

# Standard Alternative Provider Medical Services Contract Variation Notice



## Standard Alternative Provider Medical Services (APMS) Contract Variation Notice

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Prepared by Hill Dickinson on behalf of NHS England

The text of the Standard Alternative Provider Medical Services (APMS) Contract Variation Notice August 2024 has been prepared by Hill Dickinson on behalf of NHS England.

It is prepared on the basis that the signed agreement to be varied is in the form of the NHS England Standard Alternative Provider Medical Services Contract and is up to date with all prior variation notices (up to and including the Alternative Provider Medical Services Variation Notice August 2023).

### **Equalities and health inequalities statement**

"Promoting equality and addressing health inequalities are at the heart of NHS England's values. Throughout the development of the policies and processes cited in this document, we have:

- given due regard to the need to eliminate discrimination, harassment and victimisation, to advance equality of opportunity, and to foster good relations between people who share a relevant protected characteristic (as cited under the Equality Act 2010) and those who do not share it;
- given regard to the need to reduce inequalities between patients in access to, and outcomes from, healthcare services and in securing that services are provided in an integrated way where this might reduce health inequalities."

Dear Sir/Madam

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

We give you notice under Clause 57.2 of your Alternative Provider Medical Services Contract dated [ ] that the terms of your Contract are varied as set out below.

These variations come into force:

- (a) Subject to paragraphs (b) and (c) below, on *[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.]*;
- (b) In respect of variation numbers 9, 10 and 11 below, the date specified in paragraph (a) above or 1 October 2024, whichever the later; and
- (c) In respect of variation number 19 below, the date specified in paragraph (a) above or 31 October 2024, whichever the later.

These variations are made to comply with:

- The National Health Service (Primary Medical Services and Performers Lists) (Amendment) Regulations 2024;

which came into force since the last update to the Alternative Provider Medical Services Contract.

For the avoidance of doubt nothing in this notice shall affect accrued rights or liabilities up to the date of the variation.

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

Dated:

Signed:

on behalf of [INSERT ICB NAME]

Print name:

## Wording of Variations

### Part 3

1. In clause 3.2.2.1, **delete** the words “, and the Patient's health would not thereby be jeopardised”.
2. In clause 3.2.4.1, **replace** the word “; and” with the words “, including the need to avoid jeopardising the Patient’s health;”.
3. Immediately after clause 3.2.4.2, **insert**:

“3.2.4.3 any benefits to the Patient of providing for continuity of the Health Care Professional involved in their care and treatment.”.
4. In the title for clause 3A.3, **replace** the word “appointments” with the word “standards”.
5. Immediately after clause 3A.3.1, **insert**:

“3A.3.1A The Contractor must comply with the standards contained in the Vaccines and Immunisations Standards on the processing of data relating to Patients.”.
6. In clause 3A.3.2.1, **replace** the definition of “Relevant Vaccine or Immunisation” with the following:

““Relevant Vaccine or Immunisation” has the same meaning as in clause 3A.2.1.1 of this Contract.”.
7. In clause 3A.3.2.2, immediately after the words “determined by NHS England”, **insert** the words “published on 15 April 2024”.
8. Immediately after clause 3A.3.2.2.6, **insert** the following:

“3A.3.2.2.7 the processing of records relating to Patient vaccinations and immunisations, including records relating to the

administration of vaccines and Patient vaccination status.

3A.3.2.3 “processing” has the meaning given by section 3(4) of the Data Protection Act 2018.”.

## Part 8

9. In clause 8.1, immediately after the words “for telephone services”, **insert** the words (“relevant telephone services”).

10. Immediately after clause 8.2, **insert** the following:

“8.3 The Contractor must ensure that any new contract or other arrangement relating to relevant telephone services is procured under the Advanced Telephony Better Purchasing Framework.

8.4 Where NHS England requires, the Contractor must make available to NHS England, within such reasonable time frame as specified by NHS England, such information as specified by NHS England that is available to the Contractor in relation to the handling of calls under relevant telephone services.”.

11. **Replace** clause 8A.1 and sub-clauses with: “Not used.”.

## Part 10

12. Immediately after clause 10.5C.2, **insert** the following:

10.5D.1 When providing services under the agreement, the Contractor must have due regard to the principles contained in section 343AA(1)(a) to (c) of the Armed Forces Act 2006 in relation to its Patients and prospective Patients.

13. In clause 10.7, immediately after the words “submit an Annual Report”, **insert** the words “and make available to the Commissioner a Digital Practice Area Map”.

## Part 13

14. **Replace** clause 13.2 with:

“13.2 A medical practitioner may only perform clinical services under this Contract where that medical practitioner is not:

13.2.1 prohibited from performing any such service by regulation 24 of the National Health Service (Performers Lists) (England) Regulations 2013;

13.2.2 suspended from the Medical Performers List or from the Medical Register; and

13.2.3 subject to interim suspension under section 41A of the Medical Act 1983.”.

15. **Replace** clause 13.3 and all sub-clauses with: “Not used.”.

16. In clause 13.4 **replace** the words “Clauses 13.2 and 13.3 apply” with the words “Clause 13.2 applies”

17. **Replace** clause 13.7 with:

“The Contractor may not employ or engage a medical practitioner unless the Contractor has checked that the practitioner meets the requirements of:

13.7.1 clause 13.2; and

13.7.2 clause 13.6.”.

18. **Replace** clause 13.7A and sub-clauses with: “Not used.”.

## **Part 31**

19. Replace clause 31.10 with:

- “31.10 Subject to Clause 31.11, the Contractor may only accept an application for inclusion in that list if it is:
- 31.10.1 an application on a form specified to the Contractor by NHS England; or
  - 31.10.2 an application through the online registration service supplied to the Contractor by NHS England.”
- 31.10A The Contractor must make available both application methods referred to in Clause 31.10.”.

## Part 32

20. In clause 32.4.3, replace the words ““the Good Practice Guidelines for GP Electronic Records (Version 4)”, published on 21 March 2011 or in any document which it has been notified by the Commissioner has replaced that document” with the words ““Digital Primary Care: Good Practice Guidelines for GP electronic patient records – (GPGv5)”, published on 20th September 2023”:

## Part 34

21. Replace clause 34D.2 with:

- “34D.2 The data referred to in clause 34D.1 must be:
- 34D.2.1 appropriately coded, reviewed and updated by the Contractor in line with agreed standards set out in guidance published by NHS England;
  - 34D.2.2 submitted to NHS England:
    - 34D.2.2.1 using the data entry module on the National Workforce Reporting Service, which is a facility provided



by NHS England to the Contractor for this purpose; and

34D.2.2.2 at such intervals during the financial year as are notified to the Contractor by NHS England.”.

22. **Replace** clause 34D.3 with: “Not used.”.

## Part 62

23. In clause 62.2, replace the words “conditions specified in Clauses 54.1 and 54.3” with “condition specified in Clause 54.1 or 54.4”.

## Schedule 1

24. In paragraph 1.2, **insert** the following definition:

“**Digital Practice Area Map**” means a map of the practice area produced on digital tools provided by NHS England;”.

## Schedule 5

25. In paragraph 10(4), after the words “of its annual report” **insert** the words “and make available the Digital Practice Area Map”.

## Schedule 8

26. In paragraph 6, **replace** the words “a sketch diagram, plan or postcode” with the words “an image of the Practice Area, a written description of the Practice Area or a Digital Practice Area Map”.

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: