

Our Reference North East and North Cumbria ICB\  
FOI ICB 24–267

[NECS – John Snow House](#)  
Durham University Science Park  
Durham  
DH1 3YG

Tel: 0191 301 1300  
E-mail: [necsu.icbfoi@nhs.net](mailto:necsu.icbfoi@nhs.net)

By Email

9 October 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 27 September 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 looking for all of your information about Shared Care Agreements and how you think GPs should approach them.

Do you have a policy that you can direct me to please?

**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.

Currently NENC ICB does not have a policy regarding shared care agreements in general. However, some information relevant to your request is available online and is therefore reasonably accessible via other means and therefore exempt from disclosure by way of Section 21 of the FOIA.

A number of medicines classed as amber on NENC formulary [North East and North Cumbria Formulary \(northeastnorthcumbriaformulary.nhs.uk\)](http://NorthEastandNorthCumbriaFormulary.northeastnorthcumbriaformulary.nhs.uk) have shared care agreements approved.

Some are legacy CCG documents and others are ICB approved. ICB documents are available on the Northern Treatment Advisory Group web page at: [Shared care guidelines – NTAG](#).

Legacy documents are available via NECS website guidelines page under the individual locality: [Formularies & Guidelines – NE CS Medicines Optimisation \(necsu.nhs.uk\)](#)

All medicines listed on formulary have a designated status which can be found at [North East and North Cumbria Formulary \(northeastnorthcumbriaformulary.nhs.uk\)](#)

GPs should follow the guidance included in each Shared Care Guideline when requested to enter into a shared care agreement by a specialist. This will include confirming agreement to shared care or refusing under the terms of the protocol. A form is included within each protocol to complete.

NHS England have published guidance on shared care in primary care. Further information is available at: [NHS England » Shared Care Protocols](#)

A document defining formulary status Green, Amber, Red and Black has recently undergone consultation (closed 30 September 2024) as part of the approval process and will be available in the next few weeks once approval has been finalised at: [North East and North Cumbria Formulary \(northeastnorthcumbriaformulary.nhs.uk\)](#) and [Shared care guidelines – NTAG](#).

As this document is intended for future publication it is exempt from disclosure by way of Section 22 of the FOIA.

As Section 22 is a qualified exemption the ICB must consider whether the public interest in maintaining the exemption is greater than the public interest in disclosing the information.

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 information however this is best served by preventing the disclosure of that information ahead of the predetermined timescale. It is considered that the public interest is to enable the document to be finalised, approved and published in the near future. We would therefore argue the public interest is adequately served by the existing publication date, pursuant to 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](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**