

Our Reference North East and North Cumbria ICB\
FOI ICB 26-076

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By Email

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Dear Applicant

Freedom of Information Act 2000 – Request for Internal Review of FOI ICB 26-076

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 26-076
Response Letter.pdf

Your internal review request

We humbly disagree with this assessment and outline our reasoning below.

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 We note that, from experience, this information is often inaccurate and outdated.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 Stockton Pharmaceutical Needs Assessment 2025 e.g. pages 74 to 75. (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 Stockton 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
Cohens Chemist	FH749	TS5 8SB
The Oval Pharmacy	FX093	TS5 8HP
Middleton Pharmacy	FKV30	DL2 1BN
WELL	FMH02	TS18 1PL

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

Name	F Code	Postcode
Cohens Chemists	FE214	TS15 9DD
Boots	FAF52	TS15 9AE
Whitworth Chemists	FPJ74	TS15 9XN
Eaglescliffe Pharmacy	FMW76	TS16 0EH
Pharmacy Express	FHP56	TS16 9EA
Kelly Chemist	FDH04	TS17 0WG
Hepworth Chemist	FTK35	TS17 0RR
Boots	FM073	TS17 0EE
Asda Pharmacy	FFT72	TS17 9EN
Pharmacy Express	FD778	TS17 8AB
Allied Pharmacy Varo Terrace	FGX19	TS18 1JY
Lawson Street Pharmacy	FJ100	TS18 1HU
Synergise Pharmacy	FFC02	TS18 1EP
Allied Pharmacy Fairfield	FE662	TS19 7PQ
Cohens Chemist	FH749	TS5 8SB
The Oval Pharmacy	FX093	TS5 8HP
Middleton Pharmacy	FKV30	DL2 1BN
WELL	FMH02	TS18 1PL
Stockton Pharmacy	FRT05	TS18 2AJ
Allied Pharmacy Tennant Street	FT294	TS18 2AT
WELL	FD394	TS18 2AW

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

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