

Our Reference North East and North Cumbria ICB\
FOI ICB 24-066

NECS – John Snow House
Durham University Science Park
Durham
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Tel: 0191 301 1300
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By Email

7 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 9 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).

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

Your Request

As this relates to continuing healthcare (CHC) we refer to ‘CQC Registered Older Persons Nursing Homes’ in which ICBs place residents in receipt of CHC. If you have any concerns or questions to our response, please call me.

Pre-amble

Please accept this data request under the Freedom of Information Act as a Freedom of Information Request.

If the requested data in the timeframe stated is not available, please use the last day of the most recent month for when data is available and provide the date used in the response.

Questions

1. Please confirm if your ICB operates on a CHC framework with a single rate and confirm the rate and any criteria relevant to this rate, and confirm the uplift applied to this framework rate for the period 2024/25. Note: If your ICB offered a range of rates, please outline the MEAN /

MEDIAN / LOWEST / HIGHEST uplifts offered to Registered Older Persons Nursing Homes (*If this rate differs by place, please add additional rows to reflect each place*):

	Mean	Median	Lowest	Highest
CHC Rate				
CHC Uplift				

2. If your ICB places CHC residents outside of a CHC framework with a single rate, please confirm the rates and any criteria relevant to this rate, and confirm the uplift applied to this rate for the period 2024/25. Note: If your ICB offered a range of rates, please outline the MEAN / MEDIAN / LOWEST / HIGHEST uplifts offered to Registered Older Persons Nursing Homes (*If this rate differs by place, please add additional rows to reflect each place*):

	Mean	Median	Lowest	Highest
CHC Rate				
CHC Uplift				

3. Please provide a copy of any letter or letters sent to care providers communicating CHC uplifts made by your ICB.
4. As of 31 March 2024, how many individuals were your ICB funding for CHC in Registered Older Persons Nursing Homes?
5. Regarding the NHSE Payment Scheme Principle that the ICB’s approach must: *‘promote transparency and good data quality to improve accountability and encourage the sharing of best practice’*. Please share the calculations, or methodology used by the ICB to outline how this principle is being met.
6. Regarding the NHSE Payment Scheme Principle that the ICB’s approach must: *‘engage constructively with each other when trying to agree payment approaches’*. Please outline how providers were engaged in the decision that resulted in an annual review or uplift.
7. Please provide the appropriate named contact details (*Including: title, email address, phone number and address*) for the following topics:
 - a. Inflationary Uplifts
 - b. Fee Reviews (For instances of a resident’s change in need)
 - c. Commissioning
 - d. Payment and Invoice Queries (outside of SBS)
 - e. Development of processes for ICB’s approach to future uplifts

Our Response

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.

1. 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 regarding rates. However, this is available within the ICB publication scheme which can be accessed on the ICB website: [Publications scheme | North East and North Cumbria NHS \(northeastnorthcumbria.nhs.uk\)](https://northeastnorthcumbria.nhs.uk/publications-scheme) or please refer to our previous related request, our ref: FOI ICB584 from the ICB FOI disclosure log at: <https://northeastnorthcumbria.nhs.uk/>

In accordance with s.21 of the FOIA, we are not required to provide information in response to a request if it is reasonably accessible to you by other means. 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 regarding uplift. However, it is exempt from disclosure because it is intended for future publication. It is considered reasonable to withhold the requested information prior to publication because 2024/25 fees will, once finalised and approved for publication, be published and made available on the ICB website by 31 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 uplift of fees 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.

2. Please refer to the response to question 1.
3. Please refer to the response to question 1.
4. As of 31 March 2024, the number of individuals funded was 1642.
5. Please refer to the response to question 1.
6. Please refer to the response to question 1.
7. Please refer to the response to question 1.

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