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9 July 2024

Dear,

Re: Your request for information under the Freedom of Information Act 2000
Ref no: FOI-4095-LSC

Thank you for your request dated 11 June 2024.

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

Please find our response to your questions below:

Thank you for emailing me, to tell me that I had not been selected and was unsuccessful to sit on the independent adjudication panel for the procurement evaluation exercise to support the identification of a provider for general medical services at Withnell Health Centre.

Whilst I acknowledge the result I should like to know, as is my right under the FOI (freedom of information) act, on what basis, the anonymous persons were selected and also, on what basis I had not been selected on; giving specific and clearly identifiable reasons.

I feel that I would have been an ideal, totally impartial candidate and met with the criteria that you initially required as I have had some experience of working within committee environments complete with the pressures that brings and also applying an impartial overview but with also a commercial approach.

Whilst Withnell Health Centre (WHC) are not my doctors/GPs and so have no influence over me, as a business owner, I felt ideally placed to try to adopt an impartial and holistic overview to look after the best interests of the patients of WHC and the new award.

1. Could you please tell me the exact and specific criteria on or under which the independent applications were judged and selected upon to produce a satisfactory adjudication panel.

All applicants were asked to demonstrate they were a patient of Withnell Health Centre, had availability to take part throughout the month of June 2024, and to state whether they could take part and demonstrate they could take part objectively and without bias. There was no specific criteria as to who could and couldn't take part. Individuals were reviewed based on the information provided and previous correspondences with the local NHS in relation to the various Withnell campaign activities. An ICB board lay member, who was independent of the process, reviewed the process and recommendations of which of the candidates were the most suitable. As there were more than two of these, the successful applicants were selected at random using an online number generator.

2. Could you please tell me under what exact criteria, given the above question, that I failed the selection process under the FOI act, also why I was unsuccessful.

I feel it is extremely important to understand and evaluate the process and the findings as it is in the best interests of the local community and impartiality is paramount.

The agreed process was that two patients of Withnell Health Centre would be involved, along with an additional member of the public drawn from the ICB's public engagement group, the Citizens Health Reference Group. As you were not a patient of Withnell Health Centre or a member of the Citizens Health Reference Group, others were selected in favour of yourself.

3. My application was unsuccessful, purely on the basis that I wasn't a patient of WHC is that correct please and that was the criteria under which selection was based. Is this correct. This was not my understanding otherwise I would never have submitted an application. Was that stated all the way through please?

A section 21 exemption has been applied as the process was agreed initially at the primary care commissioning committee on 1 May 2024 and then with the Withnell Patient Steering Group.

**[Item 5 - Withnell Evaluation Process description - appendix 3 final.pdf](#)
healthierlsc.co.uk**

In order to balance any perception of patient conflict of interest in relation to any provider, two patients currently registered with the Withnell Health Centre and another patient registered with a practice in a geographically distant part of the ICB will be asked take part in the evaluation.

The ICB will liaise with the Withnell Health Centre Patient Steering Group to identify volunteers to take part in the evaluation. The ICB will work with its existing patient groups to identify another patient volunteer from a geographically remote part of the ICB to be involved in the evaluation. The expectations will be clearly set out to patients and any conflicts of interest which may determine eligibility.

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, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
www.ico.gov.uk

Yours sincerely

Neil Greaves – Director of Communications and Engagement

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