



NHS England policies and procedures for primary care dental services

AUGUST 2013

PCC was commissioned by NHS England to develop a comprehensive suite of policies and procedures for the future management of all four primary care contractor groups. All policies have been developed in line with current regulations and legislation. Electronic copies of all policies and procedures can be found on the [NHS England website](#).

NHS England's legal name remains the NHS Commissioning Board as set out in their establishment orders. Whilst the NHS Commissioning Board will be known as NHS England in everything that they do, there are times when the statutory name is required for legal and contractual transactions. The following list provides some key examples of legal documentation which requires us to use our full legal name:

- HR contract of employment
- Any documentation involving a court of law, ie litigation claims
- Contracts for directly commissioned services.

For ease of reference NHS England is the generic term used throughout this briefing.

This briefing summarises the policies and procedures which support the primary care dental contractor area. Each policy provides example templates which may be used to support consistent, fair and proportionate contract management and the application of the necessary supporting processes

1. Policy for termination of primary dental care (gateway reference 00065)

This document outlines the approach NHS England shall take when it considers that a contract has been breached and/or when either contractual party is seeking to terminate the contract. This policy includes the process to be followed and information about:

- Terminations including the application of breach notices
- Application of sanctions and the dispute resolution procedure
- Payment online requirements
- Patient signposting
- Financial reconciliation

2. Policy for variations of primary dental care contracts (gateway reference 00066)

This document describes the processes that should be followed by NHS England when varying contracts. Information is provided about the process to take when processing the following contract variations:

- Partnerships changes
- Death of a single-handed contractor
- Relocation of premises

- 24-hour retirement.

Detail is provided about payments on line (POL) requirements.

3. Policy on the management of request to transfer from a personal dental services (PDS) agreement to a general dental services (GDS) contract (gateway reference 00069)

This policy outline the process which needs to be followed by NHS England when a contractor holding a PDS or PDS plus agreement and providing mandatory services exercises their right to transfer to a GDS contract.

4. Mid-year and year-end reconciliation and financial recovery policy (gateway reference 00068)

This document outlines the process that NHS England has adopted for reviewing activity at both mid-year and year-end and determining whether any financial recovery is required. It states that ATs should follow any previous PCT developed policies for activity provided in the financial period April 2012 to March 2013. The policy sets out processes to be followed for activity delivered from April 2013 onwards.

5. Incorporation for primary care contracts (gateway reference 00067)

This policy outlines the agreed process that NHS England shall follow if a request for incorporate is received from a contractor. The policy has been developed taking into account relevant case law. The policy covers:

- Incorporation or limited liability partnerships
- Requests from a contract holder to incorporate
- Novation and areas that need to be considered.

Policies currently in development (to be issued shortly)

6. Dental contract assurance framework

This framework is applicable to PDS agreements and GDS contracts only; with limited applicability to NHS Trust based dental services. It is not applicable to contract pilots or hospital dental services. The framework has been kept as simple as possible with a limited number of indicators, which provide a broad overview and the ability to obtain greater detail. Triangulation will be needed where there are areas of concern. Commissioners will need to work with their clinical advisers for interpretation of the data and action-planning. Commissioners, providers and performers will have sight of indicators.

The framework has the following components:

- Indicators and supporting narrative on how they should be interpreted and how concerns might be further explored
- Reports from NHS Business Services Authority (NHSBSA), which will be available quarterly
- Guidance on how the indicators are calculated.

7. Orthodontic appeals process

The document sets out the process NHS England will follow when they are in receipt of an appeal against a decision not to provide orthodontic services to a patient. The aim of the policy is to ensure that the AT, contractors and patients understand what can be appealed and the process required.

8. Death of a dental contractor

This document will set out the actions that ATs need to follow in the event of the death of dental contract holder.

9. Joint

Joint policies are those which cover two or more of the primary care contract areas, namely medical, dental, eye care and pharmaceutical services.

Joint policies have been developed for the following:

- Alerts
- Managing individual performance
- National performers lists
- Force majeure.

A separate briefing for joint policies has been developed.