

Our ref:
Please contact:
Email:
Personal assistant:
Direct tel:

25 July 2024

Dear

Re: Your request for information under the Freedom of Information Act 2000
Ref no: FOI-4078-LSC

Thank you for your request dated 30 May 2024.

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

Please find our response to your questions below:

1. Please could you supply the name, email address and telephone number of the commissioner/NHS Employee with overall responsibility for the procurement of packages of homecare for All Aged Continuing Healthcare for each Placed Based CHC Team.
2. Please could you supply the name, email address and telephone number of the NHS Employee with overall responsibility for CHC and the procurement and management of packages of homecare for All Aged Continuing Healthcare for the ICB at both board level and Senior Management Level
3. Please provide the total number of individuals in receipt of CHC funded care packages (number of care packages commenced in the year) at year-end 2023/24, 2023/22, 2022/21
4. Of those individuals in receipt of CHC funded care packages (q.2), please provide the number that were homecare packages for individuals (number of care packages commenced in the year) at year-end 2023/24, 2023/22, 2022/21
5. Of those individuals in receipt of CHC funded homecare packages (q.3), please provide the number that were processed through the fast track system (this is often related to end of life care packages) at year-end 2023/24, 2023/22, 2022/21
6. Of those individuals in receipt of CHC funded care packages (q.2), please provide the number that are in receipt of personal health budgets at year-end 2023/24, 2023/22, 2022/21
7. Please provide the ICBs (by place base) total gross expenditure on continuing healthcare funded packages at year-end 2023/24, 2023/22, 2022/21
8. Please provide the ICBs (by place based) total gross expenditure on continuing healthcare funded homecare packages at year-end 2023/24, 2023/22, 2022/21

9. Please provide the lowest, mean and highest hourly rate (fee) paid per hour for CHC funded homecare packages at year-end 2023/24, 2023/22, 2022/21

10. Please identify the number of Homecare CHC funded homecare packages, commissioned between 50 and 99 hours per week and homecare packages above 100 hours per week, at year-end 2023/24, 2023/22, 2022/21, excluding all Fast Track individuals

11. From question 10, Please identify the number of 'New' Homecare CHC funded homecare packages, commissioned between 50 and 99 hours per week and homecare packages commissioned above 100 hours per week, at year-end 2023/24, 2023/22, 2022/21, excluding all Fast Track individuals

12. Please provide the lowest, mean and highest hourly rate (fee) paid per week for CHC funded homecare packages at year-end for packages related to (10) 2023/24, 2023/22, 2022/21

Please refer to the attached document for responses to the above questions.

13. Please provide a list of the 20 providers who received the greatest amount of funding from CHC funded homecare packages at year-end 2023/24, 2023/22, 2022/21

14. Please provide a list of the 20 providers who received the greatest amount of funding from CHC funded homecare packages commissioned above 100 hours per week at year-end 2023/24, 2023/22, 2022/21 excluding all Fast Track individuals

Please note that NHS Lancashire and South Cumbria ICB are not obliged to provide information which relates to identifying providers. In this case, we believe that the information would, or would be likely to, prejudice the commercial interests of the ICB (section 43(2) of the Act).

In line with the terms of these exemption in the Freedom of Information Act, we have also considered whether it would be in the public interest for us to provide you with the information, despite the exemptions being applicable. In this case, we have concluded that the public interest favours withholding the information.

You can find out more about Section 43 by reading the extract from the Act and some guidance points we consider when applying this exemption along with more information by reading the full text of the Act, available at: <http://www.legislation.gov.uk/ukpga/2000/36/section/43>

When assessing whether or not it was in the public interest to disclose the information to you, we took into account the following factors:

Public interest considerations favouring disclosure

- **The FOIA requires that public sector organisations are open and transparent in relation to their business making decisions.**
- **Public have an interest in knowing how public funds are spent and know that funds are being used appropriately.**

Public interest considerations favouring withholding the information

- **Disclosure of the information may allow others to undercut competitors that would impact on future quality and service the AACC and IPA receives.**
- **The link between disclosure and prejudice has substance and would have effect on the applicable interest, in which which the third party organisation has confirmed this would be likely to damage their ability to win new business and potentially deprive them of income and be harmful to their commercial interests.**
- **It would be likely to damage the AACC & IPA's abilities to win new business because other parties would be aware of the margins of its delivery model.**

Having considered the arguments for and against disclosure, NHS Lancashire and South Cumbria ICB decided that the public interest in this case is best served by maintaining the exemption and by not disclosing the information requested.

NHS Lancashire and South Cumbria ICB considers that the possible benefits of disclosure are outweighed by the real risk of causing prejudice to the commercial interests of the AACC, IPA and third party organisations itself. In this case there is an overriding public interest in ensuring that companies are able to compete fairly and it is also deemed likely that it may damage their ability to win new business and potentially deprive them of income.

We reached the view that, on balance, the public interest is better served by withholding this information under Section 43(2).

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 or by post to Leyland 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, Wycliff House, Water Lane, Wilmslow, Cheshire, SK9 5AF
www.ico.gov.uk

Yours sincerely

Professor Sarah O'Brien - Chief Nursing Officer

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