



North East and North Cumbria

Our Reference SD\North East and North
Cumbria ICB\FOI ICB584

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17 November 2023

Dear

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 23 October 2023 for information held by NHS North East and North Cumbria Integrated Care Board (NENC ICB) under the provisions of the Freedom of Information Act 2000.

NENC ICB covers the areas of County Durham, Gateshead, Newcastle, North Cumbria, North Tyneside, Northumberland, South Tyneside, Sunderland and Tees Valley (which covers the 5 councils that make it up – Darlington, Hartlepool, Middlesbrough, Redcar & Cleveland and Stockton-on-Tees).

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

Your Request

Please find the attached FOI for your attention.

Integrated Care Board (ICB) Continuing Healthcare (CHC) Fee Uplift 2023/2024 Freedom of Information Request

To provide adult social care providers with the most recent information regarding integrated care boards (ICBs) continuing healthcare (CHC) fee uplifts for 2023/2024. The following information request looks to establish key information critical for Adult Social Care (ASC) providers to support the commissioning of CHC.

1. Please confirm if your ICB operates on a CHC framework with a single, or range of rates, and confirm the rate/s and any criteria relevant to these rates, along with any annual uplift applied to these framework rate/s for the period 2023/24.
2. If your ICB places CHC residents outside of a CHC framework with a single, or range of rates, please confirm the rates and any criteria relevant to these rates, and confirm the uplift applied to these rates for the period 2023/24.
3. Please outline the process to set CHC uplifts within your ICB, and state how care providers were engaged in this process.
4. Please provide a copy of any letter or letters sent to care providers communicating CHC uplifts made by your ICB.

5. Please outline the process and timeline for your ICB's approach to your 2024/2025 CHC uplift.

NOTE: If your ICB operates different uplift or uplift processes by former CCG or at a place level, please ensure your response is broken down by individual area etc.

We want to be clear that this FOI relates to continuing healthcare (CHC) funded by your ICB in residential nursing care homes for working age adult and for older people over the age of 65.

Our Response

1. North East and North Cumbria (NENC) ICB have an agreed CHC fee setting approach which ensures compliance with the national guidance to set prices for NHS Continuing Healthcare. The ICB operates currently on geographical frameworks at place with a range of rates being applied in line with LA areas. In some places the Local Authority may undertake a lead commissioner role with regards CHC under a section 75 arrangement and historically may have determined the CHC fee rate. Regardless of local partnership arrangements, the ICB retain the responsibility to approve any CHC fee rates.

Where a provider is on a local authority framework the NENC ICB will match the inflation rate of the local authority determined by place. There may be occasions where a provider is not on the local authority framework however it is deemed appropriate to match the inflation rate of the local authority determined at place due to the similar care being delivered.

2. There may be occasions where a provider is not on a local authority framework however it is deemed appropriate to match the inflation rate of the local authority determined at place due to the similar care being delivered.
3. The national tariff guidance for 2023/24 outlines that where there are no national prices for a service then a local price needs to be agreed. This applies to continuing healthcare fees where there is no national price or currency in place. The ICB agreed a process the ICB will follow in determining the local prices for continuing healthcare nursing care home fees to ensure the ICB complies with the national rules as set out in the national tariff guidance.

The following factors are examples of those areas considered by place when assessing the appropriate CHC fee for their place to recommend to the ICB for approval. Where host arrangements exist the host authority is similarly asked to confirm that rates are set in accordance with the principles set out in the 2023/25 NHS Payment Scheme.

- Quality of Care Home provision
- Inflation and efficiency
- Comparative fees
- Changes to the Care Home market
- Occupancy in Care Homes
- Other factors: The group will consider any other relevant factors which may arise in assessing the appropriateness of the fee rates which may emerge during negotiations with providers.
- Domiciliary Care rates

Each place considered the above factors outlined in a holistic way and agree the appropriate CHC fee for approval. Engagement with providers is managed at place for each area within the ICB.

4. Copies of letters sent to care providers in Newcastle, Gateshead, Sunderland and North Cumbria are attached below.



All other place correspondence detailing uplifts to a provider is carried out by Local Authorities on behalf of ICB through via s.75 agreement arrangements in place or through integrated partnership contracting arrangements.

Please redirect your questions to them using the email address further down this letter.

5. The 2024/25 process and timeline are being reviewed and are yet to be finalised, therefore no update is able to be shared at this time.

The North East and North Cumbria Integrated Care Board (NENC ICB) does not hold all the information which you have sought. However, we have determined the records may be held by Local Authorities within the North East and North Cumbria region.

In accordance with our duty under s.16 of the FOIA to provide reasonable advice and assistance to an individual requesting information, we have provided the FOI email addresses for those local authorities to make your request.

NENC Local Authorities	Email
Cumbria County Council	information.governance@cumbria.gov
Darlington Borough Council	freedomofinformation@darlington.gov.uk
Durham County Council	foi@durham.gov.uk
Gateshead Council	informationrights@gateshead.gov.uk
Hartlepool Borough Council	freedomofinformation@hartlepool.gov.uk
Middlesbrough Borough Council	foi@middlesbrough.gov.uk
Newcastle City Council	freedomofinformation@newcastle.gov.uk
North Tyneside Council	foiofficer@northtyneside.gov.uk
Northumberland County Council	foi@northumberland.gov.uk
Redcar & Cleveland Borough Council	information_security@redcar-cleveland.gov.uk
South Tyneside Council	foi@southtyneside.gov.uk
Stockton on Tees Borough Council	foiandcomplaints@stockton.gov.uk
Sunderland City Council	freedom.information@sunderland.gov.uk

In line 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 make a complaint or 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 complaint, you may apply directly to the Information Commissioner for a decision. 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