

To:**Directors of Commissioning
Heads of Primary Care
Dental Commissioners
Business Services Agency – Dental Services**Primary Care Commissioning
NHS England
4W56, Quarry House
Quarry Hill
Leeds
LS2 7UE

9th November 2017

Gateway Reference: 07403

Dear Colleagues,

As you are aware, NHS England has published a dental policy booklet for commissioners to use when managing general and personal dental service contracts. This document is being refreshed to reflect comments from commissioners and internal audit and is due for publication in April 2018.

A number of key changes have been highlighted which will be incorporated into the policy booklet, however for the avoidance of doubt we have highlighted these amendments to be actioned by commissioning teams **with immediate effect**.

- **Update on termination policy to define when a breach should be issued**

All local teams should follow the existing policy within the booklet when dealing with the issue of remedial and breach notices, along with terminations. Some variation has been noted nationally and we need to ensure consistency when dealing with these issues.

- **Summation of remedial and breaches notices, and terminations issued across NHS England**

The national team is collecting information from local teams on the number of remedial and breach notices and terminations issued on a monthly basis. Please continue to submit your returns to england.primarycaredental@nhs.net. Further information will follow shortly regarding this as we are looking to publish results shortly.

- **Independent Sign off of year end calculations**

In chapter, 11, Section 5, Year End Review – GDS, PDS and PDS plus (page number 237), additional clauses have been added as follows:

5.9 It is recognised that sometimes manual adjustments need to be made to the NHS Dental Services data. This can be as a result of:

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- Missing claims (Providers are encouraged to submit electronically to support any manual post end year statement publication changes)
- Exceptional circumstances (as defined in the policy booklet)
- Change of ownership which requires contract figures to be combined at year end

Where any amendments are made, these should be highlighted on the year end spreadsheet and signed off by the appropriate signatory e.g. Senior Contract Manager and / or Senior Finance Manager who must be independent from the individual who has calculated the financial amendment.

- **Development of a standard spreadsheet for Local Offices to use for combining contracts at year-end for dental practices with multiple contracts**

[The dental year end reconciliation calculator](#) has already been provided with the previous handbook. However, the expectation is that commissioning teams will adopt this national approach for combining multiple contracts at year end.

- **Local Offices should perform periodic spot checks of the NHS BSA data received to confirm that there are no significant exceptions or anomalies**

In chapter, 11, Section 5, Year End Review – GDS, PDS and PDS plus (page number 237) additional clauses have been added as follows:

5.10 From an audit perspective, commissioners should undertake a quarterly reconciliation of NHS Dental Services data. This will enable commissioners to identify any anomalies or exceptions in a timely manner and discuss any issues with practices with immediate effect.

- **Local Offices should review data submitted by dental contractors for KPIs within PDS Plus contracts, to confirm accuracy**

In chapter, 11, Section 11, PDS plus (page number 240) additional clauses have been added as follows:

11.2 Schedule 3 of the PDS Plus agreement provides the breakdown of values into service payment, access payment and performance payment. All payments are paid monthly and paragraph 8 of Schedule 3 of the PDS plus agreement outlines the annual reconciliation for the service, access and performance payments. Commissioners need to calculate any under performance in line with the details contained within each specific PDS Plus agreement.

11.3 Where PDS plus contracts contain KPIs, commissioners should request evidence from providers to confirm that the KPIs have been met. This information should be sent by providers annually and be managed as part

of the year end process. Information should be submitted by providers no later than 30th June each year. A template letter is attached for the information request (Annexe 8).

- 11.4 Commissioners should review the KPI evidence and factor their achievement into the overall year end calculations of the provider. A sample template is provided (Annexe 9).
- 11.5 The commissioner should share the findings with the provider in order to agree the year end position.

- **Local Offices should communicate to contractors where over-performance at mid-year has been identified**

In chapter, 11, Section 2, Mid-Year review (page number 233) additional clauses have been added as follows:

- 2.4 Where the Commissioner determines that the contractor has provided more than 30 percent of the activity that it is required to deliver in that financial year (between 1 April and 30 September) the Commissioner should communicate with the contractor. A template letter is provided in Annex 10. It is also important to identify where the contractor has delivered over forty-five percent of the total number of UDAs or UOAs as the contractor may over provide against the contracted total of UDAs or UOAs in the relevant year.
 - 2.4.1 Where a contractor has delivered more than 30 percent of the activity, a mid-year review meeting is not required.
 - 2.4.2 The contractor should be advised that any over delivery of the contracted activity will not be paid for. The commissioner may agree to carry forward up to 2 percent of activity in the following financial year.¹

It is important that we assure ourselves going forward that these changes are adopted with immediate effect. Should you have any queries please do not hesitate to contact the National Primary Care Commissioning Team england.primarycaredental@nhs.net.

¹ Recent legal advice has suggested this discretion needs to be made explicit in the SFE. This is currently being developed, further information will follow.

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I would also like to take this opportunity to thank you for your comments and contributions to the ongoing development of the policy booklet.

Yours sincerely,

Dr David Geddes
GMC no. 3253722
Director of Primary Care Commissioning

Annex 8

Template Letter – Request for KPI information

To be sent by 31 May

[date]

Dear [name]

Contract no: [contract
number]

KPI evidence [year]

Dear Colleague

As part of the dental year end process, we are collecting together all the necessary information needed for us to undertake the reconciliation of your NHS dental contract for this financial year.

Your contract contains KPIs and therefore it would be greatly appreciated if you could send the following KPI information to myself no later than 30th June [year] :

- Insert KPI requirements
- Insert KPI requirements
- Insert KPI requirements
- Insert KPI requirements
- Insert KPI requirements
- Insert KPI requirements

Thank you for your ongoing commitment to provide NHS dentistry.

Yours sincerely

[name]

[title]

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Annex 9

Template Letter –KPI calculator



Template_GDS
Further Services and

Annex 10
Template Letter - Performance exceeds
30%

To be sent by 31 October

[date]

Dear [name]

Contract no: [contract

number] Mid-year

review [year]

We are required to determine the number of units of dental [and orthodontic] activity that you have provided under your contract during the period 1 April to 30 September of this financial year.

A review has taken place using the FP17 data that you have sent to NHS DS. This information can also be found on your monthly schedules.

Below is a summary of your contractual obligation and your delivery against it as at 30

September [year]:

- UDAs/UOAs contracted = [insert]
- UDAs/UOAs carried forward = [insert]
- UDAs/UOAs to be delivered in [year] = [insert]
- UDAs/UOAs delivered as at 30 September [year] = [insert]
- Percentage of UDAs/UOAs delivered against contracted requirement = [insert]

You have provided more than 30 percent of the total contracted units of dental [and/or orthodontic] activity and accordingly, we do not require you to undertake a formal mid- year review.

We would like to remind you that any over delivery of your contracted activity will not be paid for although we may agree to carry forward up to 2 percent of activity in the following financial year.

Thank you for your ongoing commitment to provide NHS

dentistry. Yours sincerely

[name]

[title]