

Our Reference North East and North Cumbria ICB\
FOI ICB 25-046

North East and North Cumbria ICB
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By Email

3 June 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 on 6 May 2025 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

In September 2024 an Invitation to Tender (ITT) was released by Ecovate Group on behalf of several Integrated Care Boards for competitive procurement for healthcare waste collection and disposal services.

Please can you provide me with all the information about the tender process, the responses and the evaluation and awarding of the contracts.

Our Response

We can confirm, as per Section 1(1) of the Freedom of Information Act 2000, the ICB may hold some of the information you have requested.

However, Section 12 of the Freedom of Information Act 2000 (FOIA) makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit, which for Public Bodies is set at £450. This represents the estimated cost of one person spending 18 hours in determining whether the department holds the information then locating, retrieving and extracting the information in relation to your request.

Due to the wide-reaching nature of your request, the process by which we would need to follow to locate and extract the information is going to be more complex and time consuming. Your request covers a process which involved a vast number of individuals and stakeholders across 24 ICBs, including approximately 44 evaluators in addition to other project team members. The ICB does not have the facility to undertake centralised searches for the information requested and we cannot provide information under FOIA which is not 'held' by the ICB itself. To ask each person to undertake a search and collate information will take more than 18 hours. If it took, for example, more than 30 minutes per person to undertake the relevant searches, it is estimated it will take in excess of 18 hours to determine appropriate material and locate, retrieve and extract the information in reference to your request, therefore your request will not be processed further.

By way of further advice and assistance under Section 16 of the FOI Act, we would encourage you to refine your request in order to limit the volume of information you are requesting, or the extent of the searches we would need to undertake in order to comply with your request.

Please also be advised, however, should we receive a revised request, we may consider the following:

1. Where a large amount of information is located in response to a request which is 'peppered' with exempt information, we may not be required to comply with the request under Section 14 of the FOIA because of the burden of compliance. Due to the complex nature of the tender and in accordance with the Section 45 FOIA Code of Practice we may need to coordinate our responses across multiple stakeholders; or
2. Given the nature of your current request, even if you limited the scope of the information you were interested in, statutory exemptions might apply to information we locate in response to any revised FOI request. In particular, information which is commercially sensitive, or which has been received by the ICB in confidence, or which is personal data, would be exempt from disclosure under FOIA.

If you submit a revised request, we will consider that afresh.

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 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**