

04/04/2023

NN-ICB/22/224

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.

In the request you asked:

Sativex is a treatment approved by NICE in 2019 for people with MS experiencing moderate to severe spasticity where other treatments haven't worked. It has been proven safe, cost effective and it can change people's lives. People with MS in other areas across England have access, which creates an unfair postcode lottery.

If NHS Nottingham and Nottinghamshire Integrated Care Board already provides Sativex to people in the local area, please let the MS Society (campaigns@mssociety.org.uk) and me know so they can update their information.

The Nottinghamshire formulary lists this item as GREY with a note that it has had no formal assessment. We use this note for items that have not been requested by the local specialists to be added to the formulary.

NICE guideline NG144 - Cannabis-based medicinal products lists such products as an option where other treatments have not been effective. However, as this publication is a guideline as opposed to a Technology Appraisal (TA), commissioning organisations are not mandated to implement and can make local decisions.

Furthermore, the guideline states:

Treatment with THC:CBD spray should be initiated and supervised by a physician with specialist expertise in treating spasticity due to multiple sclerosis, in line with its marketing authorisation.

This implies that treatment would be initiated and managed by a secondary care (hospital) specialist. As stated above, none of our specialists have so far submitted an application for this product to be included onto the local formulary.

Where a medication is listed as grey, a specialist does have the option to submit a one-off request to the hospital drugs and therapeutics committee for approval of use in an individual case so this option is available for our patients locally.

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 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

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