

25/09/2025

NN-ICB/25-1307

Dear Requestor

Re: Freedom of Information Request

Thank you for your request for information, received on 2 September 2025, and your clarification received on 4 September 2025, regarding personal health budget support services. 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. However, please note that some / all of the information you requested has been withheld. Under the FOIA, certain exemptions may apply to protect sensitive information.

Please find below our response to your request:

Relating to commissioned and/or provision of in-house DP support services but also make provision for where an ICB may also commission support services to cover other types of PHBs i.e. notionals and third parties.

1) Name of ICB.

NHS Nottingham and Nottinghamshire Integrated Care Board.

2) For each place in the ICB which has a commissioned provider of PHB support services:

The ICB does not have a directly commissioned contract provider for PHB support and advice services. Our internal Continuing Healthcare (CHC) and Children's Continuing Care (CCC) teams provide information and guidance to support the individual to choose the right PHB for them, either a notional, direct payment, third party or a combination of these. The ICB has PHB webpages, guidance and leaflets.

a) Provide a copy of the service specification

Not applicable.

b) What is the contract value?

Not applicable.

c) What are the contract start and end dates?

Not applicable.

d) List all groups of patients who access the service e.g. people eligible for adult continuing care funding.

Those who are eligible for CHC and CCC or where the ICB offer a PHB outside of the legal right to have.

- 3) Give details of how PHB support and advice is provided in ICB places where there is no commissioned external provider of PHB support and advice.

All of Nottingham and Nottinghamshire area is covered by the ICB's internal CHC/CCC teams.

- 4) Give details of any frameworks which are used by patients to choose a PHB support and advice provider.

In partnership with Nottinghamshire County Council, the ICB has a Direct Payment Support Service (DPSS) Framework. DPSS framework contract ends May 2027.

- a) Provide service specifications which underpin the activities of the providers on the framework.

See attached REDACTED service specification.

The ICB has redacted the values on pages 44 and 45 of the attached Service Specification as it is deemed commercially sensitive under Section 43 (2) of the Act.

Section 43 of the Act states that:

- (1) Information is exempt information if it constitutes a trade secret.
- (2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).
- (3) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice the interests mentioned in subsection (2).

A **public interest test** has been undertaken in response to your request made under the Freedom of Information Act 2000.

The Information Commissioner's Office (ICO) sets out public interest factors in favour of and against disclosure. Some of the factors in favour were as follows:

- Ensuring that the public authority can be held accountable for its decisions, particularly as to how it spends public money.
- Ensuring that a tender process is open and transparent.
- Providing insight into the nature of a procurement process and winning bids, so that other companies are encouraged to take part in the process and improve future bids.

Public interest factors against disclosure (and in favour of the maintenance of an exemption) included:

- There is an inherent public interest in the maintenance of the exemption, and of upholding private companies' expectations that commercially confidential information will be protected from disclosure when they engage in public authority tenders.
- Avoiding the discouragement of prospective tenderers from tendering for public sector contracts, for fear of disclosure of their commercially sensitive information to competitors, and that this may adversely affect both the quality of tenders for public sector contracts, and public authorities' ability to negotiate them effectively.
- Maintaining a competitive market and driving competition as this benefits public authorities and consumers, and which could be threatened by disclosure of companies' commercial information.

On balance of the factors considered above, along with relevant case law, we considered that the ICB would be entitled to withhold the values on pages 44 and 45 of the attached Service Specification and that this would not be superseded by public interest considerations.

- 5) How does the ICB provide independent advocacy advice to people who hold a PHB or wish to hold a PHB?

If requested, the ICB would seek an independent advocacy advice service.

- a) Provide any relevant service specifications.

Not applicable.

- 6) Are there any places in the ICB which do not have access to either a commissioned PHB support service or a framework for people to choose a provider from?

No.

- a) If the answer to 5 is yes please give details of how people will get their PHB support and advice and independent advocacy services.

Not applicable.

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 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

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