

Our Reference North East and North Cumbria ICB\
FOI ICB 26-060

North East and North Cumbria ICB
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By Email

2 June 2026

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 on 11 May 2026 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, Newcastle Gateshead, North Cumbria, North Tyneside, Northumberland, South Tyneside, Sunderland, and Tees Valley.

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

Your Request

I am writing to request information under the Freedom of Information Act 2000 relating to NHS Continuing Healthcare (CHC) arrangements and outstanding CHC-related activity within your Integrated Care System (ICS). Please provide the information requested below as of the most recent data available at the time of your response.

1. Current Commissioning Arrangements for Continuing Healthcare
Please provide a description of your ICS's current commissioning model for Continuing Healthcare services, including how assessments, reviews, and funding decisions are handled.
2. Future Commissioning Plans for 2026/2027
Details on whether CHC work is planned to remain with the Integrated Care Board (ICB) or Integrated Care Partnership (ICP), or if it is due to be delegated or transferred to a community trust (or other provider) in 2026/2027.
3. Responsible Person for Continuing Healthcare
Please provide the name, job title, and contact details (email address and/or telephone number) of the individual primarily responsible for overseeing Continuing Healthcare services within your ICB or ICP. If responsibility is shared, please list all relevant individuals.

4. Outstanding CHC Assessments
The current number of outstanding CHC assessments awaiting completion.
5. Outstanding CHC Reviews
The current number of outstanding CHC reviews, including periodic eligibility reviews.
6. Outstanding Funded Nursing Care (FNC) Reviews
The current number of outstanding Funded Nursing Care (FNC) reviews.
7. Outstanding Retrospective CHC Reviews
The current number of outstanding retrospective CHC reviews, including reviews relating to previously unassessed periods of care and reviews linked to historical eligibility reconsiderations.
8. Outstanding CHC Appeals
The current number of outstanding Stage 1 and Stage 2 CHC appeals.
9. LeDeR Reviews Involving CHC
The current number of outstanding LeDeR reviews.
10. Contracted Independent Providers
Details of any independent providers (e.g. private companies or agencies) currently contracted by the ICB to undertake CHC-related work on behalf of the ICS, including:
 - The names of the providers
 - The scope of their contracts (e.g. assessments, reviews, retrospective work, appeals support)
 - Contract start and end dates
 - The approximate value of each contract, where disclosable without exemption

Additional Notes

If any part of this request is considered exempt, please:

- Specify which exemption applies
- Provide the information in a redacted or partial form where possible.

Our Response

1. CHC remains within the ICB. Reviews for CHC are commissioned to an external provider.
2. Commissioning for 2026/2027 is to remain within the ICB.
3. Kate O'Brien is Director of Nursing and is responsible for overseeing CHC services. Please direct all email queries using the ICB's generic mailbox nencicb-sun.reception@nhs.net marked for her attention. Alternatively, telephone the ICB's Switchboard on 0191-512-8484.
4. There are currently 306 outstanding CHC assessments awaiting completion.
5. There are 4,113 overdue CHC reviews.
6. As at 20/05/2026, there are 1,569 outstanding Funded Nursing Care (FNC) reviews.
7. There are 103 outstanding retrospective CHC reviews.
8. There are currently 172 overdue CHC appeals.
9. There are 177 outstanding LeDeR reviews involving CHC.
10. 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.

We can confirm that MPROV carry out backlog review work and backlog COP DoLs work for NENC ICB. The contract started 1 September 2024.

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 FOIA 2000 as disclosure is likely to prejudice the commercial interests of a person as defined by the Act. The s.43(2) exemption applies to part of question 10.

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 NENC ICB.

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. The application of this exemption requires an examination of the public interest in disclosure in comparison as opposed to that in non-disclosure.

The factors in favour of *disclosure* would include:

- Encourage and promote good competition and value for money.
- Transparency of functions; procurement and services to NHS.

Factors in favour of *withholding the information* are largely laid out in the explanation for the use of the exemption but would include:

- Authority's purchasing position
- Procurement processes – due diligence
- Competitive disadvantage

To summarise, by disclosing the cost of the review project this would prejudice the bargaining position of the ICB in any future procurement processes and influence the pricing within the market and to disclose the budget allowance, and the pricing could impact the provider's (MPROVES) competitive position.

After consideration of the above factors, we believe, on balance, the public interest lies in maintaining the exemption.

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 Information 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 ICB's complaints procedure.

The Information Commissioner can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or 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 faithfully

Information Governance Support Officer

**Information Governance Support Officer
North East and North Cumbria Integrated Care Board**