

To all SW London practices

17th December 2018

Dear Colleagues

Letter from NHS England (SW London) regarding GMS Contract 'refresh'

I am writing to all GMS Contract holders in Kingston, Richmond and Croydon: if you hold a PMS Contract this letter is not relevant.

NHS England (London) is undertaking an updating exercise for all GMS Contract holders, and you will have received/will shortly receive a letter from NHS England advising your practice. The relevant NHS England Manager for this process is Becky Mayhew (beckymayhew@nhs.net). I confirm the LMC has received the information you will receive.

The key points for colleagues to note are:

- You are not being issued with a new GMS Contract. Almost all GMS Contracts in SW London date from 2004 and the date of commencement remains the same.
- The issued GMS Contract is a national one, and NHS England will provide a warranty to confirm you are receiving the correct 2017/18 agreed national GMS contract
- As some colleagues will be aware, the GMS Contract can be altered via an agreement between the GPC and NHS England, and NHS England can also change the contract to align with changes in Statute. The GMS Contract has been amended many times since 2004 and on some but perhaps not all occasions NHS England or their predecessors issued variations. This process will result in an up to date contract with all pre-existing variations incorporated.
- Although it is a generic contract, there is certain information within each contract that is individual to each practice. This is listed as a template that NHS England are requesting you return, amended if necessary. The LMC can also advise, in relation to the template, and in the order the questions are asked:
 - 1 Practice Details:** these are unlikely to have changed. Colleagues should clearly identify their main site, if they have other "branch" sites
 - 2 Partnership details (or single-handed partner if there is no other partner)**
Please give a list of all current partners at the date of return

Local Medical Committees for
Croydon, Kingston & Richmond, Surrey,
East Sussex and West Sussex

The White House T: 01372 389270
18 Church Road F: 01372 389271
Leatherhead
Surrey KT22 8BB www.sslmcs.co.uk

3 Limited by shared: a partnership limited by shares can hold a GMS Contract but the LMC is not aware of one in SW London, this section has been defaulted to 'no'

4 Out of Hours Opt out confirmation

5 Additional Services: these are the seven additional services available to GMS practices; the template defaults to yes, but if you believe you may not be delivering one or more of these, please contact the LMC, unless you have already confirmed documentation of having advised NHS England of this.

6 Additional services for other practices:

7 Health Service Body, the LMC can provide the following advice, from the BMA

The GPC receives a number of enquiries about whether practices should opt to become a health service body.

If a practice opts to become a health service body, contract disputes will have to be dealt with through the NHS dispute resolution regulations. There is no alternative. If a practice holds a private law contract i.e. does not elect to become a health service body, it can choose to use either the NHS dispute procedure or use the Courts in relation to any particular dispute.

In making the decision between the NHS dispute resolution procedure and going to the Courts, a number of factors have to be borne in mind:

- *how long each process will take.*
- *that costs can be awarded against the unsuccessful party in court proceedings but not in the NHS dispute resolution procedure*
- *the fact that the NHS procedure is private but that Court proceedings, or at least the outcome, are generally public.*

Health service body status does not affect any other aspect of practice. It does not affect access to the NHS Pensions scheme, the ability to enter into other contracts, and partnership changes will not affect health service body status.

Other NHS bodies include NHS England, NHS Trusts and most PMS providers. The decision is ultimately for the practice about whether it wishes to be part of this 'NHS family' or whether it wishes to keep open the option of using the Courts for resolving disputes under the contract.

Practices can, at any stage, opt to become, or cease to be, a health service body, by requesting a variation of their contract with NHS England. NHS England cannot force practices to become health service bodies or relinquish their health service body status.

8 IG (Information Governance) Lead

9 Boundary Map: please provide an up to date boundary map/description of your practice's boundary – including any agreed changes confirmed with the CCG.

If practices have any queries please contact Becky Mayhew in the first instance; please contact either Richard Brown (Richard.brown@sslmcs.co.uk) or myself if you have any further queries or concerns.

With best wishes

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'JP' followed by a long horizontal line extending to the right.

Dr Julius Parker
Chief Executive