

Our Reference North East and North Cumbria ICB\
FOI ICB 24-024

[NECS – John Snow House](#)
Durham University Science Park
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DH1 3YG

Tel: 0191 301 1300
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By Email

24 April 2024

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 10 April 2024 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 am writing to you under the Freedom of Information Act to request information regarding your Cancer Alliance operations and tele reporting services including Out of Hours, routine, emergency and Backlog etc.

Could you please provide me with the following details:

1. Managing Director Name and email address
2. Operations Director Name for Imaging Service and email address/s
3. Operations Director Name for Pathology Services and email address/s
4. Clinical Chair(s) Name and email Address/s
5. Programme Manager(s) – Targeted Lung Name and email address/s
6. Programme Manager(s) Name and Email address/s
7. Cancer Quality Improvement Lead Name(s) and Email address/s

Thank you in advance for your cooperation in providing this information. Should you require any further details or clarification from my end, please do not hesitate to contact me.

Our Response

We can confirm, as per Section 1(1) of the Freedom of Information Act 2000, the ICB does hold the requested information however, it is exempt from disclosure under s.21 and s.40(2) of the FOIA2000.

Directors' information is available on the Northern Cancer Alliance website: [Home – Northern Cancer Alliance](#) In accordance with s.21 of the FOIA, we are not required to provide information in response to a request if it is reasonably accessible to you by other means.

The requested information is exempt from disclosure under s.40(2) of the FOIA2000 as it would constitute personal data as defined by Article 4(1) of the UK General Data Protection Regulation (UK GDPR).

However, section 40(8) of FOIA confirms that for the purposes of considering disclosure, a public authority may consider the legitimate interest's lawful basis for processing. In considering the balance between identified legitimate interests and the rights and interests of the individuals concerned, we must consider if the proposed disclosure would be within the reasonable expectations of the individual when the data was collected.

We believe that disclosure of the personal information relating to these individuals would be contrary to the requirements of Article 5(1)(a) of the GDPR; namely that information must be processed lawfully, fairly and in a transparent manner. These individuals would have no expectation that this information would be made publicly available, and we have not identified a lawful basis that would allow or require us to disclose this information.

We have followed the Information Commissioner's guidance in assessing whether it is fair to disclose the information under FOIA. This involves considering the nature of the information, the expectations of, and potential harm (of disclosure) to, the data subjects, and how any legitimate public interest in this information is balanced against the rights and freedoms of the data subjects.

In considering a disclosure under FOIA, we must consider that any information released under the Act will be placed in the public domain, through our own disclosure log or by other means.

In accordance with our duty to provide advice and assistance under s.16 FOIA 2000, you can direct all queries to the Northern Cancer Alliance using the Corporate Mailbox nencicb.nca@nhs.net marked for a specific team's attention.

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

S Davies

S Davies
Information Governance Officer