

Our Ref: PW/AKB/FOI/0424/819

Stafford Education & Enterprise Park
Weston Road
Stafford
ST18 0BF

24th May 2024

Telephone: 0300 123 1461

Sent by email

Dear

FOI-0424-819

Your request for information under the Freedom of Information Act 2000

Thank you for your request for information received on the 27th April 2024. We can confirm that the 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.

Please see our responses in blue below:

I am a little confused here as you seem to have completely contradicted the email from the Chief Medical Officer, Dr Paul Edmondson-Jones as outlined below:

“Once we went out for bids we become bound by the rules of procurement and it would be inappropriate of us to engage with you during that process until after award of contract.”

You clearly mention that bids were not invited at all and an urgent award was done and you were in a procurement process.

Can I have absolute clarity on:

- 1. Were bids invited or not? if not, then why has Dr Paul Edmondson-Jones made a categorically incorrect statement?**

No, please see email from Tracey Cox, Associate Director of Primary Care sent on the 26th April 2024.

- 2. What process did the ICB follow for urgent award and were other providers or local practices notified so they could express interest in this?**

The ICB followed the Urgent Award process as outlined in the Provider Selection Regime Statutory Guidance: [NHS England » The Provider Selection Regime: statutory guidance](#)

In my capacity as LMC chair, I am therefore requesting minutes of all meetings held, process followed and decisions made by the ICB with regards to this contract award- under FOI request.

Please find enclosed an extract of the minutes from the Finance and Performance Committee held on the 5th March 2024.

The following exemptions of the FOI Act 2000 have been applied to your request.

- Section 40.1 – Personal Information.
- Section 43 – Commercial Interest. This exemption covers two situations as detailed below:
 - I. when information constitutes a trade secret (such as the recipe for a branded product); or
 - II. when complying with the request would prejudice or would be likely to prejudice someone's commercial interests.

A Public Interest Test has been undertaken in respect of Section 43, a copy of which is enclosed for your records and information pertinent to the Gordon Street urgent award redacted.

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 Integrated Care Board FOI team by emailing the team at StaffsStokeFOI@staffsstoke.icb.nhs.uk or by post to the address at the top of this letter.

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

Yours sincerely

Paul Winter
Associate Director of Corporate Governance