



North East and North Cumbria

Our Reference North East and North Cumbria
ICB\FOI ICB673

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12 January 2024

By Email

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 15 December 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

Documents proving compliance by Tees Valley Primary Care Commissioners of GP Services, with:

Involvement – ensures people can be more involved in service improvement and change, given more information and access to NHS process where their contribution and input is valued. Public involvement in commissioning is about enabling people to voice their views, needs and wishes, and to contribute to plans, proposals and decisions about services.

Lived experience – is where someone who has recent experience of a service is able to (and is supported to) share that experience with the intention of making changes and improvements.

Clarification Provided:

My request concerns proof of compliance by the Tees Valley commissioners of GP Services with the NHS England ICB Involvement Strategy. I have requested a full, accurate and speedy response from the Director Strategy, Commissioning and Delivery of primary care services in the Tees Valley area, who should be eager to Engage.

Our Response

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

The ICB is delegated, through a delegation agreement, on behalf of NHS England to commission General Practice services. In Tees Valley there are 77 practices – 73 are General Medical Service (GMS) Contracts, 2 Personal Medical Service (PMS) Agreements and 2 Alternative Provider Medical Services (APMS) Contracts. GMS and PMS contracts were originally commissioned by NHS England, are in perpetuity and the content of the contracts are nationally set. The APMS contracts are time limited, with elements of nationally set content to ensure compliance with the GMS regulations.

There is a requirement in all of these contracts that any practice who has been commissioned to provide medical care services to patients, provides essential services within core hours, as are appropriate to meet the reasonable needs of its patients. Core hours are defined as Monday to Friday 08:00-18:30 excluding bank holidays.

Any proposals by contract holders to change or vary any provision of services under the contract may require engagement and/or consultation of patients. There is an expectation that where a practice proposes a minor change, they would engage directly with patients via their Patient Participation Group (PPG) in advance of making an application to the ICB i.e. to apply to close the practice for an afternoon as a temporary one off closure to support education and training of staff.

A General Practice must establish and maintain a group known as a “Patient Participation Group” comprising some of its registered patients for the purposes of:

- obtaining the views of patients who have attended the Practice about the services delivered; and*
- enabling the Practice to obtain feedback from its registered patients about those services*

The Practice must make reasonable efforts during each financial year to review the membership of its Patient Participation Group in order to ensure that the Group is representative of its registered patients

The Practice must:

- engage with its Patient Participation Group, at such frequent intervals throughout each financial year as the Practice must agree with that Group, with a view to obtaining feedback from the Practices registered patients, in an appropriate and accessible manner which is designed to encourage patient participation, about the services delivered by the Practice; and*
- review any feedback received about the services delivered by the Practice, with its Patient Participation Group with a view to agreeing with that Group the improvements (if any) which are to be made to those services.*
- The Practice must make reasonable efforts to implement such improvements to the services delivered by the Practice as are agreed between the Practice and its Patient Participation Group*

Where practices propose to substantially and materially change or vary any provisions under the contract there are robust processes to follow as set out in the NHS England Policy and Guidance Manual (<https://www.england.nhs.uk/publication/primary-medical-care-policy-and-guidance-manual-pgm/>) e.g. practice mergers, cross-site working between two practices, branch closures etc and there is an expectation that robust engagement would be undertaken by the practice. The role of the ICB is to ensure practices follow the required process and to support, where required, with the engagement and involvement of patients accordingly. The examples provided demonstrate engagement activity that was supported by the ICB regarding proposals for a merger, cross-site working and branch closure requests.

There are also dedicated pages on the ICB website regarding past involvement and engagements:

<https://northeastnorthcumbria.nhs.uk/media/yilb11o2/nenc-icb-involvement-and-engagement-report-22-23.pdf>

<https://northeastnorthcumbria.nhs.uk/get-involved/our-work-with-people-and-communities/past-engagement/>

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

Pamela Coxon

Pamela Coxon
Information Governance Officer