



**Standard Personal
Medical Services
Agreement Variation
Notice –
May 2018**

NHS ENGLAND
Standard Personal Medical Services Agreement Variation Notice — May 2018

NHS England INFORMATION READER BOX		
Directorate		
Medical	Operations and Information	Specialised Commissioning
Nursing	Trans. & Corp. Ops.	Strategy & Innovation
Finance		
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Document Purpose	Guidance	
Document Name	Standard Personal Medical Services Agreement 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 Personal Medical Services Agreement 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Superseded Docs (if applicable)	N/A	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/gpcontract/gp-contract/2018-2019	
Document Status		
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Standard Personal Medical Services Agreement Variation Notice –2018

The text of the Standard Personal Medical Services Variation Notice 2018 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 Personal Medical Services Agreement dated [].

Version number: 1

First published: May 2018

Prepared by: Strategy & Innovation Directorate

Gateway Reference: 08035

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Dear Sir/Madam

**Notice of Variation to your Personal Medical Services Agreement 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 Personal Medical Services Agreement dated [] are varied as set out below with effect from 25th May 2018.

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

- General Data Protection Regulations (Regulation (EU) 2016/679)
- for the avoidance of doubt nothing in the agreement shall effect accrued rights or liabilities up to the date of the variation.

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

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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

Clause 1 Definitions and Interpretation

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

1.1. The **definition of "Data Protection Legislation"** is substituted as follows:

"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;

1.2. Immediately after the **definition of "Dispensing Services"**, the following new definition is inserted:

"DPA 2018" means the Data Protection Act 2018;"

1.3. Immediately after the **definition of "General Medical Services Contracts Regulations"**, the following new definition is inserted:

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

1.4. The **definition of "Personal Data"** is replaced by:

"Personal Data" shall have the meaning assigned to it by the Data Protection Legislation;"

Clauses 2 to 28

No variations

Clauses 29

2. In **clause 29.4**, for "Data Protection Act legislation" substitute "Data Protection Legislation".

Clauses 30 to 33

No variations

Clause 34

3. In **clause 34.2**, for "Act 1998" substitute "Legislation".

Clauses 35 to 84

4. In **clause 72.16**, for "Act 1998" substitute "Legislation".

Clause 85

In **Clause 85**, the following amendments are made:

5. **Clause 85.3** is substituted as follows:

"85.3 The parties acknowledge that the Board and the Contractor shall be Data Controllers in respect of the Personal Data supplied by the Board to the Contractor under this Agreement."¹

6. **Clause 85.4** is substituted as follows:

"85.4 Reserved"

Clauses 86 to 89

No variations

Schedule 1 to 13

No variations

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

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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]:

Print name:

Date: