

28/07/2026

NN-ICB/26-1657 Internal Review

Dear Requestor

Re: Internal Review Outcome – Freedom of Information Request (Reference: 26-1657)

Thank you for your request for an internal review of NHS Nottingham and Nottinghamshire Integrated Care Board's (ICB) response to your Freedom of Information request (reference: 26-1657), originally received on 12 June 2026, regarding the NHS Talking Therapies contract (NottsTalk), jointly commissioned with Everyturn and Vita Health Group.

The ICB issued its original response on 3 July 2026. Your request for an internal review relates solely to question 3 of your request and, specifically, the information requested regarding the number of trainees who completed or graduated from the relevant training programmes.

3. Please confirm the number of completions/graduations of traineeships/educational programmes in the same format for the previous 5 years to the current date. (Eg: 2 x PWP, 2 x High Intensity 20/21, 3 x PWP 0 x High Intensity 21/22), where you specifically log failures to complete, please state this.

The internal review has been undertaken by an officer who was not involved in the preparation of the original response. The review has considered the points you have raised, the information available to the ICB, the relevant provisions of the Freedom of Information Act 2000 (FOIA), and the arrangements in place for the commissioning of NHS Talking Therapies services.

Outcome of the internal review

We have carefully considered the points raised in your request for an internal review. Having done so, we have concluded that the original response remains correct. The ICB does not hold the information requested in question 3 for the purposes of the Freedom of Information Act 2000.

Consideration of your concerns

You have explained that you consider the completion/graduation information for NottsTalk trainees should be treated as information held by the ICB under section 3(2)(b) of the FOIA because the information is generated in connection with a service commissioned and funded by the ICB.

You have also advised that Vita Health Group has declined to provide the information directly to you on the basis that it is not subject to the Freedom of Information Act, and that this has resulted in you being directed between the provider and the ICB.

We have carefully considered these points as part of this review.

1) Whether the information is held by the ICB

Under section 1 of the Freedom of Information Act, a public authority is required to provide information that it holds at the time of a request.

Section 3(2)(b) of the Act provides that information may be considered to be held by a public authority where it is held by another person or organisation on behalf of that authority.

We understand your view that, because Vita Health Group delivers a service commissioned by the ICB, information generated in relation to that service should automatically be considered information held by the ICB. However, the existence of a contractual relationship between a public authority and an independent provider does not mean that all information held by that provider is automatically held by the public authority for the purposes of the Freedom of Information Act.

The key consideration is whether the information is held by the provider on the ICB's behalf, rather than whether the information relates in some way to a service commissioned by the ICB.

The information requested in question 3 relates to the completion or graduation of trainees undertaking NHS Talking Therapies training programmes. This information forms part of the provider's workforce, recruitment and training records. These records are created and maintained by the provider as part of managing its own workforce and operational responsibilities.

The ICB commissions NHS Talking Therapies services and holds information required to undertake its commissioning, contract management and assurance responsibilities. However, the ICB does not require Vita Health Group to provide trainee completion or graduation data as part of its contractual reporting requirements, nor is this information maintained by Vita Health Group on behalf of the ICB.

The information is therefore not information that the ICB holds directly, or that Vita Health Group holds on the ICB's behalf, for the purposes of section 3(2)(b) of the Freedom of Information Act.

Accordingly, the ICB is not required under the FOIA to obtain this information from Vita Health Group in order to respond to your request.

2) Our original signposting to Vita Health Group

We note your comments regarding Vita Health Group's response and appreciate that this has resulted in an unsatisfactory position from your perspective, with the provider directing you back to the ICB.

On reflection, we acknowledge that our original response could have been clearer. Whilst we advised that you may wish to contact Vita Health Group directly, we should have explained that Vita Health Group is an independent provider and is not subject to the Freedom of Information Act in relation to this information. As such, it is not legally required to respond to requests made under the Act, although it may choose to do so voluntarily.

However, Vita Health Group's decision not to provide the information does not change the ICB's obligations under the FOIA. The ICB's responsibility is to provide information that it holds, or information held by another organisation on its behalf. Following this review, we remain satisfied that the requested information does not fall within either category.

Conclusion

Having completed this internal review, we are satisfied that the original response to Question 3 was correct. The ICB does not hold the requested trainee completion/graduation information for the purposes of the Freedom of Information Act 2000 and is therefore unable to provide this information. The original response is, therefore, upheld.

For completeness, you may wish to contact the NHS England Regional Workforce, Training and Education Team, as they may hold information relating to the number of trainees recruited and the number who successfully complete their training. Further information about submitting a Freedom of Information request to NHS England is available on their website. [Freedom of information request | NHS England | Workforce, training and education](#)

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

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