



Lincolnshire
Integrated Care Board

Lincolnshire Integrated Care Board

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11 December 2023

FREEDOM OF INFORMATION – DECISION NOTICE

Dear Requester

FOI Reference Number: 71947

I refer to your email of 15 November 2023 requesting information in relation to the ICB's budget for dentistry.

I can confirm on behalf of NHS Lincolnshire Integrated Care Board (ICB) and in accordance with S.1 (1) of the Freedom of Information Act 2000 (FOIA) that we do hold the information that you have requested. A response to each element of your request is detailed below.

I am writing in relation to news that the Government has refused requests from NHS England to allocate £1 billion to address the financial impact on NHS budgets from industrial action, and that NHSE has now told finance directors that c. £600m from the previously ringfenced "service development fund" for several improvement initiatives can be repurposed to support their financial plans.

<https://www.hsj.co.uk/finance-and-efficiency/electives-and-capital-to-be-cut-after-treasury-refuses-1bn-strike-cash-plea/7035934.article>

<https://www.hsj.co.uk/finance-and-efficiency/cancer-prevention-and-learning-disabilities-set-for-sensible-budget-raids/7035947.article>

Under the Freedom of Information Act regulations, I would like to request the following information:

- 1) i) What is your budget for dentistry this financial year; ii) how much has been spent as of 8th November 2023; iii) what is your estimated underspend in dentistry this year; and iv) how much, if any, of this will be made available to support your financial plans?**
- 4) What assessment you have made of the impact these budget reallocations will have on patients and services?**

The ICB has considered the request and has decided that the information is withheld from disclosure at this time pursuant to the exemption set at section 22(1)(a)

Public Interest Test

Section 22(1)(a) provides that:

1. Information is exempt if –

a) The information is held by a public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not).

The ICB recognises that there is a public interest in transparency being demonstrated by releasing the information within this response. However, the ICB believes that transparency would also be achieved by the publication of this information at the point that the plan is finalised and agreed with NHS England.

There is also a recognised public interest in the ICB providing information held that falls within the scope of a FOIA request as quickly as possible, however this needs to be balanced, taking into consideration the following points:

The ICB considers the most important public interest in withholding the disclosure currently is due to ensuring the maximum cost effectiveness of the use of public funds. Providing this information in response to a FOIA request is not the most cost-effective way of placing this information in the public domain given that there is an intention for it to be published later. To assess and process the information now in response to a FOIA request would be a duplication of effort and work and would take time to validate and collate, resulting in an unnecessary expense to public funds.

The release of this information would result in members of the public drawing false conclusions from unapproved, incomplete and/or inaccurate information being disclosed at this time. To publish this information now would effectively give a false picture as the information is not finally validated and subject to change throughout the year, especially in the current constantly changing financial climate in the NHS.

To disclose this information now would most likely result in inaccurate information still being in circulation once a final position is published which would be confusing and misleading to the public and potentially lead to complaints received by the ICB.

Balance Test

The ICB has determined that on balance it is reasonable at this time to withhold the information from disclosure until the publication of the information and that the public interest in favour of maintaining the exemption outweighs the public interest in disclosure due as detailed above.

I hope that this answers your queries with the information we currently hold, but if I can be of any further assistance please do not hesitate to contact me.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to

Arden & GEM Greater East Midlands Commissioning Support Unit
FOI TEAM/Corporate Communications Team
1st Floor, St John's House
East Street
Leicester
LE1 6NB

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided the ICB.

The Information Commissioner can be contacted at: telephone 0303 123 1113,
email icocasework@ico.org.uk and <https://ico.org.uk/global/contact-us/>

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<http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

Yours faithfully

Lindsay Parker
Senior Freedom of Information Officer

***On behalf of
NHS Lincolnshire ICB***