



# North East and North Cumbria

Our Reference      North East & North Cumbria  
ICB\166

NECS - John Snow House  
Durham University Science Park  
Durham  
DH1 3YG

Tel: (0191) 301 1300  
Fax: (0191) 374 4102  
E-mail: [Necsu.icbfoi@nhs.net](mailto:Necsu.icbfoi@nhs.net)

11/01/2023

By Email

Dear

**Freedom of Information Act 2000 - Request for Information – NHS North East & North Cumbria Integrated Care Board.**

Thank you for your request received by North of England Commissioning Support (NECS) on 12/12/2022 for information held by NHS North East and North Cumbria Integrated Care Board (ICB) under the provisions of the Freedom of Information Act 2000.

For information Clinical Commissioning Groups ceased to exist on 30 June 2022. Services that were previously delivered by the CCG are now being delivered by the successor organisation NHS North East and North Cumbria (ICB). This 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.

**Request**

**In relation to last financial year (21/22) could you please provide me with information relating to the first 20 occasions in which you sanctioned the use of a patient's Personal Health Budget (PHB) to be spent on something that was NOT for the provision of care, medicine, or transport to a place where care or medicine was provided?**

**1) For each of these 20 occasions please state:**

- (i) what the money was spent on and**
- (ii) how much money was spent on it and**

(iii) the outcome the patient was working towards as a result of this spend.

**Note:** What I am after is any capital expenditure which is not immediately apparent as of a medical purpose. So a specialist bed would be medical and I would not want to know about it, but a large screen television for a patient with vision problems would be something that I am interested in, as somebody not familiar with the case would not be able to tell that the set had been bought because of the patient's vision problems. The request covers PHBs for both adults and children.

**Response:**

*Please be advised that some localities (referred to as 'place') within the NENC ICB cannot confirm or deny if the requested information is held, as doing so would exceed the appropriate limit as set out in section 12 of the Freedom of Information Act 2000. Section 12 of FOIA allows a public authority to refuse to deal with a request where it estimates that it would exceed the appropriate limit. The appropriate limit is currently £450 for the NHS based on a flat rate of £25 per person per hour.*

*The reason section 12 may not have been applied to the whole request is due to the integration between the disbanded Clinical Commissioning Groups and the inception of the Integrated Care Board from the 1<sup>st</sup> of July 2022, whereby integration is still taking place across the services and therefore, some localities have easier access to this information and do not need to apply the section 12 exemption.*

**County Durham:**

- i. Nil.*
- ii. Not applicable.*
- iii. Not applicable.*

**Newcastle & Gateshead:**

- i. Nil.*
- ii. Not applicable.*
- iii. Not applicable.*

**Northumberland:**

- i. Nil.*
- ii. Not applicable.*
- iii. Not applicable.*

**North Cumbria:**

*In accordance with section 12 of the Freedom of Information Act 2000, we have estimated that the cost of complying with the request would exceed the appropriate limit.*

*The appropriate limit is specified in the regulations and is set at £450 for NHS bodies. This represents the estimated cost of one person spending more than 18 hours work in determining whether the ICB holds the information and location, retrieving and extracting the information.*

*To confirm this information would require a manual search of 91 patient PHB records, including support plans and reviewing each piece of expenditure to confirm if any of the funding meets the requested criteria. It is estimated that each patient record would take approximately 15 minutes per record. 22.5 hours x £25 per hour = £568.75*

*With regards to your request, the ICB can confirm that all information within your request falls outside of the appropriate limit and therefore, cannot be provided; however, please be advised, you also have the option to pay.*

**North Tyneside:**

*There are four cases identified as per the requested criteria:*

- 1) i. Sky Tv installation  
ii. £800 per annum  
iii. The aim is to prevent social insolation whilst on 15 hours bed rest per day.*
- 2) i. Hot Tub  
ii. £3500 (approx.)  
iii. To help minimise anxiety and behaviours.*
- 3) i. Day care  
ii. £6360  
iii. To provide carers relief and sensory input*
- 4) i. Day care  
ii. £7758.40  
iii. To attend rebound sessions and sensory rooms.*

**South Tyneside:**

- i. Nil.*
- ii. Not applicable.*
- iii. Not applicable.*

**Sunderland:**

*There is one case identified as per the requested criteria:*

- 1. i. Budget for replacement clothing, bedding, and furnishings*
- 2. ii. £230.15 per week*
- 3. iii. To maintain dignity and comfort as a result of a health and social care reason but may not be immediately apparent is for this for someone not familiar with the case.*

**Tees Valley:**

*In accordance with section 12 of the Freedom of Information Act 2000, we have estimated that the cost of complying with the request would exceed the appropriate limit.*

*The appropriate limit is specified in the regulations and is set at £450 for NHS bodies. This represents the estimated cost of one person spending more than 18 hours work in determining whether the ICB holds the information and location, retrieving and extracting the information.*

*To confirm this information would require a manual search of 290 patient PHB records, including support plans and reviewing each piece of expenditure to confirm if any of the funding meets the requested criteria. It is estimated that each patient record would take approximately 15 minutes per record. 72.5 hours x £25 per hour = £1,812.50.*

*With regards to your request, the ICB can confirm that all information within your request falls outside of the appropriate limit and therefore, cannot be provided; however, please be advised, you also have the option to pay.*

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.gov.uk](http://www.ico.gov.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

*Ehren Smith*

Ehren Smith  
**Information Governance Officer**