

**Reference:** FOI. ICB-2526/311

**Subject:** CHC Packages Commissioned from Thornbury Nursing Services / Thornbury Nursing / Thornbury Community Services

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

QUESTION	RESPONSE
<p>Please provide the following information relating to Continuing Healthcare (CHC) / NHS-funded packages of care commissioned by your ICB from any of the following providers:</p> <ul style="list-style-type: none"><li>• <b>Thornbury Nursing Services</b></li><li>• <b>Thornbury Nursing</b></li><li>• <b>Thornbury Community Services (TCS)</b></li><li>• (including any service lines operated by these providers under the Thornbury/Acacium Group umbrella)</li></ul>	
<p>For each <b>individual package of care</b> that was active at any time during the period <b>1 April 2025 – 1 December 2025</b>, please provide:</p> <p>FOI responses are publicly available and therefore the ICB has applied Section 40 to data which may identify patients. The data requested constitutes health related records and therefore there is an implicit expectation of confidentiality.</p> <p>The ICB Freedom of Information policy outlines the requirement for the ICB to consider whether disclosure of low numbers, particularly relating to health data, could make individuals identifiable. In this case, the ICB has considered that by the very nature of being CHC eligible, packages are highly complex and usually for individuals who are well known within the health and social care system. FOI responses are made publicly available and ICB must consider whether an individual could be identified through other data available, whether this is on a wider public or individual basis.</p>	

<p><b>1. Package-level commissioning information</b></p> <p>For each commissioned package delivered by Thornbury (as above), please provide:</p> <ul style="list-style-type: none"> <li>a. <b>Weekly commissioned hours</b></li> <li>b. <b>Weekly cost (£) to the ICB</b></li> <li>c. <b>Start date</b> of the commissioned package</li> <li>d. <b>End date</b>, or “ongoing” if still active</li> <li>e. <b>Type of package</b> (e.g., adults CHC, children’s continuing care, learning disability, complex, fast-track end-of-life, etc.)</li> </ul>	<p>CHC packages are built into the ICB’s patient record system using the full weekly package value.</p> <ul style="list-style-type: none"> <li>a) 336 hours</li> <li>b) The ICB has applied Section 43(2) to the disclosure of the expenditure information requested. Section 43(2) is a qualified exemption, and the public interest test has been set out below.</li> <li>c) Less than 5 packages</li> <li>d) Less than 5 packages</li> <li>e) Children and Young Peoples Continuing Care, CHC Adults</li> </ul>
<p><b>2. Aggregate totals</b></p> <p>(Provided to reduce the likelihood of S12 refusals.)</p> <ul style="list-style-type: none"> <li>a. <b>Total number of CHC packages</b> commissioned from Thornbury during the period</li> <li>b. <b>Total annual expenditure (£)</b> paid to Thornbury for these packages</li> <li>c. <b>Total weekly commissioned hours</b>, summed across all Thornbury packages</li> </ul>	<ul style="list-style-type: none"> <li>a. Less than 5 packages</li> <li>b. The ICB has applied Section 43(2) to the disclosure of the expenditure information requested. Section 43(2) is a qualified exemption, and the public interest test has been set out below.</li> <li>c. Please see the response in the first question.</li> </ul>
<p><b>Section 43(2) Application</b></p> <p>The ICB has applied Section 43(2) to the disclosure of the expenditure information requested. Section 43(2) exempts from disclosure information which would, or would likely to, prejudice the commercial interests of an organisation. The ICB believes that disclosure of the information would prejudice the commercial interests of Thornbury Nursing Services.</p> <p>The ICB have contacted Thornbury Nursing Services who have confirmed that the information is considered commercially confidential to them. The ICB has considered the information provided by the provider when applying the public interest test to the exemption.</p>	

The public interest arguments in favour of disclosure include the ICB's responsibility to be transparent and accountable in its decision making and to promote public understanding of how the NHS works. These packages are paid for through general taxation and therefore the public have an interest in whether services commissioned by the ICB represent value for money. Each month the ICB publishes all spend over £30k and the contract register is available on the ICB website, therefore the ICB does publish contracting and expenditure information for the public to scrutinise.

The public interest argument in favour of maintaining the exemption includes the confirmation from the providers that the information relating to expenditure is considered commercially sensitive and would prejudice their commercial interests, particularly where individual package or hourly costs could be determined, and this would place the provider at a competitive disadvantage.

The ICB has determined that disclosing the information would prejudice the commercial interests of Thornbury Nursing Services and therefore disclosure may result in current providers and possibly future providers not offering packages of care to the ICB. Providers may consider that offering packages of care to the ICB would constitute a risk of competitive disadvantage for them. The ICB has a responsibility to secure the best use of public resource and provide value for money. To achieve this, the ICB needs to have a wide range of organisations willing to provide packages of care. Funding is based on the assessed level of needs of the patients, as well as the availability of care at the time the request is made to find a suitable provider. It is vitally important to patients that there is a wide range of providers who can provide care to ensure that patients receive packages of care most suitable for them.

The ICB has considered both arguments and believes that maintaining the exemption is in the public's interest as it supports the ICB to commission services which are value for money and supports the best offer of choice to patients.

***The information provided in this response is accurate as of 9 January 2025 and has been approved for release by Rosi Shepherd, Chief Nursing Officer for NHS Bristol, North Somerset and South Gloucestershire ICB.***