



# **Standard General Medical Services Contract Variation Notice – February 2017**

**NHS England INFORMATION READER BOX****Directorate**

<b>Medical</b>	Operations and Information	Specialised Commissioning
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<b>Document Purpose</b>	Guidance
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<b>Target Audience</b>	NHS England Regional Directors, GPs
<b>Additional Circulation List</b>	
<b>Description</b>	This document gives notice under paragraph 104(2) of Schedule 6 to the National Health Service (General Medical Services Contracts) Regulations 2004 (S.I. 2004/291) that the terms of the general medical services contract are varied as set out in the document.
<b>Cross Reference</b>	
<b>Superseded Docs (if applicable)</b>	N/A
<b>Action Required</b>	Area teams to update local contracts where they have not used the new standard contract.
<b>Timing / Deadlines (if applicable)</b>	
<b>Contact Details for further information</b>	NHS England GP Contracts Team Quarry House Leeds LS2 7UE england.gpcontracts@nhs.net  <a href="https://www.england.nhs.uk/gp/gpfv/investment/gp-contract/2016-2017/">https://www.england.nhs.uk/gp/gpfv/investment/gp-contract/2016-2017/</a>
<b>Document Status</b>	
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## **Standard General Medical Services Contract Variation Notice – February 2017**

The text of the Standard General Medical Services Variation Notice February 2017 has been prepared by the Medical Directorate, NHS England and has been approved by the British Medical Association. It is prepared on the basis that the numbering adopted in the signed contract follows that used in the model Standard General Medical Services Contract dated December 2013.

NOTE: This notice does not incorporate all of the amendments made pursuant to the revocation of the National Health Service (General Medical Services Agreements) Regulations 2004 by the National Health Service (General Medical Services Agreements) Regulations 2015. The model GMS Contract which is compliant with these regulations will be made available on NHS England's website.

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First published: July 2017

Prepared by: Medical Directorate

Gateway Reference: 06889

Dear Sir/Madam

**Notice of Variation to your General Medical Services Contract dated [                      ]**

We give you notice under paragraph 57(2) of Schedule 3 to the National Health Service (General Medical Services Contracts) Regulations 2015 (S.I. 2015/1862) that the terms of your general medical services contract dated [                      ] are varied as set out below with effect from [*insert here date on which variations will take effect. Where reasonably practicable this should not be less than 14 days after the date on which this notice is served. This is a regulatory requirement.*].

These variations are made to comply with the terms of the:

- Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) (Secondary Legislation) Regulations 2016/211;
- Enterprise and Regulatory Reform Act 2013 (Consequential Amendments) (Bankruptcy) and the Small Business, Enterprise and Employment Act 2015 (Consequential Amendments) Regulations 2016/481;
- Electronic Identification and Trust Services for Electronic Transactions Regulations 2016/696;
- National Health Service (General Medical Services Contracts and Personal Medical Services Agreements) (Amendment) Regulations 2016/875, and
- The National Health Service (Pharmaceutical Services, Charges and Prescribing) (Amendment) Regulations 2016/1077

and are published on the government website [legislation.gov.uk](http://legislation.gov.uk).

NHS ENGLAND  
Standard General Medical Services Contract Variation Notice – February 2017

We request you to acknowledge receipt of this notice by signing and returning the enclosed duplicate of it.

Dated:

Signed:

on behalf of NHS England

Print name:

## Wording of Variations

### Part 1

1. The following amendments are made to **clause 1.1**:

1.1. The **definition of “advanced electronic signature”** is replaced as follows:

“**advanced electronic signature**” means an *electronic signature* which meets the following requirements:

(a) it is uniquely linked to the *signatory*;

(b) it is capable of identifying the *signatory*;

(c) it is created using *electronic signature creation data* that the *signatory* can, with a high level of confidence, use under the *signatory's* sole control; and

(d) it is linked to the data signed in such a way that any subsequent change in the data is detectable;”

1.2. Immediately after the **definition of “electronic repeatable prescription”**, the following new definitions are inserted:

“**electronic signature**” means data in electronic form which is attached to or logically associated with other data in electronic form and which is used by the *signatory* to sign;

“**electronic signature creation data**” means unique data which is used by the *signatory* to create an *electronic signature*;”

1.3. In the **definition of “prescriber”** the following amendments are made:

1.3.1. the word “and” at the end of paragraph (f) is omitted,

1.3.2. in paragraph (g), “prescriber,” is substituted with “prescriber; and”,  
and

1.3.3. after paragraph (g) the following new paragraph is inserted:

“(h) a *therapeutic radiographer independent prescriber*,”

1.4. Immediately after the **definition of “service provider”**, the following new definition is inserted:

“**“signatory”** means a natural person who creates an *electronic signature*;”

1.5. In the **definition of “supplementary prescriber”**, the following amendments are made to sub-paragraph (b)(iv):

1.5.1. the word “or” is omitted at the end of sub-paragraph (bb), and

1.5.2. after sub-paragraph (cc) the following new sub-paragraph is inserted:

“(dd) dietitians, or”

1.6. Immediately after the **definition of “temporary resident”** the following new definition is inserted:

“**“therapeutic radiographer independent prescriber”** means a radiographer:

- (a) who is registered in Part 11 of the register maintained under article 5 of the Health and Social Work Professions Order 2001; and
- (b) against whose name in that register is recorded:
  - (i) an entitlement to use the title “therapeutic radiographer”, and
  - (ii) an annotation signifying that the radiographer is qualified to order drugs, medicines and appliances as a therapeutic radiographer independent prescriber;”

## Parts 2 to 15

No variations.

## Part 16 Records, Information, Notification and Rights of Entry

2. The following variations are made to **clause 16.1**:

2.1. In **clauses 16.1.6** for the words from “The Contractor shall” to the end of sub-clause 16.1.6(b) substitute the following:

“16.1.6 Where a patient on the *Contractor’s list of patients* dies, the Contractor must send the complete records relating to that patient to the Board:

- (a) in a case where the Contractor was informed by the Board of that patient’s death, before the end of the period of 14 days beginning with the date on which the Contractor was so informed; or
- (b) in any other case, before the end of the period of one month beginning with the date on which the Contractor learned of that patient’s death.

2.2. **Clauses 16.1.7 to 16.1.8** are replaced as follows and the existing clause 16.1.9 is renumbered as 16.1.10:

16.1.7 Where a patient on a *Contractor’s list of patients* has registered with another provider of primary medical services and the Contractor receives a request from that provider for the complete records relating to that patient, the Contractor must send to the Board:

- (a) the complete records, or any part of the records, sent via the *GP2GP facility* in accordance with clause 16.3 for which the Contractor does not receive confirmation of safe and effective transfer via that facility; and
- (b) any part of the records held by the Contractor only in paper form.

16.1.8 Where a patient on a *Contractor’s list of patients*:



- (a) is removed from that list at that patient’s request under clause 13.9, or by reason of the application of any of clause 13.10 to 13.16; and
- (b) the Contractor has not received a request from another provider of medical services with which that patient has registered for the transfer of the complete records relating to that patient,

the Contractor must send a copy of those records to the Board.

16.1.9 Where a Contractor’s responsibility for a patient terminates in accordance with clause 13.17, the Contractor must send any records relating to that patient that it holds to:

- (a) if known, the provider of primary medical services with which that patient is registered; or
- (b) in all other cases, the Board.”

3. In **clause 16.2.1**, “at least on a daily basis” is replaced by “when the change occurs”.

4. After **clause 16.8A** the following new clause and subheading is inserted:

**“16.8B Provision of information: GP access data**

16.8B.1 Subject to clause 16.8B.4, a Contractor must collect such information relating to patient access to primary medical services at the Contractor’s *practice* (“GP access data”) as the Board may reasonably require for the purposes of, or in connection with, the Contract.

16.8B.2 The Contractor must submit an online return to the Board in respect of any GP access data collected by it using the Primary Care Web Tool (“PCWT”) facility<sup>1</sup> which is provided by the Board to the Contractor for this purpose.

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<sup>1</sup> The “PCWT facility” is the approved internet webtool made available by NHS England to contractors for the purposes of submitting GP access data online.

16.8B.3 The Contractor must submit an online return of GP access data to the Board twice in every financial year:

- (a) by 31st October 2016 and 31st March 2017 in respect of the financial year that ends on 31st March 2017; and
- (b) by 30th September and 31st March respectively for each subsequent financial year until 31st March 2021.

16.8B.4 The requirements of this clause 16.8B do not apply where the Contractor does not have access to computer systems and software which would enable it to use the PCWT facility to submit an online return of GP access data to the Board.”

## Parts 17 to 23

No variations.

## Part 24

5. In **clause 24.2.2**, the definition of “local authority” is replaced as follows:

““local authority” means:

- (a) a local authority within the meaning of section 1 of the Local Authority Social Services Act 1970 (local authorities);
- (b) the Council of the Isles of Scilly;
- (c) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (constitution of councils); or
- (d) the council of a county or county borough in Wales; and”

## Part 25

No variations.

## Part 26

6. In **clause 26.10.2(i)(i)** “adjudged” is replaced by “made”.

**Parts 27 to 28**

No variations.

**Schedules 1 to 2**

No variations.

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I/We [ ] acknowledge receipt of the notice of variation dated [ ] of which the above is a duplicate. I/We acknowledge that this notice will take effect from [ ].

Signed:

[on behalf of ]:

NHS ENGLAND  
Standard General Medical Services Contract Variation Notice – February 2017

Print name:

Date: