

Our Reference North East and North Cumbria ICB\
FOI ICB 25–150

North East and North Cumbria ICB
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By Email

7 August 2025

Dear Applicant

Freedom of Information Act 2000 – Request for Information – NHS North East and North Cumbria Integrated Care Board (NENC ICB)

Thank you for your request received on 19 July 2025 for information held by NHS North East and North Cumbria Integrated Care Board (the ICB) under the provisions of the Freedom of Information Act 2000. The ICB covers the areas of County Durham, Newcastle Gateshead, North Cumbria, North Tyneside, Northumberland, South Tyneside, Sunderland, and Tees Valley.

Please find the information you requested on behalf of the ICB as follows.

Your Request

Please provide the following information relating to the contract(s) between the NHS [Newcastle and North Tyneside ICB or NHS North East and North Cumbria ICB] and PHL for the provision of out-of-hours/urgent care services covering Newcastle Upon Tyne, North Tyneside, south Tyneside and Northumberland):

1. The full contract or framework agreement in place between the NHS and PHL at the time it went into administration.
2. Any clauses or provisions within the contract relating to:
 - The use of NHS payments for clinician remuneration.
 - Requirements or obligations to ensure payment of staff, subcontractors, or locum healthcare workers.
3. Any correspondence, reports, or assurances exchanged between the NHS and the purchaser of Vocare/Totally's business (PHL) relating to the honouring of historic payment obligations to staff and subcontractors.
4. Any internal NHS reports or meeting notes discussing the impact of PHL administration on staff payments and continuity of care.

If any of this information is exempt from disclosure, please provide a redacted version of the document(s) where possible rather than withholding them entirely.

www.northeastnorthcumbria.nhs.uk 

NorthEastandNorthCumbriaNHS 

NENC_NHS 

Our Response

We can confirm, as per Section 1(1) of the Freedom of Information Act 2000, the ICB does hold the information requested.

1. PHL have not entered administration.

The NENC ICB hold 2 contracts – Out of Hours and Home Visiting Services – provided by Vocare Limited prior to the administration of Totally PLC. The ICB commissioned Vocare Limited under an NHS Standard contract.

Contract 1 started 1 June 2025 and covers the patient populations Northumberland, North Tyneside and Newcastle. Contract 2 started 1 April 2024 and covers the patient population Sunderland. There is no contract with Vocare which relates to South Tyneside.

2. Vocare Limited held an NHS Standard Contract. The Standard Contract is publicly available and can be found here:

- <https://www.england.nhs.uk/publication/full-length-nhs-standard-contract-2025-26-particulars-service-conditions-general-conditions/>
- <https://www.england.nhs.uk/wp-content/uploads/2025/05/03-nhssc-2526-full-length-service-conditions-final.pdf>
- <https://www.england.nhs.uk/wp-content/uploads/2025/05/04-nhssc-2526-full-length-general-conditions-final.pdf>
- <https://www.england.nhs.uk/wp-content/uploads/2025/04/08a-nhssc-2526-contract-technical-guidance-final.pdf>

3. The ICB were made aware of the administration of Totally PLC on 6 June 2025. The sale of the solvent companies of Totally PLC and the assets of the insolvent companies were transferred to PHL, e.g., debtors, employees and contracts. The liabilities of the Totally PLC which entered administration were not transferred to PHL as the sale of Vocare Limited was undertaken as a "prepack sale".

4. PHL have not entered administration, however Totally PLC did enter administration. There are no NHS reports or meeting notes which discuss the impact of Totally PLC / Vocare Limited entering into administration as it is the providers responsibility under the NHS Standard Contract to satisfy their liabilities. We are aware all TUPE staff have and continue to be paid under their employment terms and conditions by PHL.

In accordance with the Information Commissioner's directive on the disclosure of information under the Freedom of Information Act 2000 your request will form part of our disclosure log. Therefore, a version of our response which will protect your anonymity will be posted on the NHS ICB website <https://northeastnorthcumbria.nhs.uk/>.

If you have any queries or wish to discuss the information supplied, please do not hesitate to contact me on the above telephone number or at the above address.

If you are unhappy with the service you have received in relation to your request and wish to request a review of our decision, you should write to the Senior Governance Manager using the contact details at the top of this letter quoting the appropriate reference number.

If you are not content with the outcome your review, you do have the right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act 2000. Generally, the Information Commissioner cannot make a decision unless you have exhausted the ICB's complaints procedure.

The Information Commissioner can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or www.ico.org.uk.

Any information we provide following your request under the Freedom of Information Act will not confer an automatic right for you to re-use that information, for example to publish it. If you wish to re-use the information that we provide and you do not specify this in your initial application for information then you must make a further request for its re-use as per the Re-Use of Public Sector Information Regulations 2015 www.legislation.gov.uk. This will not affect your initial information request.

Yours faithfully

Information Governance Support Officer

**Information Governance Support Officer
North East and North Cumbria Integrated Care Board**