

Reference: FOI.ICB-2324/167

Subject: Charlotte Keel Contracted Services

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

QUESTION	RESPONSE
<p>Last year I submitted a FOI request asking for the financial details of the ICB contract with BrisDoc regarding the contract with Charlotte Keel Medical Practice. The information commissioner stated that due to the competitive nature of the up and coming contract tender this information could be withheld until after tender.</p> <p>The procurement has now been completed and BrisDoc have been given another 2 year contract, with this in mind please can you now release details of the previous contract that BrisDoc held in 2020, that is the reimbursement that CKMP received per patient in that year.</p> <p>The ICB in their arguments against releasing the information in my previous FOI request stated that they would be willing to reconsider disclosure after the tender process has taken place. So with all that in mind I would like to resubmit my FOI request for the historic, ie, previous (2020) remuneration received per patient by BrisDoc to provide care at CKMP.</p>	<p>NHS Primary Medical Care contract holders are eligible to receive multiple income streams, but not all are calculated/provided based on per head of population. Income streams include Global Sum, with a deduction for Out of Hours provision, Designated Enhanced Services (DES) and Local Enhanced Services (LES).</p> <p>Global Sum is paid per head of registered population and is calculated quarterly in line with quarterly patient capitation reporting: Patients Registered at a GP Practice - NHS Digital</p> <p>The ICB considers the cost of the contract with BrisDoc commercially sensitive and has applied Section 43(2) exemption to this response. Section 43(2) exempts information whose disclosure would, or be likely to, prejudice the commercial interests of any 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>

The ICB believes that the ICB's commercial interests would be prejudiced should the information be disclosed.

ICB's Commercial Interests

BrisDoc hold a short-term contract for Charlotte Keel Medical Practice. They became an Emergency Caretaker for the contract after the previous contract holder terminated the contract with BNSSG CCG in 2018. Since 2018, BNSSG CCG and subsequently BNSSG ICB have been undergoing procurement processes to find a long-term contract holder. An initial procurement resulted in no tenable bids and BrisDoc agreed to a contract extension until a second procurement exercise had finished. This was delayed due to the pandemic and has only recently been concluded with the abandonment of the procurement.

The ICB recognises this practice is in an area of high deprivation and a stable sustainable service is the focus of any discussions regarding future service provision. The ICB has indicated that it will undertake another procurement and the ICB cannot risk disclosing any information which might prejudice this procurement.

Public interest arguments in favour of disclosing the information:

The public interest arguments in favour of disclosing the information took into account the FOIA definition of where there is a public interest as well as the legal framework for public authority

procurements as set out in the Public Contracts Regulations 2015 which requires the ICB to conduct all procurements activity openly and in a manner which enables behaviour to be scrutinised.

The ICB recognises that the question asks for the amount of public money paid to a company to provide a service. The public will have an interest in confirming that the contract offers value for money.

Public interest arguments in favour of maintaining the exemption:

The overriding procurement policy requirement placed on public bodies is that all procurements are based on value for money. The ICB believes that release of information which would prejudice any future service provision would not be in the public interest. This could be due to increased costs as part of any procurement process or could be delays due to financial negotiation or contract challenges. It is in the public's interest that the ICB is able to commission good quality and safe primary care medical services for the local population.

Local Primary Care Networks (PCNs) have acknowledged that the inability to procure a contract for Charlotte Keel Medical Practice may destabilise the local primary care environment. Charlotte Keel Medical Practice has over 18,000 registered patients and should the

ICB not procure a provider for the practice then these patients would need to be reregistered to other practices in the local area.

The ICB believes there may be a risk that local practices do not have the resources or estate available to accommodate the displaced patients. The ICB may need to negotiate financial arrangements for receiving practices to support increasing workforce and estate.

Public Interest Test

The ICB considered the public interest in the amount of public funding provided to BrisDoc against the potential increase in costs should the contract amount be disclosed. It is in the public's best interest that any future service provision is secured without any necessary delays. Otherwise additional public resources (financial and staff) would be utilised which would be better used elsewhere.

The ICB has also considered the possible effects on patient care should the procurement be delayed or should the ICB be unable to procure the contract. The ICB considers the requirement for the population to access good quality and safe primary care medical services more important than disclosing the contract value at this time.



**Bristol, North Somerset
and South Gloucestershire**
Integrated Care Board

	It is important to note that timing is relevant as the ICB may consider disclosing the information once long-term service provision has been secured for this practice.
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The information provided in this response is accurate as of 30 August 2023 and has been approved for release by David Jarrett, Director of Integrated and Primary Care for NHS Bristol, North Somerset and South Gloucestershire ICB.