

27/07/2026

NN-ICB/26-1629

Dear Requestor,

Re: Internal Review Outcome – FOI Request 26-1629 – HIV Commissioning

Thank you for your email of 19 June 2026 requesting an internal review of the response provided to your Freedom of Information request (reference 26-1629) regarding HIV commissioning.

You raised concerns that the original response incorrectly stated that commissioning responsibility for adult specialised HIV services remained with NHS England, whereas responsibility for these services was delegated to Integrated Care Boards (ICBs) from 1 April 2024.

Internal review process

In accordance with the Freedom of Information Act 2000 (FOIA) Section 45 Code of Practice, an internal review has been undertaken by an officer who was not involved in the original handling of your request.

The review considered your original FOI request (reference 26-1629), the response issued by the ICB, the points raised in your request for an internal review, and the relevant commissioning and delegation arrangements for adult specialised HIV services.

As part of the review, we revisited the commissioning arrangements and the applicable delegation agreement. We can confirm that responsibility for commissioning adult specialised services for people living with HIV was delegated from NHS England to ICBs with effect from 1 April 2024.

The review found that the original response did not accurately reflect the commissioning arrangements in place from 1 April 2024. Whilst operational commissioning activity continues to be undertaken through the Office of Pan ICB Commissioning (OPIC) on behalf of participating ICBs, responsibility for commissioning adult specialised HIV services has been delegated to ICBs. The original response should have made this distinction clear and was, therefore, incorrect.

Following receipt of your internal review request, we contacted colleagues within OPIC to establish what information is held in relation to the questions contained within your original request.

Outcome of the review

The internal review has concluded that your complaint is fully upheld.

The review found that the original response incorrectly stated that commissioning responsibility for adult specialised HIV services remained with NHS England. As you correctly identified, responsibility for commissioning these services has been delegated to Integrated Care Boards since 1 April 2024. Whilst operational commissioning activity is undertaken through NHS England's Office of Pan ICB Commissioning (OPIC) on behalf of participating ICBs, this does not alter where commissioning responsibility sits.

We, therefore, accept that the original response was inaccurate and apologise for this error. We have set out a revised response below, which reflects the correct commissioning arrangements and the information subsequently obtained from colleagues within OPIC.

Revised response

1. Was funding being provided through contracts and/or grants for services specifically supporting people living with HIV? Please specify whether a contract or a grant.	Specialised HIV services are commissioned through the NHS Standard Contract. NHS England » NHS Standard Contract
2. Detail what support services were being provided for people living with HIV.	Specialised HIV services are commissioned in line with the national service specification for adult specialised services for people living with HIV: NHS England » Service specification: adult specialised services for people living with HIV
3. What providers of HIV support were being commissioned in your area?	Specialised HIV services were commissioned on behalf NNICB from Nottingham University Hospitals NHS Trust (NUH) and Sherwood Forest Hospitals NHS Foundation Trust (SFHT).
4. Of these which were: a. HIV voluntary/community organisations; b. Other non-HIV voluntary/community organisations; c. Spent internally within the trust; d. Somewhere else – please specify.	The providers identified above are NHS Trust/Foundation Trust providers.
5. Was support for people living with HIV explicitly mentioned within the contractual and/or documentation for any generic services you funded?	Yes. Support for people living with HIV is described within the national service specification for adult specialised services for people living with HIV, which forms part of the contractual framework for the commissioned providers (NUH and SFHT). NHS England » Service specification: adult specialised services for people living with HIV
6. What was the total (non-clinical) spend for HIV support services?	The ICB does not hold information showing a separately identifiable non-clinical spend for HIV support services. Whilst funding is provided through the NHS Standard Contract for specialised HIV services, expenditure is not recorded or reported in a way that enables non-clinical support costs to be identified separately.
7. How many unique individuals were supported by HIV support services?	The ICB does not hold a record of the number of unique individuals supported through HIV support services for the purposes requested. Whilst activity and performance information may be recorded by commissioned providers, the ICB does not hold this information in the form requested.
8. What was the total spend per head for HIV support services?	As the ICB does not hold separately identifiable expenditure data for HIV support services, it is not possible to calculate a spend-per-head figure.

Conclusion

The internal review fully upholds your complaint in relation to FOI request 26-1629.

The review found that the original response incorrectly stated that responsibility for commissioning adult specialised HIV services remained with NHS England. As you correctly identified, responsibility for commissioning these services was delegated to Integrated Care Boards from 1 April 2024. The response has, therefore, been amended to accurately reflect the current commissioning arrangements and the information held by the ICB.

The review also concludes that, beyond the clarification and amended information provided above, the ICB does not hold any further information falling within the scope of request 26-1629. Under the Freedom of Information Act 2000, public authorities are required to provide information that they hold and are not required to create new information in order to answer a request.

We hope this addresses your request. If you remain dissatisfied, 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/>

Yours sincerely

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