



Lincolnshire
Integrated Care Board

Lincolnshire Integrated Care Board

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23 November 2023

FREEDOM OF INFORMATION – DECISION NOTICE

Dear Requester

FOI Reference Number: 71800

I refer to your email of 27 October 2023 requesting information in relation to Continuing Healthcare in a patient's own home.

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 some of the information that you have requested. A response to each element of your request is detailed below.

Please can you provide under the Freedom Of Information Act the answers to the below queries. All questions are in relation to care provided in the patients/clients own home with a dataset covering the period of 09/2022 – 09/2023. If the information cannot be split as requested for any sections, then please provide the total numbers.

1. How many Adults are receiving CHC funded care in their own homes for the follow categories.

Complex Care – Brain Injury, Spinal Injury, Trache/Vent care

Progressive Conditions – such as MND, Huntington's, etc

The information sought in this request may be held by the ICB for this time period but it is not held in an easily retrievable format.

Section 12(1) of the FOIA (together with Regulation 4 of the Fees Regulations) makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the 'appropriate limit'. For NHS Lincolnshire ICB this limit is set at £450, or 18 hours work estimated at a rate of £25 per hour.

When calculating the cost of compliance, a public authority may only include the time that would be required to determine whether the requested information is held, and to locate, retrieve and extract the information.

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004, Regulation 4(4)

<http://www.legislation.gov.uk/ukxi/2004/3244/regulation/4/made>

To assist you further, the Information Commissioner's guidance on Section 12 is available online at:

https://ico.org.uk/media/for-organisations/documents/1199/costs_of_compliance_exceeds_appropriate_limit.pdf

From a preliminary assessment, the ICB's decision is that, in this case, even the time needed to determine whether information is held for this request and retrieve that information would exceed the 'appropriate limit' set out above.

This letter therefore serves as a refusal notice under section 17(1) of FOIA for the information sought relating to NHS Lincolnshire ICB.

The cost of complying with your request

In this case, it would greatly exceed the appropriate limit to retrieve the data for the information sought in question 1.

This is because the request is seeking diagnosis and live-in care information which unfortunately is not recorded by the ICB in an easily retrievable format. The information requested may be held in the assessments and care plans in the patients' medical history however it is not routinely recorded. In order for the ICB to check if this information is held it would be necessary to manually assess over 2004 paper and digital records to ascertain a patient's diagnosis and live-in care information. Based on a conservative estimate of 10 minutes per record this manual process would take approximately 334 hours.

The ICB is obliged, in compliance with section 16 of FOIA, to provide advice and assistance in refining the request to bring it within compliance of 18 hours.

In this instance it is challenging to provide advice regarding refining the request other than to refine the request to search a random sample of the 2004 records; for example, a random sample of 108 records between the period of 09/2022 – 09/2023. This is the amount we estimate should be achievable within the parameters set by the Act. Please note that this random search may not reveal any meaningful results in relation to your request.

If you would like to make a request along these lines, please let me know. We will then proceed to retrieve the requested information and to determine whether the information may be disclosed or whether an exemption applies.

Learning Disabilities

142

Mental Health

13

How many Children are receiving CHC funded care in their own homes for the following categories;

Complex Care – Brain Injury, Spinal Injury, Trache/Vent care

**Progressive Conditions – Rett Syndrome, Duchenne Muscular Dystrophy, etc
Learning Disabilities**

Under 18 year olds cannot receive CHC funding

How many Adults are in receipt of a Personal Health Budget for a complex or progress condition for which they are cared for in their own home.

Total adult PHBs - 395

How many Children are in receipt of a Personal Health Budget for a complex or progress condition for which they are cared for in their own home.

Total children's PHBs - 39

How many adults are receiving live-in care in their own homes for the below.

Complex live-in care

Non-complex live-in care

Please see response to Question 1

How many children are receiving live-in care in their own homes for the below.

Complex / Progressive conditions – Brain Injury, Spinal Injury, Huntington's, etc.

Non-complex live-in care

Please see response to Question 1

What is the highest & lowest contractual rate paid to providers for each of the services/categories above – complex and progressive may be combined however Adults vs. Children, and Complex vs. Non-Complex should be separated.

Lincolnshire ICB's homecare rates are listed below. If a package of care cannot be met at these rates, a bespoke rate will be agreed with the provider during the Brokerage process.

Location of activity	Price per hour
Urban/Urban Fringe	£22.18
Rural Village	£23.73
Isolated	£26.62

Please provide a structure chart for the Commissioning / Contracts / Brokerage / CHC Teams inclusive of names and job titles (where appropriate).

Please see the attached file

What is the ICB's total annual Continuing Healthcare spend?

£62,303,953

NB – The request asks for information for the period 09/2022 to 09/2023, however financial budgets are set by financial year, so we are unable to provided information

for the period requested, we have instead provided the information for the current financial year 1st April 2023 – 31st March 2024.

What is the ICB's current Continuing Healthcare budget?

£57,344,672

By which processes does the ICB broker/commission packages of care for Continuing Healthcare patients? i.e telephone, email, software etc.

Telephone and email to providers

What, if any, procurement contract does the ICB use to engage Home Care agencies for Continuing Healthcare? What are the end dates for any such contracts?

Lincolnshire Homecare (Domiciliary Care) Services For NHS Continuing Healthcare
End date of contract is 31 March 2026 with the option to extend for 2 years.

What, if any, challenges do the ICB face when sourcing a home care provider for a patient/client with complex needs in relation to either geography or condition. For example – shortage of support for Trache clients, or sourcing difficulties for a certain town

No Issues as Zone providers are contracted to areas.

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