

**Reference:** FOI.ICB-2223/168

**Subject:** LDA Programme Board Minutes

*I can confirm that the ICB **does hold the information requested**; please see responses below:*

QUESTION	RESPONSE
<p>1. Minutes from the Bristol, North Somerset and South Gloucestershire Learning Disability and Autism Programme Board for meetings held between 1<sup>st</sup> January 2022 and 31<sup>st</sup> December 2022.</p> <p>a. Where held, video/audio recordings from the meetings in (1).</p>	<p>Please find minutes enclosed, noting that a meeting did not take place in May 2022, therefore no minutes are available. There are no recordings available.</p> <p>Please note: FOI requests and responses are publicly available and therefore personal information has been redacted. The ICB considers the names included in the enclosed documents to be personal information and therefore has applied a section 40 (Personal Information) exemption to this information.</p> <p>The ICB has also applied Section 43(2) to information contained in documents 1,3,5,9 and 11. Section 43(2) exempts from disclosure information which would, or would be likely to, prejudice the commercial interests of any legal person (an individual, a company, the public authority itself, or any other legal entity). Section 43(2) is a qualified exemption and therefore subject to the public interest test.</p> <p>The ICB considers that disclosure of the information would prejudice the commercial interests of the ICB itself. The information redacted outlines the assumption of funding the ICB may receive for a wide</p>

range of programmes of work. These amounts have not been confirmed and no plans have been agreed. Once projects have been through all the relevant governance processes and agreed, funding will be allocated and services procured.

The public interest argument in favour of disclosing the information include the ICB's responsibility to be transparent and accountable in its decision making processes and to promote public understanding of processes. The ICB has also considered that the amounts discussed at the meeting when finalised by NHS England will be paid for through public funding.

The public interest argument in favour of maintaining the exemption includes the ICB responsibility to secure the best use of public resources and provide value for money. The ICB recognises that the funding amounts specified in the minutes have not been finalised or approved. When the ICB receives the final allocation from NHS England, and projects developed, it is important that suppliers do not base their tenders on the assumption of monies.

The ICB has considered the requirement to be transparent in its decision making processes and believes that disclosure of the minutes demonstrates how the ICB functions and makes decisions.

The ICB has also considered the potential risk to future procurements should unapproved funding figures be disclosed. The overriding procurement policy requirement placed on public bodies is that all public procurement is based on value for money. The Public Contract Regulations 2015 state that "Contracting authorities shall

	<p>base the award of public contracts on the most economically advantageous tender assessed from the point of view of the contracting authority.” The ICB will therefore review allocated funding before determining a financial envelope when procuring services. It is therefore important that the ICB ensures that indicative or unapproved funding is not disclosed into the public domain prior to any potential procurements.</p> <p>The ICB believes that applying the exemption is in the public’s best interest as it supports the ICB to commission future services which are value for money.</p>
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***The information provided in this response is accurate as of 8 February 2023 and has been approved for release by Deborah El-Sayed, Director of Transformation and Chief Digital Information Officer for NHS Bristol, North Somerset and South Gloucestershire ICB.***