

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)

30 March 2023

Dear

**Re: Your request for information under the Freedom of Information Act 2000**  
**Ref no: FOI-2837-LSC**

Thank you for your request dated 19 January 2023 of which a response was sent on 17 February 2023. Following the queries raised on 21 February 2023, please find enclosed updated responses below:

1. The name of the officers or sub group of the Board which took the decision not to award the new management contract for management of Withnell Health centre to the existing provider

**Original response:**

**Primary Care Contracting Group**

**Updated response:**

**Please refer to the attached Primary Care Committee Meeting documents.**

2. A copy of the report and recommendations including all enclosures, about the award of the contract submitted to the deciding officer or sub group of the Board

**Original response:**

**Please refer to the attached successful bidder report**

**Updated response:**

**As above.**

3. The date and minute of the award decision.

**Original response:**

**There are two parts to Primary Care Contracting Group meetings, part one which includes a wider partnership membership and part two which is held with Primary Care Contracting Group members only. The meeting took place on 13 December 2022, in part two of that meeting the decision was made on the award. We are currently unable to share these minutes in full, however, we have included the full extract from the minutes of the meeting in relation to your question. Please see the extract below:**

**Procurement of Withnell Health Centre - Recommended Bidder Report.**

**DR spoke to a circulated report presenting to the group the recommended bidder report regarding the procurement of the APMS contract for Withnell Health Centre.**

**LD suggested comms may be needed for support on the outcome. DR further advised there would need to be a communications plan for patients and affected staff.**

A conversation in relation to the scoring of the bidders and the process undertaken. It was clarified that questions asked are scored individually by several colleagues and then a consensus panel is held to agree a final score for each question.

UP highlighted NECS have a rigorous process which meets legislative requirements so would be difficult not to approve the highest scoring bid.

**RESOLVED:** The Primary Care Contracting Group approve the recommended bidder report for Withnell Health Centre provided by NECS recognising further work is to take place around communications.

**Updated response:**

Please refer to the attached Primary Care Committee Meeting documents.

**Note:** The recommended bidder was approved unanimously by the Primary Care and Contracting Group.

4. The name of the body or officers that considered the appeal against the decision by the existing provider.

**Original response:**

No formal appeal has been received from the current provider

**Updated response:**

The ICB extended the standstill period to allow sufficient time for parties to bring an appeal due to the Christmas period. The ICB can confirm no appeal has been received.

5. Details of any patient consultation or involvement taken into account by those taking both the award decision and the appeal decision

**Original response:**

Please refer to the previous wording within question 3

**Updated response:**

Patient comments from the engagement exercise were taken into account when designing the service specification for inclusion in the procurement documents.

6. The Board's online Governance Handbook refers to your operational scheme of delegation including financial limits. Unfortunately, the link to those actual financial limit does work and an error is reported. Please supply me with the full details of what should be available on the link to the financial limits on your online Governance Handbook. (see Appendix A to the Scheme of Reservation and Delegation (SoRd))

**Original response:**

Please refer to appendix B1 within the attached link:

<https://www.lancashireandsouthcumbria.icb.nhs.uk/about-us/how-we-work/corporate-governance-handbook>

**Updated response:**

The Primary Care Contracting Group has full delegation to award contracts without restrictions due to value.

This link has now been updated and provides links to the Scheme of Reservation and Delegation alongside Appendix B1:

<https://www.lancashireandsouthcumbria.icb.nhs.uk/about-us/publications/corporate-governance-handbook>

7. Whether those taking the decision about this contract considered, in the light of the many patient concerns expressed, the need to refer the decision to the full IC Board rather than taking a decision under delegated powers.

**Original response:**

**The governance of the ICB details that general practice contracting decisions are taken via the Primary Care Contracting Group.**

**Updated response:**

**As above.**

**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**