

11/12/2024

NN-ICB/24-1015

Dear Requestor

**Re: Freedom of Information Request**

Thank you for your request for information, received on 3 December 2024, regarding the Integrated Care Board (ICB)'s legal responsibilities. We have processed your request in accordance with the Freedom of Information Act 2000 (FOIA).

Under the FOIA, public authorities like ours are required to respond to requests for information within 20 working days. In response to your request, I can confirm that we do hold the information requested.

Please find below our response to your correspondence, where you asked for further explanation of the statement '*we are a healthcare commissioning organisation (not a provider of health or social care services)*' and requested documentation which '*outlines the legal responsibilities of ICB's to ensure health provision availability and how the ICB oversees primary care and regulates it.*'

The main powers and duties of the Integrated Care Board (ICB) relate to the commissioning of healthcare services, which is why we described the ICB as a 'healthcare commissioning organisation' in our response to your previous request. For clarity, the ICB's commissioning responsibilities include assessing health needs, setting health strategies and plans, arranging for the provision of healthcare services (which includes allocating financial resources, shaping and designing services, and procuring and contracting for the provision of healthcare), and assuring performance, quality and delivery of standards.

The legal and statutory framework which applies to NHS Nottingham and Nottinghamshire ICB is set out within its Constitution, which is accessible [here](#) (see section 1.4, page 2 of the document).

Since July 2022, NHS England has delegated certain responsibilities for primary care services (including GP practices) to the ICB; this arrangement is formalised in a document which can be accessed [here](#). Before this agreement, NHS England was directly responsible for managing and overseeing GP practices and other primary care services. But now, with the delegation, the ICB takes on some of these responsibilities, allowing it to plan and manage primary care services in a way that better fits the needs of the local population.

Lastly, it is important to note that the ICB is not responsible for regulating healthcare services. Responsibility for regulation, and making sure healthcare services are safe, good quality, and follow the rules, belongs to other organisations, such as the Care Quality Commission (CQC) and NHS England. Further information regarding these organisations' enforcement powers can be found on their websites:

- [How we use our enforcement powers - Care Quality Commission.](#)
- [NHS England » NHS enforcement guidance.](#)

If it would be helpful to have further support and advice, you may wish to contact the ICB's Patient Experience Team [here](#)

If you are unhappy with the way in which your request has been handled, NHS Nottingham and Nottinghamshire Integrated Care Board (ICB) has 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, Director of Corporate Affairs 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*

[nnicb-nn.foi@nhs.net](mailto:nnicb-nn.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 [nnicb-nn.foi@nhs.net](mailto:nnicb-nn.foi@nhs.net). All requests for re-use will be responded to within 20 working days of receipt.*