

NHS Rotherham Clinical Commissioning Group

Primary Care Sub-Group - 27 April 2022

Primary Care Committee – 11 May 2022

Contract Variations – Applications received between January 2022 to March 2022

Lead Executive:	Ian Atkinson, Executive Place Director
Lead Officer:	Alana Anderson, Contract & Service Improvement officer on behalf of Sara Hartley, Contract & Service Improvement Manager (Primary Care)
Lead GP:	Dr Avanthi Gunasekera, SCE GP Lead for Primary Care

Purpose:

To approve the process for managing contract variations and note all contract variations that have been submitted during the period January 2022 to March 2022.

Background:

The Primary Medical Care Policy and Guidance Manual (PMCPGM) states that both NHS Rotherham Clinical Commissioning Group (CCG) and practices must agree a variation in order for it to take effect, unless it is necessary to comply with the NHS Act, any regulatory changes pursuant to the NHS Act or any directions given by the Secretary of State in line with the NHS Act.

If a practice wishes to effect a contract variation (outside of those nationally mandated) it must submit an application to NHS England, providing the details of the changes, when they are proposed to take effect and signed by all parties to the contract. Once this application is received, NHS England undertakes a series of checks to determine whether the variation can be actioned.

Where the variation relates to a change in partner, either a new partner joining the practice or an existing partner leaving, NHS England will determine whether the new/remaining individuals on the contract are eligible to hold a contract and whether there are any undertakings attached to their professional registration which would prevent this. This information is shared with the Primary Care Team and provided there are no issues identified, approval is given to issue a contract variation which is then signed by all parties to the contract, including the CCG.

The PMCPGM states that changes to contracts should be submitted to the CCG at least 28 days in advance of the proposed date of change. In order to be able to process the requests in a timely fashion, the process above is followed.

The Primary Care Committee's Terms of Reference states that all contract variations should be approved by the Committee. As the Committee meets on a bi-monthly basis, this may delay authorisation of contract variations which could affect partners being able to join or leave practice contracts. Therefore, the Committee has previously agreed that the process continues as above, with the Chief Officer signing the variations on behalf of the Committee, with updates submitted to the Committee for information.

Primary Care Delegation Responsibility:

Does this paper relate to Rotherham CCG or delegated business?

Rotherham CCG	
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Delegated	✓
Both Rotherham CCG and delegated	

Please indicate which area of delegated responsibility this paper covers:

Commissioning, procurement and management of GMS,PMS and APMS contracts including taking contractual action	✓
Newly designed enhanced services (including DES)	
Local incentive schemes	
Discretionary payments	
Commissioning urgent care for out of area registered patients	
Planning Primary medical care services (PMCS)	
Managing practices with CQC / quality concerns	
Decisions on premise cost directions	
Planning the commissioning of PMCS	
Manage the delegated allocation for commissioning of PMCS	
Assurance to the governing body on the quality and safety of PMCS	

Please indicate which of the Delegated Duties Decisions this paper requires:-

Delegated Duties – iii - Decisions in relation to the establishment of new GP practices (including branch surgeries) and closures of GP practices.	N/A
Delegated Duties – iv – Decisions about ‘discretionary payments’.	N/A
Delegated Duties – v – Decisions about commissioning urgent care (including home visits as required) for out of area registered patients.	N/A
Delegated Duties – b – The approval of practice mergers.	N/A

Analysis of key issues and of risks

The following applications have been submitted to the CCG for approval between January 2022 to March 2022:

Name of practice	Reason for Variation	Date effective from
High Street Surgery	Dr Hillier – Retiring	01.08.22
Thorpe Hesley Surgery	Dr Sahu – New Partner	06.04.22
Thorpe Hesley Surgery	Dr Page – Resigning	06.04.22
Village Surgery	Dr Strettle – New Partner	01.11.21

The application from Dr Strettle was not submitted to the CCG for approval until March 2022 and has been backdated to when she joined the practice in November 2021.

Dr Hillier is due to retire from High Street Surgery in August 2022, with the paperwork being completed beforehand to ensure that all processes are complete and in place prior to him leaving.

After undertaking all relevant checks, the applications have been approved and contract variations issued.

Reference to NHSE Primary Medical Care Policy and Guidance Manual (PGM):
Section 7 – Contract Variations – clauses 7.5.31 to 7.5.42
Patient, Public and Stakeholder Involvement:
Not applicable
Equality Impact:
Not applicable
Financial Implications:
Not applicable
Human Resource Implications:
Not applicable
Procurement Advice:
Not applicable
Data Protection Impact Assessment:
Not applicable
Approval history:
Recommendations:
<p>The Committee is requested to:</p> <ul style="list-style-type: none"> - Note the contract variations as detailed above
Paper is for Noting