

12/12/2023

NN-ICB/23/535

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, we do hold the information. A response to each part of your request is outlined below.

In the request you stated *'I am writing in relation to news that the Government has refused requests from NHS England to allocate £1 billion to address the financial impact on NHS budgets from industrial action, and that NHSE has now told finance directors that c. £600m from the previously ringfenced "service development fund" for several improvement initiatives can be repurposed to support their financial plans'* and asked:

- 1) *What is your estimated YTD deficit, and how much of this has been caused by industrial action?*

The latest year-to-date (YTD) deficit positions, for both NHS Nottingham and Nottinghamshire Integrated Care Board (ICB) and the Nottingham and Nottinghamshire Integrated Care System (ICS), are available within the Finance Report presented to the 9 November 2023 meeting of the ICB Board. This can be accessed at [ICB-Board-Open-session-09.11.23.pdf](#) (please see slides 228 to 231 of the PDF pack). Paragraph 10 of the paper describes the main drivers of the adverse variance, one of which is 'external factors' (i.e., industrial action and inflation), which is valued at £6.3 million.

Please note that a further Finance Report will be presented to the 11 January 2024 meeting of the ICB Board. Papers will be available on the ICB's website.

- 2) *In light of reports that NHS England has told finance directors that they can utilise underspends in the development of cancer, prevention, learning disabilities and autism services, as well as dentistry, to manage this deficit, which areas have you identified for budget reductions this year, and by how much?*

At the time of responding, NHS Nottingham and Nottinghamshire ICB is still in the process of drafting a revised financial plan in response to the request from NHS England. This is due to be published during quarter four 2023/24, and as such, the ICB has applied the Section 22 exemption (information intended for future publication), under the FOI Act 2000, to this request.

In considering the application of section 22, which is a qualified exemption, the ICB has considered the arguments both in favour of disclosing and withholding the information requested and has determined that the public interest in maintaining the application of the Section 22 exemption outweighs the public interest in disclosure at this time.

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

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. All requests for re-use will be responded to within 20 working days of receipt.