

Ref: FOI/00342/CMICB
09 May 2023

Dear,

**Re: Freedom of Information Act 2000
ICB Tender Waivers**

Thank you for your information request indicated in bold below, which has now been considered under the Freedom of Information Act 2000 by NHS Cheshire & Merseyside Integrated Care Board (ICB). I am able to provide you with the following information and responses.

Please note from 01 July 2022, Clinical Commissioning Groups (CCGs) were disestablished, and their statutory functions and responsibilities inherited by NHS Cheshire and Merseyside ICB.

Your Request:

Under the Freedom of Information Act please send the following information for the period 1 July 2022 to 31 March 2023:

- 1) The number of times that the ICB has waived its requirement to tender for goods and services under its SFIs and procurement rules.**
- 2) The total value of the goods and services purchased when tender requirements have been waived**
- 3) The total number of occasions and value from qs 1 & 2 broken down into any specific circumstances/ categories listed in the ICBs procurement rules/ SFIs that describe when tender requirements can be waived.**

Our Response:

NHS Cheshire & Merseyside ICB recognises within organisational financial policies the tender thresholds set out within the Public Contract Regulations (2015) and references a requirement to tender for goods and services above those financial values. The creation of NHS Cheshire & Merseyside ICB on 01 July 2022 brought together nine former CCG's statutory responsibilities, and as one single organisation the ICB expenditure on identical services has therefore been aggregated for the purpose of this response. NHS Cheshire & Merseyside ICB continue to review future procurement requirements.

1) NHS Cheshire & Merseyside ICB has waived its requirement to tender on 29 occasions during the period 01 July 2022 to 31 March 2023.

2) The total value of the goods/services purchased where tender requirements were waived between 01 July 2022 and 31 March 2023 was £153,51,390.

3) On 25 occasions between 01 July 2022 and 31 March 2023 the waivers have been to ensure continuity of services and safe healthcare for patients linked to previous CCG contracts expiring, with a total value of £148,746,390. On 4 occasions between 01 July 2022 and 31 March 2023 the waivers have been to ensure continuity of access to systems and corporate services linked to previous CCG contracts expiring, with a total value of £4,769,000.

Should you require any further information or clarification regarding this response or do not feel that your request has been answered as you would expect, please contact us to discuss.

We also wish to take this opportunity to inform you that, where you are not satisfied with the response to your request for information, a formal complaints and internal review process is available.

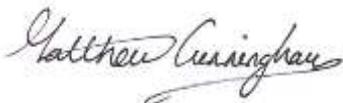
This can be formally requested by emailing foi@cheshireandmerseyside.nhs.uk and must be done within a reasonable time period (3 calendar months) from the date this response was issued.

Where you remain dissatisfied with our review under the Freedom of Information Act or the Environmental Information Regulations, you may apply directly to the Information Commissioners Office (ICO) for a review of your appeal decision. Generally, the ICO cannot make a decision unless you have exhausted our complaints procedure. The ICO can be contacted at;

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
www.ico.gov.uk

Should you need any further clarification or assistance, please do not hesitate to contact us quoting the above FOI reference.

Yours sincerely



Matthew Cunningham
Associate Director of Corporate Affairs and Governance / Company Secretary
NHS Cheshire & Merseyside ICB