

Our Reference North East and North Cumbria ICB\
FOI ICB 24-097

NECS – John Snow House
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By Email

21 June 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 31 May 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).

We have dealt with your request in accordance with your “right to know” under section 1(1) of the Freedom of Information Act 2000 (subsequently referred to as FOIA2000) which entitles you to be provided with information “held” by a public authority unless an appropriate exemption applies.

Your Request

Please can you provide me with documentation relating to the following posts: 2x 8b Head of Quality Governance and Assurance (ref D9134-ICB-227-2).

1. A copy of the business case detailing the rationale for the creation of these posts outside of the recent ICB 2.0 process.
2. A copy of the minutes of the meeting and associated documentation where these posts were approved, including how they will be funded on a permanent basis.
3. A copy of the relevant section of the ICB structure showing these posts.

Our Response

We can confirm, as per Section 1(1) of the Freedom of Information Act 2000, the ICB holds some of the information requested.

1. Please see attached document.

2. Please see attached document.
3. We can confirm, as per Section 1(1) of the Freedom of Information Act 2000, the ICB holds some of the information you have requested. However, it is exempt from disclosure because it is intended for future publication. It is considered it is reasonable to withhold the requested information prior to publication because the ICB structure will, once finalised and approved for publication by the NENC ICB Executive Board, be published and made available 4 July 2024.

We believe that following the established date of publication is sensible, in line with accepted practices, and fair to all concerned. It is acceptable to manage the availability of this information by planning and controlling its publication, as the timetable for publication enables internal consideration of the information prior to its public release.

When considering the application of this exemption we are required to assess the public interest in withholding or disclosing the requested information. There is evidently a public interest in the NENC ICB structure however this is best served by preventing the disclosure of that information ahead of the ICB's predetermined timescale. It is considered that the public interest is to enable the ICB to finalise, approve and publish this information in the near future. We would therefore argue the public interest is adequately served by the existing publication date, pursuant to the ICB's existing intentions.

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 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