

Reference: FOI.ICB-2223/083

Subject: Primary Care Rebates

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

QUESTION	RESPONSE			
<p>Please can you provide the product names with start and finish dates of all your agreed primary care rebates and please distinguish which rebates are aligned to PrescQIPP and which are independent.</p> <p>Please can you provide this information at place level as well as ICB level.</p> <p>Please can you advise if any of your agreed rebates are conditional on achieving increased volumes/ market shares?</p> <p>I would also like to request the process of how you review and evaluate the rebates presented to you.</p> <p>Please can you also provide a copy of your primary care rebate policy.</p>	Product	Start date	End date	aligned to PrescQIPP?
	Adcal D3 (coleciferol)	01/04/2018	Until termination	Information not held by ICB
	Apridra (insulin glulisine)	01/04/2022	31/03/2023	Information not held by ICB
	BD Viva (Pre-filled insulin Pen needles)	Company deems start dates/end dates/term as commercially sensitive		Information not held by ICB
	Butec (buprenorphine patches)	01/04/2021	31/03/2023	Information not held by ICB
	Buvidal (buprenorphine P/R solution for injection)	01/07/2021	31/12/2023	Information not held by ICB
	Clenil (CFC-free beclometasone)	01/07/2022	30/06/2024	Uses PrescQIPP standard terms of agreement for Primary Care Rebate Schemes.
	Clexane (enoxaparin)	01/04/2022	31/12/2022	Information not held by ICB

	Dalonev (calcipotriol with betamethasone)	01/05/2021	31/03/2023	Information not held by ICB
	Espranor (buprenorphine oral lyophilisate)	01/01/2022	31/12/2023	Information not held by ICB
	Fostair NEXThaler (beclometasone dipropionate/formoterol fumarate dihydrate pressurised metered dose)	01/07/2022	30/06/2024	Uses PrescQIPP standard terms of agreement for Primary Care Rebate Schemes.
	Fostair pMDI (beclometasone dipropionate/formoterol fumarate dihydrate dry powder inhaler)	01/07/2022	30/06/2024	Uses PrescQIPP standard terms of agreement for Primary Care Rebate Schemes.
	FreeStyle Libre sensor, FreeStyle Libre2 sensor	01/09/2022	31/08/2023	Information not held by ICB
	Gatalin XL (galantamine)	01/06/2022	31/12/2022	Information not held by ICB
	Glucophage (metformin)	01/07/2022	30/06/2024	Information not held by ICB
	Insuman (isophane insulin)	01/04/2022	31/03/2023	Information not held by ICB
	Longtec (oxycodone SR)	01/10/2021	Until termination	Uses PrescQIPP standard terms of agreement for Primary Care Rebate Schemes.

	NovoRapid (Pre-filled insulin pen cartridge)	01/08/2021	31/07/2023	Information not held by ICB
	Onglyza (saxagliptin)	Roll on of pre merge agreements	Until termination	Information not held by ICB
	Pipexus (pramipexole PR tablets)	01/11/2019	Until termination	Uses PrescQIPP standard terms of agreement for Primary Care Rebate Schemes.
	Prostap (Leuprorelin DCS (&DCS SR))	Company deems start dates/end dates/term as commercially sensitive		Information not held by ICB
	Solaraze (diclofenac gel sodium 3%)	01/12/2021	30/11/2022	Information not held by ICB
	Stexerol (coleciferol)	01/10/2018	Until termination	Information not held by ICB
	Strivit (Colecalciferol)	01/04/2021	31/03/2024	Uses PrescQIPP standard terms of agreement for Primary Care Rebate Schemes.
	Vizidor & Vizidor Duo (Dorzolamide hydrochloride/dorzolamide hydrochloride timolol maleate)	01/01/2022	31/12/2023	Information not held by ICB
	Xaggitin (methylphenidate)	01/04/2018	Until termination	Uses PrescQIPP standard terms of agreement for

				Primary Care Rebate Schemes.
	Zacco (Clobazam Oral Suspension)	01/07/2022	30/09/2023	Uses PrescQIPP standard terms of agreement for Primary Care Rebate Schemes.
	Zaluron XL (quetiapine)	01/04/2018	31/03/2023	Uses PrescQIPP standard terms of agreement for Primary Care Rebate Schemes.
	National procurement for direct acting oral anticoagulants (DOACs)	01/01/2022	31/03/2024	Not aligned to PrescQIPP
<p>The ICB only hold information on rebates that are provided to the ICB. The ICB does not hold information on place level rebates.</p> <p>The ICB can confirm that there are rebate schemes conditional on achieving increased volumes. The ICB has contacted the contract holders involved who have confirmed that they believe the information is confidential and commercially sensitive and provided their reasoning. The ICB has considered this information when applying the public interest test to the exemptions.</p> <p>The ICB has applied Section 41 (Information provided in confidence) to this part of the response. The contract holders have confirmed that the information was shared with the express understanding that the information was confidential and this was outlined in the agreement</p>				

signed by the ICB. Therefore disclosure of the information would be considered a breach of confidence actionable by the contract holder. Section 41 is an absolute exemption which does not require a public interest test, however the ICB has considered whether the public interest would outweigh maintaining confidentiality, including the consideration of the public interest test applied regarding Section 43(2) below. In this instance there was no wider public interest in disclosing the confidential information.

The ICB has also applied Section 43(2) (Information prejudice to commercial interests) to the response. The public interest arguments in favour of disclosing the information include the ICB's responsibility to be transparent and accountable in its decision making. The ICB policy for Sponsorship of Activities by and Joint Working with the Pharmaceutical Industry outlines the values the ICB adheres to when working with the pharmaceutical industry and this includes the principle for the ICB to promote confidence between staff, patients and the public through transparency of NHS activities. The policy also outlines that information relating to rebate schemes is disclosable under the FOI Act and only information considered commercially sensitive should be redacted.

The public interest arguments in favour of maintaining the exemption includes the agreement signed by the ICB which confirms the information as commercially sensitive and the subsequent confirmation of this from the contract holder as well as their reasoning for why they consider the information commercially sensitive. Rebate schemes allow organisations to offer a financial rebate to the ICB and these schemes are considered on clinical,

financial and contractual grounds and will only be considered if the medicines are appropriate and of value to the ICB population. The ICB has considered that disclosure of the information may lead to the contract holder not offering this type of scheme again which may result in the ICB having to spend more public funds on prescribing. The ICB has a responsibility to secure the best use of public resources and provide value for money.

The ICB has considered the balance of both disclosing the information and maintaining the exemption and believes that it is in the public's best interest to apply the exemption. The ability for organisations to offer rebate schemes to the ICB reduces the amount of public funding used for prescribing and allows for the more effective use of resources to ensure that the ICB achieves value for money.

The policy which holds information around how the ICB reviews rebates and is our primary care rebate policy can be found here: <https://bnssg.icb.nhs.uk/library/policy-sponsorship-activities-and-joint-working-pharmaceutical-industry/>

The information provided in this response is accurate as of 4 November 2022 and has been approved for release by Dr Joanne Medhurst, Chief Medical Officer for NHS Bristol, North Somerset and South Gloucestershire ICB.