumbria ICB\  
FOI ICB 26-085

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By Email

24 June 2026

Dear Applicant

### **Freedom of Information Act 2000 – Request for Internal Review of FOI ICB 26-085**

Thank you for your request in which you have asked the ICB to review its response to your Freedom of Information request dated 9 June 2026. The ICB has carefully considered the original response and is now in a position to reply to you.

Your original request and our response are enclosed for your information.



FOI ICB 26-085  
Response Letter.pdf

### **Your internal review request**

We humbly disagree with this assessment and outline our reasoning below. We hope that we can resolve this disagreement amicably between ourselves, without involving other parties.

#### **Section 21**

In regard to the publication of services and total opening hours on Find a Pharmacy – NHS, we submit that this information is maintained by contractors manually. We note that, from experience, this information is often inaccurate and outdated.

Furthermore, we submit that since information on Find a Pharmacy – NHS is maintained by the contractors and not the ICB, it is distinct information for the purposes of s21. We submit that the public have no access to the information confirmed to be held by the ICB.

#### **Section 43**

Regarding section 43(2) we note that we have been told that *“the information requested is not routinely shared publicly”* and that *“The contractor would reasonably expect this information to remain confidential.”* We submit that this is incorrect.

It is also apparent that in no way can this information be thought to be confidential or provided in confidence. When a new pharmacy opens, its core hours are publicly included in the application to open the pharmacy which is distributed to local contractors and in the decision to grant the contract. When core hours are changed, the proposal is notified to the Local Pharmaceutical Committee (LPC) - which is formed of that pharmacy's local competitors. Furthermore, if appealed, the decision is published publicly. It is therefore certain that core hours were not provided in confidence but with the full knowledge that competitors and the public would be notified. Unfortunately, these documents are however now obscure and no longer accessible.

We therefore submit that a pharmacy's core opening hours have not been provided in confidence and it would be inaccurate to describe core hours as 'confidential information'. Furthermore compliance with this FOI request only make apparent information which has already previously been public or known to competitors.

Since submitting the FOI request, we have also discovered that core hours and total opening hours of some pharmacies are included in the South Tyneside Pharmaceutical Needs Assessment 2025 at pages 96 to 104. (In light of this we make adjustments below). Furthermore, we have attached FOI responses by other ICBs providing core hours.

It is therefore clear that core hours are routinely shared with the public and contractors have no expectation that this information is confidential.

We also note that per ICO guidance on section 43(2):

*"It is not sufficient for you [the public authority] to simply argue that because information is commercially sensitive, its disclosure would, or would be likely to, prejudice commercial interests. You must be able to demonstrate a causal relationship between the disclosure of the information in question and the prejudice you envisage."*

The refusal does not identify a concrete causal mechanism by which disclosure of the remaining requested data would prejudice a contractor's commercial interests. It refers in general terms to "operational strategies" and "business decisions," but does not explain how disclosure of core hours (or the remaining service data sought) would enable competitors to obtain a material commercial advantage.

#### Public Interest

The refusal letter notes three reasons against disclosure in its public interest exercise.

- *Would undermine the authority's ability to protect commercially sensitive information provided in confidence.*
- *Could disadvantage the contractor by revealing non-public business information to competitors.*
- *May deter contractors from sharing necessary information with the ICB in future, impacting regulatory oversight and service continuity.*

As we have established, core hours information is not provided in confidence and it is often published for the general public. The first and second bullet points are therefore incorrect.

We also note that contractors are not entitled to refuse to share core hours with the ICB, making the third bullet point inaccurate.

We therefore submit that no good reason has been given against disclosure.

Further to the above, since we know that the South Tyneside PNA provides core hours for pharmacies in that area. We therefore withdraw requests for pharmacies in this Health and Wellbeing Board in respect of core hours but not services.

The **remaining** pharmacies, for which we continue to request data on core hours, are listed below.

| NAME                     | F CODE | POSTCODE |
|--------------------------|--------|----------|
| St Anthonys Pharmacy     | FE802  | NE6 2NN  |
| Dennis Pharmacy          | FGV28  | NE28 0AA |
| Parkside Pharmacy Walker | FGW95  | NE6 2NY  |
| Wallsend Pharmacy        | FH208  | NE28 8JA |
| Boots                    | FK990  | NE6 3BS  |
| Fairmans Pharmacy        | FKK14  | NE28 8HU |
| Walkergate Pharmacy      | FKV74  | NE6 4QD  |
| Burn Terrace Pharmacy    | FPD74  | NE28 7BJ |
| Willington Quay Pharmacy | FT006  | NE28 6NJ |
| Boots                    | FTF19  | NE28 8JR |
| Walker Pharmacy Limited  | FVR13  | NE6 2PB  |
| Fairmans Pharmacy        | FX287  | NE10 0QU |
| Well                     | FX325  | NE28 7PG |

We continue to make our request for service data in respect of all the pharmacies:

| NAME                     | F CODE | POSTCODE |
|--------------------------|--------|----------|
| St Anthonys Pharmacy     | FE802  | NE6 2NN  |
| Dennis Pharmacy          | FGV28  | NE28 0AA |
| Parkside Pharmacy Walker | FGW95  | NE6 2NY  |
| Wallsend Pharmacy        | FH208  | NE28 8JA |
| Boots                    | FK990  | NE6 3BS  |
| Fairmans Pharmacy        | FKK14  | NE28 8HU |
| Walkergate Pharmacy      | FKV74  | NE6 4QD  |
| Boustead Pharmacy        | FNC81  | NE32 5AF |
| Burn Terrace Pharmacy    | FPD74  | NE28 7BJ |
| Willington Quay Pharmacy | FT006  | NE28 6NJ |
| Boots                    | FTF19  | NE28 8JR |
| Walker Pharmacy Limited  | FVR13  | NE6 2PB  |
| Fairmans Pharmacy        | FX287  | NE10 0QU |
| Well                     | FX325  | NE28 7PG |
| Morrisons Pharmacy       | FXF79  | NE32 3LQ |
| Metro Pharmacy           | FXN74  | NE32 3JU |

### Our internal review outcome

Upon reviewing the original request and subsequent request for internal review, the original exemptions are not upheld. The information requested is attached.

If you remain dissatisfied, you have the right under Section 50 of the Freedom of Information Act 2000 to apply to the Information Commissioner to seek resolution to the matter. Further details can be found on their website: [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)

I hope this is satisfactory, however if you have any queries with regards to the above or I can be of any further assistance please do not hesitate to contact me.

Yours faithfully

*Liane Cotterill*

**Liane Cotterill**  
**Information Governance Manager**  
**North East and North Cumbria Integrated Care Board**