



North East and North Cumbria

Our Reference SD\North East and North
Cumbria ICB\FOI ICB619

NECS – John Snow House
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30 November 2023

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 15 November 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 (which covers the 5 councils that make it up – Darlington, Hartlepool, Middlesbrough, Redcar & Cleveland and Stockton-on-Tees).

Please find the information you requested on behalf of the ICB as follows.

Your Request

I am writing regarding the news that NHS England has asked local leaders to reallocate previously ringfenced funding for dentistry and other areas to address deficits in their financial plans caused by the industrial action.

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

What is the new financial plan that has been reportedly requested from NHS England, and will you publish it?

Please do not hesitate to contact me should any aspect of my request require clarification.

Our Response

The ICB was required to submit financial and performance metrics for the second half of the year – these will be published and shared via public board papers. The plan was discussed verbally and via a slide show at ICB Integrated Board Meeting held on 28 November 2023. Meeting agendas and papers are available on the [ICB website](#). As this

information is available to you via other means, it is exempt under s.21 of the Freedom of Information Act 2000.

Financial and performance metrics will be published formally during future 2023/24 ICB Board Meetings and are exempt from disclosure by virtue of s.22 FOIA 2000 which exempts information intended for future publication. It is considered reasonable in all circumstances that information should be withheld from disclosure until the intended date for publication. As the financial and performance metrics are being finalised in preparation for the next financial year, this exemption is being applied in this instance to prevent the disclosure of that information ahead of the ICB's predetermined timescale. We believe that following an established publication schedule is sensible and acceptable to enable internal consideration of the information prior to its public release.

When considering the application of this exemption as per FOIA s.22(1), we are required to assess the public interest in withholding or disclosing the requested information. It is agreed there is a public interest in that information, however, we would argue that the public interest is adequately served by an existing future publication of the final agreed financial and performance metrics. Therefore, on this occasion, we consider the public interest in withholding the requested information outweighs the public interest in providing the requested data at this time.

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.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 sincerely

S Davies

S Davies
Information Governance Officer