

Our Reference     North East and North Cumbria ICB\  
FOI ICB 24–371

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By Email

17 January 2025

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 23 December 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**

I am writing with a Freedom of Information request regarding the £25 million in funding made available by the NHS Transformation Directorate in 2022/2023 to Integrated Care Systems (ICSs) for supporting CQC-registered adult social care providers in adopting digital technologies to transform care.

In particular, I am interested in information related to:

1. The care homes/providers that received funding for adopting digital technologies to transform care.
2. The value of funding they received.
3. The type of solution and specific systems provided under this initiative.

Types of solutions:

- Care notes and care planning
- Medication management
- Staffing (scheduling)

- Back Office (billing and invoicing)
- Monitoring (nurse call, motion sensors)

Please note that one system could target more than one solution.

## **Our Response**

We can confirm, as per Section 1(1) of the Freedom of Information Act 2000, the ICB does hold the requested information. However, on this occasion, it is not possible to satisfy all elements of your request.

The Freedom of Information Act (FOIA) 2000 contains a number of exemptions that allow a public authority to withhold certain information from release. Some of the requested information is exempt under s.43(2) of the FOIA2000 as disclosure is likely to prejudice the commercial interests of a person as defined by the Act. The s.43(2) exemption applies to questions 1 to 3 in their entirety.

S.43(2) of the Freedom of Information Act protects against the disclosure of information where it would be likely to prejudice the commercial interests of either a third party or the public authority itself. We are of the opinion the release of the specific details would, or would be likely to, prejudice the commercial interests of both the local care homes and local authorities.

The Information Commissioners Office has established a multi criteria test for assessing whether a section 43(2) exemption is applicable to the requested information. The first criteria is to determine if the information relates to or could impact on a commercial activity, the second criteria is if the commercial activity is conducted in a competitive environment, and finally if that information is commercially sensitive. We note the following points:

1. Funding was provided to the ICB then onwards to care providers or local authorities in the form of a grant. This was not provided to the ICS, as stated in the request.
2. Providing individual technology costs by provider would/could provide a competitive advantage to any potential future provider looking to be added to the national assured provider framework.
3. All contracts are between the Care provider/Local Authority and the technology provider and not the ICB. The ICB provided grant funding to care providers or local authorities to facilitate these contractual arrangements. Final costs of implementation may have differed from grant funding requests as there was a requirement for care providers to provide in kind funding, of which the ICB do not hold records.

However, the MOU which the care providers completed with the ICB included specific guidance regarding FOI's which I have attached below, the detail of which may result in any decline from the ICB being ultimately redirected back to us from care providers.

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](http://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](http://www.legislation.gov.uk) . This will not affect your initial information request.

Yours sincerely

*S Davies*

**S Davies**  
**Information Governance Officer**