

Please contact: Access to Information Team

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

Direct tel: 01782 872648

Chorley House  
Lancashire Business Park  
Centurion Way  
Leyland  
PR26 6TT

Tel: 01772 214232  
[www.lancashireandsouthcumbria.icb.nhs.uk](http://www.lancashireandsouthcumbria.icb.nhs.uk)

28 November 2022

Dear

**Re: Your request for information under the Freedom of Information Act 2000**

**Ref no: FOI-2664-L&SC**

Thank you for your request dated 31 October 2022.

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

Please find our response to your questions below:

Q 1	<p>Your Question:</p> <p><i>I enclose copy's of the the work carried out by HCRG who have informed us they carry out nearly all our primary, they are a private provider and as I understand it giving work to a private provider it has to show VFM.</i></p> <p><i>I asked the CCG when they ran our services if the could show what each services cost there reply was it easier not to separate and the ICB has informed me that they will paying the private provider the same way, in doing this there no accountability which means are we receiving VFM and as the ICB have a open and transparent policy, can they start to be open and transparent.</i></p>
--------	--

- Can you provide me when and who carried out due diligence on all the primary care HCRG provider as I understand it any work given to a private provider has to show VFM and as HCRG only ever tended for the walk-in centres there other services were given to the private provider and it has to show VFM if not it should be given back to the trust.

Our Response:

**HCRG do not provide primary care services, they provide community services and urgent care services which includes walk in centres.**

**A section 21 exemption has been applied as the due diligence regarding this procurement is still publicly available on the archived WLCCG website:**

**<https://webarchive.nationalarchives.gov.uk/ukgwa/20220808102717/https://www.westlancashireccg.nhs.uk/how-we-involve-you/community-health-services/>**

**Please see the attached letter which was sent to you in February 2022.**

Q  
2

Your Question:  
How many other private providers carry out other areas primary care?

Our Response:

**HCRG do not provide primary care services. However, a list of private providers for the ICB has already been provided previously in relation to FOI-2508-L&SC.**

**Whilst we can confirm that the ICB does hold the information you requested in the format requested, after careful consideration, we have decided to refuse your request under section 14 Vexatious of the Freedom of Information Act 2000 as this is repeated as stated above.**

**Section 14 (1) is designed to protect public authorities by allowing them to refuse any requests which have the potential to cause a disproportionate or unjustified level of disruption, irritation or distress.'**

**Frequency of requests – the ICB has received a request previously which referred to all private providers covered by Lancashire and South Cumbria ICB.**

**Pattern of requests – each repeat request that is re-answered by the ICB leads to further requests and/or internal reviews. This has a significant impact on our already scarce resources.**

**Impact on staff – the fact that each request answered leads to further requests, internal reviews and correspondence, is burdening staff in each of the services handling your requests. Whilst we absolutely have an expectation and a willingness to respond to FOI requests, the volume has become increasingly onerous.**

**For the reasons outlined in this letter we are issuing this refusal notice under section 14(1) of the Freedom of Information Act 2000. If any further requests or queries are received regarding this topic, we will not be responding to these. You have the right to appeal against our decision; further information is provided below.**

You will note that we have applied an exemption to questions 1 and 2. This is explained below:

<b>Question No.</b>	<b>Reason for exemption</b>
1	Section 21 – The ICB are not obligated to provide information that is available within the public domain.
2	Section 14 – The ICB are not obligated to provide information to requests that are deemed vexatious or of a repeated nature.

## **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

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