



North East and North Cumbria

Our Reference PA\ North East & North
Cumbria ICB\ICB128

Your Reference ICB128

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5 December 2022

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 8 November 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

I am writing to request the following under the freedom of information act:

i) The total amount spent on recruitment consultants for recruitment to the new Integrated Care Board

The ICB spent £22,200 on recruitment consultants.

ii) The number of people employed by the new Integrated Care Board on an annual salary of £170,000 or greater.

NHS North East and North Cumbria Integrated Care Board (NENC ICB) does hold this information. The ICB considers that this information is exempt under Freedom of Information Act 2000, Section 22 (future publication), as it is intended for future publication. The information is intended for publication by NHS NENC ICB within the annual report and accounts which will be produced at the end of the financial year. The Information Commissioner's Office guidance states "For the exemption in Section 22 to apply, the public authority must, at the time of the request, hold the information and intend that it or 'any other person' will publish it in future." The ICB is satisfied that this condition is met by virtue of NHS NENC ICB having a set intention to publish the document.

Section 22 of the Act is a class based qualified exemption and is subject to the public interest test. This means that not only does the information have to prejudice one of the purposes listed, but before the information can be withheld, the public interest in preventing that prejudice must outweigh the public interest in disclosure.

Public Interest Test

Considerations in favour of disclosure:

- *The need for public authorities to be transparent in their dealings*

Considerations against disclosure:

- *The information is intended for future publication once finalised*
- *The information is due to be made public given its value and interest to a wider audience and it is not in the public interest to disclose the information to a small number of individuals in advance of wide publication*
- *It is in the public interest to ensure that the information is available to all members of the public at the same time; premature publication could undermine the principle of making the information available to all at the same time through the official publication process*

Conclusion:

The ICB recognises that there is a public interest in the disclosure of information which facilitates the accountability and transparency of public bodies for decisions taken by them. However, the information is to be made public shortly and it is not in the public interest to disclose the information to a small number of individuals in advance of wider publication but to make the information available to all at the same time through the official publication process

Having undertaken the balancing exercise, the ICB have concluded that the public interest in maintaining the exemption outweighs the public interest in disclosing the requested information having regard to the effect that the disclosure of the information would not be in the public interest.

Given that the definition of 'public' under the Act is considered to be the public at large, rather than just the individual applicant or a small group of people and that 'public interest' is not necessarily the same as what interests the public; The ICB considers that it is in the public interest to allow the disclosure of this information through the official publication process

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

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

Paul Atkinson

Paul Atkinson
Information Governance Officer