

18/11/2022

NN-ICB/22/097

Dear Requestor

**RE: Freedom of Information Request**

With reference to your request for information I can confirm in accordance with Section 1 (1) of the Freedom of Information Act 2000 that we do hold the information that you have requested. A response to your request is below.

Please note that both NHS Nottingham and Nottinghamshire, and Bassetlaw Clinical Commissioning Groups ceased operation on 30 June 2022. They have been superseded by NHS Nottingham and Nottinghamshire Integrated Care Board (ICB) which began operation on 1 July 2022.

In the request you asked:

[Please can you send me the organisational structure - outlining the current posts and grades for the ICB.](#)

I can confirm that we do hold the information relating to the organisational structure chart. However due to the ongoing organisational change process it has not yet been finalised and will be published in the future.

NHS Nottingham and Nottinghamshire ICB has considered this request and is withholding the information requested at this present time, in line with exemption in Section 22(1) of the Freedom of Information Act 2000 (FOIA).

In the interim the following documents may be of assistance:

**Executive Director Portfolios: ICB Governance Handbook page 4:**

[NHS-Nottingham-and-Nottinghamshire-ICB-Governance-Handbook-v1.1.pdf](#)

This provides an outline of the portfolio of responsibilities for each of the ICB's Executive Directors, including the Chief Executive.

**ICB Board members:**

[Our Board - NHS Nottingham and Nottinghamshire ICB](#)

This provides the names of each of the ICB Board members and an accompanying biography.

Section 22 (1) relates to information that is exempt information if –

**a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),**

b) the information was already held with a view to such publication at the time when the request for information was made, and

c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph

### **Public Interest Test**

- Section 22(1) is a qualified exemption and subject to the public interest test.
- NHS Nottingham and Nottinghamshire ICB recognise that the disclosure of the information sought in relation to the organisational structure chart, would promote accountability and transparency with regards to the composition of the organisation's workforce; however, transparency is also achieved by the ICB publishing this information on its website.
- Conversely to the factors demonstrated above in favour of disclosing information that they hold that falls within the scope of an FOI request as quickly as possible, however, this needs to be balanced with the public interest in ensuring that the ICB maximise cost effectiveness and providing this information in response to an FOI request is not the most cost-effective way of placing this information in the public domain when it will be published.
- The exemption under Section 22 of the FOIA recognises that it must be reasonable to withhold the information until the date of publication. Given the necessary preparation and administration involved in publishing the information, we consider that our publication timetable is reasonable.
- As a result, it is our opinion that this sufficiently demonstrates the prejudice which could be caused through disclosure.

### **Balance Test**

- It is important to bear in mind that any disclosure under the FOI Act is a disclosure to the public at large and not just to the applicant. It is recognised that there is a general public interest in the ICB being open and transparent. However, it is not believed that this public interest is served in disclosure for damage that would be caused as outlined above.

If you are unhappy with the way in which your request has been handled, NHS Nottingham and Nottinghamshire Integrated Care Board (ICB) have an internal review procedure through which you can raise any concerns you might have. Further details of this procedure can be obtained by contacting Lucy Branson, Associate Director of Governance via [lucy.branson@nhs.net](mailto:lucy.branson@nhs.net) or by writing to FOI Team at NHS Nottingham and Nottinghamshire ICB, Sir John Robinson House, Sir John Robinson Way, Arnold, Daybrook, Nottingham, NG5 6DA.

If you remain dissatisfied with the outcome of the internal review, you can apply to the Information Commissioner's Office (ICO), who will consider whether the organisation has complied with its obligations under the Act and can require the organisation to remedy any problems. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by NHS Nottingham and Nottinghamshire ICB. You can find out more about how to do this, and about the Act in general, on the Information Commissioner's Office website at: <https://ico.org.uk/for-the-public/>

Complaints to the Information Commissioner's Office should be sent to:

FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Telephone 0303 123 1113 or report a concern via <https://ico.org.uk/concerns/>

Yours sincerely

Freedom of Information (FOI) Officer on behalf of *NHS Nottingham and Nottinghamshire Integrated Care Board*

[notts.foi@nhs.net](mailto:notts.foi@nhs.net)

*All information we have provided is subject to the provisions of the Re-use of Public Sector Information Regulations 2015. Accordingly, if the information has been made available for re-use under the [Open Government Licence](#) (OGL) a request to re-use is not required, but the license conditions must be met. You must not re-use any previously unreleased information without having the consent of NHS Nottingham and Nottinghamshire Integrated Care Board. Should you wish to re-use previously unreleased information then you must make your request in writing (email will suffice) to the FOI Lead via [notts.foi@nhs.net](mailto:notts.foi@nhs.net). All requests for re-use will be responded to within 20 working days of receipt.*