

Our Ref: PW/SJR/FOI/1125/1498

14<sup>th</sup> November 2025

Stafford Education & Enterprise Park  
Weston Road  
Stafford  
ST18 0BF

Sent by email

Telephone: 0300 123 1461

Dear

**FOI/1125/1498**

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

Thank you for your email dated 7<sup>th</sup> November 2025 for information under the Freedom of Information Act 2000. We can now confirm that Staffordshire and Stoke-on-Trent Integrated Care Board can provide the following information.

An anonymised copy of this response will be made publicly available on the ICB website. The ICBs response is provided below in [blue](#) text.

You have requested:

***I am making this request under the Freedom of Information Act 2000 in relation to the use of Indicative Activity Plans (IAPs) in connection with Right to Choose (RtC) referrals for Autism and ADHD assessments.***

***For the purposes of this request, "IAPs" refers to any indicative activity plans, caps, ceilings or similar mechanisms used to control, limit or manage the volume of RtC activity for particular Autism and/or ADHD assessment providers.***

***1) Please confirm whether your ICB has introduced, applied, discussed or is planning to introduce any IAPs (or equivalent arrangements) that affect, directly or indirectly, the number or flow of RtC referrals for Autism and/or ADHD assessments to specific providers. If so, please identify which providers these arrangements apply to and the date on which they were first introduced or agreed.***

[Staffordshire and Stoke-on-Trent ICB continually review the demands on activity against the needs of the population we commission services to deliver for. Currently Staffordshire and Stoke-on-Trent ICB have not and isn't proposing to introduce Indicative Activity Plans with right to choose providers.](#)

***2) If such IAPs (or similar mechanisms) have been introduced, proposed or discussed, please provide all documentation relating to their introduction, development and governance. This should include, but not be limited to, meeting agendas, minutes, action notes, internal correspondence (including emails), briefing papers, slide decks, business cases and any other relevant records. Please also provide any documents setting out the legal basis or policy justification for using IAPs in this way, including any legal advice (internal or external), NHS England or DHSC guidance relied upon, and any internal legal or governance papers explaining how these IAPs are considered compatible with the NHS Constitution and with NHS Choice / Right to Choose regulations and guidance. Please further provide any correspondence with NHS England (including regional teams) concerning the permissibility, design or operation of such IAPs in the context of RtC for Autism and ADHD.***

Chair: Ian Green OBE

Chief Executive Officer: Simon Whitehouse

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**3) Please provide copies of any impact assessments carried out in relation to the introduction or operation of IAPs affecting RtC Autism/ADHD providers. This includes Equality Impact Assessments, Quality Impact Assessments or any similar assessments. Please also provide any analysis, reports or reviews showing how these IAPs have affected waiting lists for Autism and ADHD assessments (for example, changes in waiting times, backlog, or access patterns), and any documentation setting out how the ICB has assured itself that these arrangements do not compromise patient safety, do not unlawfully restrict patients' RtC, and do not worsen health inequalities or inequities of access.**

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**4) There is significant public concern that activity caps or similar mechanisms may be used to constrain RtC access in a way that was not endorsed nationally. I refer in particular to the campaign described here: <https://adhduk.co.uk/nhs-right-to-choose-changes/> which highlights that caps on RtC were not approved as part of the 2025/26 NHS consultation and planning process. In that context, please provide any internal discussion papers, briefing notes or emails which consider this national position and explain how your ICB's use (or proposed use) of IAPs is considered compatible with the outcome of that consultation and with national RtC policy. Please also provide any documents that consider whether the use of IAPs could in practice operate as a de facto cap or restriction on RtC access for Autism/ADHD, and how that risk has been addressed or mitigated.**

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**Unless otherwise stated, please treat this request as covering the period from the earliest discussions about such IAPs up to the date of your response.**

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 an internal review by contacting the Staffordshire and Stoke-on-Trent ICB FOI team by emailing; [staffsstokeFOI@staffsstoke.icb.nhs.uk](mailto:staffsstokeFOI@staffsstoke.icb.nhs.uk) or by post to the address at the top of this letter within 40 working days of the initial response.

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 Staffordshire and Stoke-on-Trent Integrated Care Board's 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

**Paul Winter**  
**Associate Director of Corporate Governance**