

14/06/2023

NN-ICB/23/308

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 each part of your request is below.

In the request you asked:

I should like to know the answers to the following questions regarding Personal Health Budgets:

How many people are in receipt of PHB?

For the period from January 2022 to 31st March 2023. Quarter 1 2023/24 financial auditing will be carried out at the end of June 2023.

- Notional Personal Health Budget (PHB) - 3,027
- Direct payments Personal Health Budget (PHB) - 134

How many of those have had an audit within Jan 2022 - May 2023?

Only the direct payments PHB have a detailed audit process. Notional PHB's payments are made direct to the provider/practitioner via direct invoicing. In these cases, the ICB's finance team will check invoices against allocated spend on the ICB's finance system.

How often are PHB audits undertaken?

Direct payment PHB's are currently audited every financial quarter.

How many people responded to the request and provided the necessary information?

All direct payment PHB recipients responded to the request from January 2022 – December 2022. For the period January 2023 – March 2023, 130 people have responded and 4 are still outstanding.

How many of those people didn't respond to the request?

For the period January 2023 – March 2023, 4 direct payment PHB audit requests are still outstanding.

What types of action was/is taken against the people who did not respond to the request?

Where a direct payment PHB recipient and or their representative is non-compliant with providing financial monitoring requests as per the process then the ICB will:

- Send a stage 1 letter to the person or their representative, explaining what action is required and give a deadline of 14 days to complete action.
- Where a person or their representative fails to provide any monitoring within the 14 days then a stage 2 letter will be sent, again explaining what action is required within 7 days.

- After 7 days, if there is still no response from the direct payment recipient or representative then a stage 3 letter will be sent giving a further 7 days to provide the evidence. If following the 7 days, there is no response or evidence is lacking then the personalised care manager will raise the concerns to the Complex Care and Quality Assurance (CCQA) panel and seek approval to stop the direct payment and/or move to a managed account.
- Under the National Health Service (Direct Payments) Regulations 2013, the ICB must give reasonable notice to the direct payment recipient or representative if they decide to stop and/or move the direct payment to a managed account. A letter will be sent by the ICB to the direct payment recipient or representative giving 4 weeks notice and where required a final request for any financial evidence.

How many people in receipt of a Personal health budget were ineligible to an audit, ie PHB paid directly to the practitioner or service provider?

Notional PHB's are audited against invoices sent to the ICB. There are 3,027 people in receipt of a notional PHB.

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.*

