

Our Reference North East and North Cumbria ICB\
FOI ICB 24–132

NECS – John Snow House
Durham University Science Park
Durham
DH1 3YG

Tel: 0191 301 1300
E-mail: necsu.icbfoi@nhs.net

By Email

18 July 2024

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 by North of England Commissioning Support (NECS) on 26 June 2024 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, Gateshead, Newcastle, North Cumbria, North Tyneside, Northumberland, South Tyneside, Sunderland, and Tees Valley (which covers the five local authorities of Darlington, Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton-on-Tees).

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

Your Request

As you are aware, there is a duty to make reasonable adjustments to services under the Equality Act 2010. The duty to make reasonable adjustments under the Equality Act 2010 is anticipatory. In this circumstance the anticipatory duty means that an ICB should not wait for a child with a learning disability (or their parent or advocate) to request an assessment of their mental health or behaviours that challenge. Instead, an ICB should consider in advance what they need to do to make their services accessible to children and young people with learning disabilities.

Please confirm if North Tyneside has a service or pathway operating for children and young people with learning disabilities who require assessment and support for mental health problems and/or behaviours that challenge. If a service is in place, please provide the name and contact details and clarify which of the above service models it falls into.

If you do not have a specific service or pathway in place, please provide the following information:

1. Are there any service provisions or specific pathways in North Tyneside which offer support for children with learning disabilities who have mental health problems or display behaviours that challenge? If so, please provide the name and contact information for this service.

2. How many children with a learning disability have received funding for assessment and treatment of their mental health or behaviour that challenges via an individual funding request since the ICB formed?
3. How many individual funding requests made by or on behalf of children and young people with learning disabilities were declined?
4. If there are plans in place to commission a service to:
 - a. assess mental health and behaviours that challenge in children and young people with learning disabilities.
 - b. provide treatment and support in line with NICE guidelines e.g. NICE guidelines for challenging behaviour and learning disabilities & depression in children and young people: identification and management.
5. The reasonable adjustments to services and pathways you have considered in order to discharge your duties under the Equality Act 2010.
6. Any barriers the ICB faces in relation to developing a service for children with learning disabilities and mental health problems or behaviors that challenge.

Learning Disability Lead identification

Additionally, we have been unable to identify the Learning Disability Lead for North Tyneside online in 2023 states:

“The commitment was given to Parliament, during consideration of the Health and Care Act 2022, that every integrated care board (ICB) would identify members of its board [...] which would have explicit responsibility for the population groups and functions set out in this guidance:

- *Children and young people (aged 0 to 25)*
- *Children and young people with special educational needs and disabilities (SEND)*
- *Safeguarding (all-age), including looked after children*
- *Learning disability and autism (all-age)*
- *Down syndrome (all-age).*

ICBs should be open and transparent about who holds [lead] roles and should make this information publicly available.”

7. Please confirm the name of the Learning Disability Lead for North Tyneside.
8. Please can you share the web address containing this information or commit to making this information publicly available on the North East and North Cumbria Integrated Care Board.

Our Response

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

1. There is a service provision. Contact details are:

Community Learning Disability Team
Northumbria Health Care Trust
Unit 7/8, Silver Fox Way,
Cobalt Business Park
Newcastle-upon-Tyne
Tyne and Wear, NE27 0QJ

2. No children with a learning disability have received funding for assessment and treatment of their mental health or behaviour that challenges via an individual funding request since the ICB formed.
3. Please see response to question 2
4. The service is in place, please refer to the response to question 1.
5. As part of a procurement process, providers are asked to demonstrate how they would make reasonable adjustments to their delivery of a service. In certain circumstances, for example diabetes education programme specific pathways are commissioned and delivered by providers who are able to adapt a standardised programme and make it relevant and acceptable for people with a learning disability. This includes facilities for carers where appropriate. The Community Learning Disability Team also provides an education programme to providers around reasonable adjustments. There are also learning disability liaison nurses employed by the Acute Foundation Trusts to ensure people with a learning disability are supported in an acute setting. Primary Care and the acute trusts are able to apply digital flags to identify people with a learning disability, ensuring reasonable adjustments can be made.
6. In relation to North Tyneside, the services are in place.
7. David Purdue is the NENC ICB Executive Director of Nursing. Jane Walker is Head of the MHLDA Northumberland and North Tyneside Local Delivery Team.
8. The Executive Team is shown on the NENC ICB website [Our team | North East and North Cumbria NHS \(northeastnorthcumbria.nhs.uk\)](https://northeastnorthcumbria.nhs.uk)

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 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 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 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