



**Standard Alternative Provider
Medical Services
Contract Variation
Notice
May 2018**

NHS ENGLAND
Standard Alternative Provider Medical Services Contract Variation Notice —
[May] 2018

NHS England INFORMATION READER BOX		
Directorate		
Medical	Operations and Information	Specialised Commissioning
Nursing	Trans. & Corp. Ops.	Strategy & Innovation
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Document Name	Standard Alternative Provider Medical Services Contract Variation Notice	
Author	NHS England	
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Target Audience	CCG Accountable Officers, NHS England Regional Directors, NHS England Directors of Commissioning Operations, GPs	
Additional Circulation List		
Description	This document gives notice under paragraph 52(2) of Schedule 2 to the National Health Service (Personal Medical Services Agreements) Regulations 2015 (S.I. 2015/1879) that the terms of the general medical services contract are varied as set out in the document.	
Cross Reference	N/A	
Superseded Docs (if applicable)	N/A	
Action Required	Regional teams and delegated CCGs to update local contracts where they have not used the new standard contract.	
Timing / Deadlines (if applicable)		
Contact Details for further information	NHS England GP Contracts Team Quarry House Leeds LS2 7UE england.gpcontracts@nhs.net https://www.england.nhs.uk/gp/gpfvinvestment/gp-contract/2018-2019	
Document Status		
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NHS ENGLAND

Standard Alternative Provider Medical Services Contract Variation Notice –
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The text of the Standard Alternative Provider Medical Services Variation Notice 2018 has been prepared by the Strategic and Innovation 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 Alternative Provider Medical Services Variation Notice dated [].

Version number: 1

First published: [May 2018]

Prepared by: Strategy and Innovation Directorate

Gateway Reference: 08033

NHS ENGLAND

Standard Alternative Provider Medical Services Contract Variation Notice –
[May] 2018

Dear Sir/Madam

**Notice of Variation to your Standard Alternative Provider Medical Services
Contract dated**

[]

We give you notice under paragraph 52(2) of Schedule 2 to the National Health Service (Personal Medical Services Agreements) Regulations 2015 (S.I. 2015/1879) that the terms of your standard Alternative Provider Medical Services Contract dated [] are varied as set out below with effect from 25th May 2018.

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

- The General Data Protection Regulation (Regulation (EU) 2016/679)
- For the avoidance of doubt nothing in this agreement shall effect accrued rights of liabilities up to the date of the variation;

and are published on the government website legislation.gov.uk.

NHS ENGLAND

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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

Clauses 1 to 32

No Variations

Clause 33

1. In **Clause 33** the following amendments are made:

- 1.1. In **Clause 33.1**, substitute "Legislation" for "Act 1998".
- 1.2. In **Clause 33.3**, substitute "Legislation" for "Act 1998".

Clauses 34 to 78

No Variations

Clause 79

In **Clause 79** the following amendments are made:

2. Clause **79.1** is substituted as follows:

79.1 "The Contractor shall comply with the Data Protection Legislation and shall ensure that any contract with a sub-contractor will clearly set out the data processing relationship between those parties and the requirements on them to comply with the Data Protection Legislation."¹

3. Clause **79.2** is substituted as follows:

"Not used."

¹ If in relation to a specific contract there is a requirement/need for the Contractor to process data for the Commissioner the parties will be expected to enter into a separate data processing agreement.

Clause 80 to 87

No Variations

Schedule 1 Definitions and Interpretation

4. In the **definition of "Data Controller"** for "Act 1998" substitute "Legislation".
5. Immediately after the **definition of "Data Controller"**, the following new definition is inserted:

"Data Protection Legislation" means (i) the GDPR and any applicable national implementing Laws as amended from time to time (ii) the DPA 2018 to the extent that it relates to processing of personal data and privacy; (iii) all applicable Law about the processing of personal data and privacy;

6. Immediately after the **definition of "Dispute Resolution Procedure"**, the following new definition is inserted:

"DPA 2018" means the Data Protection Act 2018;

7. Immediately after the **definition of "Force Majeure Event"**, the following new definition is inserted:

"GDPR" means the General Data Protection Regulation (Regulation (EU) 2016/679);

Schedule 2 to 11

No Variations