



North East and North Cumbria

Our Reference North East and North Cumbria
ICB\FOI ICB656

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12/01/2024

Applicant
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 04/12/23 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

I would be extremely grateful if you were able to share with me the following information about GP Practices in your ICB/ICS, a GP Practice being any GP Practice holding a GMS, PMS or APMS contract:

Under the Freedom of Information Act, I would like to request the following information regarding placements and spending for older person's care home services. Please provide answers on the attached accompanying Excel spreadsheet.

1. Who within the ICB, has the commissioning responsibility for care home placements for older people (aged 65+) under a Continuing Healthcare package (CHC)? Please provide their:

- a. Name
- b. Job title
- c. Telephone number

- d. Email address

Clarification received: Any service that is specifically designed for older people

2. Please provide the gross total expenditure on older person's (age 65+) services under a CHC package for financial year **2020/21**, **2021/22**, **2022/23 (actual)** and financial year **2023/24 (projected)**:

For question 2a, please provide total spend on personal social services for people aged 65+. This will include spend on residential, nursing, and domiciliary care (2b, 2c, and 2d) as well as other social care for older people such as day services, etc

- a. Gross total expenditure on older person's (65+) services
- b. Gross total expenditure on residential home placements (65+)
- c. Gross total expenditure on nursing home placements (65+)
- d. Gross total expenditure on domiciliary care/home care (65+) **clarification received: Please include independent supported living schemes.**

3. Please provide figures for the total number of older people (age 65+) that the ICB has placed under a CHC package in the financial year **2021/22**, **2022/23** and **2023/24** (projected) and funded in:

- a. Residential care
- b. Residential dementia care
- c. Nursing care
- d. Nursing dementia care
- e. Domiciliary care/home care. **Clarification received: Please include independent supported living schemes.**

4. Please provide the average (mean) weekly fees paid for care home placements for older people (aged 65+) under a CHC package in financial year **2022/23** and **2023/24**:

- a. Older person's residential
- b. Older person's residential dementia
- c. Older person's nursing
- d. Older person's nursing dementia

Our Response

We have dealt with your request in accordance with your "right to know" under section 1(1) of the Freedom of Information Act 2000 (subsequently referred to as FOIA2000) which entitles you to be provided with information "held" by a public authority unless an appropriate exemption applies.

In line with your rights under section 1(1)(a) of the Act to be informed whether information is held, we confirm the North East and North Cumbria Integrated Care Board (NENC ICB) does hold some of the requested information.

As ICBs were first legally established on 1st July 2022, there is no collective data held by NENC ICB for NHS Continuing Healthcare (CHC) packages for financial years 2020/21, 2021/22, and 2022/23. The eight clinical commissioning groups were reorganised and amalgamated into one single organisation namely the NENC ICB in July 2022. We have determined the cost of finding, answering, and assembling the responses to each of your questions for the eight clinical commissioning groups (CCGs) for those specific dates, would exceed the cost limit of £450 for the NHS as specified in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004.

s.12(1) of the FOIA provides that a public authority is not obliged to retrieve any of the requested information if the cost of locating, retrieving, and extracting information would

exceed the "appropriate limit". The limit for the NHS equates to 18 hours' work and can relate to one request in its entirety or a series of linked requests.

Therefore, to locate, retrieve and extract the NHS Continuing Healthcare (CHC) packages for the requested years prior to July 22 would require each of the eight former Clinical Commissioning Group to complete a search of their own records to identify what information may fall within the scope of these questions. There is no central record where this information is held.

To estimate how long it would take for one former CCG to retrieve any relevant information we have consulted with each place who calculated it would take approximately 25 hours for finance and clinical CHC teams to complete for Tees Valley, Durham, Newcastle Gateshead, Cumbria, Sunderland and North Tyneside. The request asks for information pertaining to four financial years, there are four questions with most having multiple parts which would require complex data analysis to be able to answer each of your specific questions. To explain our position further, the only way to identify, extract, record and retrieve each former CCG's exact CHC funded cases broken down using your desired categories would require a manual process to those cases where a funding recipient directly matches the criteria of your request.

In accordance with our duty to provide advice and assistance under s.16 FOIA 2000, we have estimated that we may be able to answer some elements of your request if they were refined to one specific former CCG, or topic or area or financial year. We should also point out we have estimated that any revised request submitted for CHC funding data for all the former eight clinical commissioning groups (CCG's) would also exceed the appropriate limit for the required earlier years. Should you refine your request for data for one specific former CCG for all requested years or for one specific year for all CCG's we may be able to provide this within the appropriate limit of 18.5 hours. However, we should advise that we have not yet considered whether any exemptions to disclosure may apply to such future requests.

Please note that for South Tyneside and Northumberland places, this information is not held by NENC ICB who commission for South Tyneside Council and Northumberland County Council to now manage their CHC cases. Their contact details are provided below:

*foi@southtyneside.gov.uk
foi@northumberland.gov.uk*

If you were to resubmit a revised request for information, we will treat this as a new FOI request, and the 20-working day limit will begin again. In accordance with s.17 FOIA 2000, this letter represents a refusal notice.

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

Ehren Smith

Ehren Smith
Information Governance Officer