



**Lancashire and  
South Cumbria  
Integrated Care Board**

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[www.lancashireandsouthcumbria.icb.nhs.uk](http://www.lancashireandsouthcumbria.icb.nhs.uk)

Please contact: Access to Information

Team

Email: [MLCSU.FOITeam@nhs.net](mailto:MLCSU.FOITeam@nhs.net)

Direct tel: **01782 916875**

29 February 2024

**Re: Your request for information under the Freedom of Information Act 2000**  
**Ref no: FOI-3574-LSC**

Thank you for your request dated 3 October 2023.

We can confirm that the ICB does hold the information you requested.

Please find our response to your questions below:

Q1	<p>Your Question:</p> <p>How many Lancs and S Cumbria ICB's HCRG performance reports include a s41 FOI exemption? What proportion of Lancs and S Cumbria ICB's HCRG contracts does this represent?</p> <p>Our Response:</p> <p><b>There are no reports which include a section 41 clause as standard - The NHS Standard Contract, as used by MLCSU for clinical contracts, does not contain a specific section/schedule advising information within, is exempt under section 41.</b></p> <p><b>The NHS Standard Contract Particulars, Service Conditions and General Conditions, which are applicable to all contracts between 1 April 2023 and 31 March 2024 can be located here: <a href="https://www.england.nhs.uk/nhs-standard-contract/">https://www.england.nhs.uk/nhs-standard-contract/</a></b></p> <p><b>All contracts are reviewed on a case-by-case basis.</b></p>
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Q2	<p>Your Question:</p> <p>How many performance reports for all other Lancs and S Cumbria ICB contractors for clinical services include a s 41 FOI exemption? What proportion of clinical services contracts does this represent?</p>
	<p>Our Response:</p> <p><b>Please refer to the response for question 1.</b></p>

### **Right of Appeal**

Should you require any further information or clarification regarding this response please do not hesitate to contact us. If you are dissatisfied with the response, you are entitled to request an internal review which should be formally requested in writing and must be within two calendar months from the date this response was issued.

### **To request an internal review**

You can request this by contacting the FOI team by email at [MLCSU.FOITeam@nhs.net](mailto:MLCSU.FOITeam@nhs.net) or by post to Jubilee House, Lancashire Business Park, Leyland, PR26 6TR, specifying why you require a review.

If you are not content with the outcome of your internal review, you may apply directly to the Information Commissioner's Office (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the CCGs FOI complaints procedure. The ICO can be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF  
[www.ico.gov.uk](http://www.ico.gov.uk)

Yours sincerely

**Sam Proffitt – Chief Finance Officer**

**On behalf of Kevin Lavery  
 ICB Chief Executive**