

Annex D: NHS Standard Contract and supporting guidance

Publishing Approval Reference 001300

This publication can be made available in a number of other formats on request. Please call 0300 311 22 33 or email england.contactus@nhs.net

Contents

1. Introduction	4
2. NHS Standard Contract	5
3. Dispute resolution.....	6
3.1 New contracts 2020/21	6
3.2 Non-expiring contracts 2020/21	6
4. Information on CQUIN (CCG-commissioned services and NHS England-commissioned specialised services)	7

1. Introduction

The purpose of this document is to signpost stakeholders to key technical elements associated with the NHS Contract Agreement, provide anticipated timescales for publication of materials and links associated for access.

Further detailed information about the areas listed below can be found in section 5.8 of the 2020/21 Operational Planning Guidance.

2. NHS Standard Contract

The NHS Standard Contract is mandated by NHS England for use by commissioners for all contracts for healthcare services other than primary care. The Contract is intended to set national terms and conditions applicable for the 2020/21 financial year.

NHS Standard Contract has been published in draft for consultation at the following link: <https://www.england.nhs.uk/nhs-standard-contract/20-21/>. The consultation closes on 31 January 2020, and the final version will be published as soon as possible after that at the same link.

NHS commissioners must use the NHS Standard Contract when commissioning any healthcare services other than core primary care.

The national deadline for signature of new contracts for 2020/21 (or agreement of variations to update existing non-expiring contracts) is Friday 27 March 2020. Where NHS commissioners and providers cannot reach agreement by this date, they will enter a nationally coordinated process for dispute resolution. Details of this process will be covered in the 'Joint Contract Dispute Resolution' guidance.

3. Dispute resolution

3.1 New contracts 2020/21

Where commissioners are seeking to put in place new contracts with major providers to take effect from 1 April 2020, a joint dispute resolution process, agreed by NHS England and NHS Improvement, must be followed in situations where agreement on such contracts cannot be reached. The resolution of disputes relating to such new contracts will be undertaken by a national Arbitration Panel, organised jointly by NHS England and NHS Improvement. In practice, however, this circumstance should only rarely arise. Further detailed guidance can be accessed [here](#).

3.2 Non-expiring contracts 2020/21

There will be some instances, however, where commissioners and providers have in place existing contracts which will not expire on 31 March 2020. Any disputes relating to these agreed contracts – including any necessary updating for 2020/21 – must be resolved under the dispute resolution process set out in the NHS Standard Contract itself. Further guidance on the process for agreeing variations and resolving disputes can be accessed [here](#).

4. Information on CQUIN (CCG-commissioned services and NHS England- commissioned specialised services)

NHS England remains committed to the simplified approach to both CCG and Prescribed Specialised Services (PSS) CQUIN that was initiated in 2019/20. This year's CQUIN scheme will continue to focus on the spread of good practice, building on success in delivering clinical improvements developed and adopted by colleagues in local, regional and national teams, and which will generate real benefit to patients and providers.

Full details of the 2020/21 indicators have been published in separate CQUIN guidance and made available at the following link: <https://www.england.nhs.uk/nhs-standard-contract/cquin/cquin-20-21/>