

Standard Personal Medical Services Agreement Variation Notice



Standard Personal Medical Services (PMS) Agreement Variation Notice

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Prepared by Hill Dickinson on behalf of NHS England.

The text of the Standard Personal Medical Services (PMS) Agreement 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 Personal Medical Services Agreement and is up to date with all prior variation notices (up to and including the NHS England Standard Personal Medical Services Agreement 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 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.

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 5 and 6 below, the date specified in paragraph (a) above or 1 October 2024, whichever the later; and
- (c) In respect of variation number 23 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 Standard Personal Medical Services Agreement.

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 1

1. In clause 1.1, **insert** the following definition:

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

Part 7

2. In clause 7.8.2.1, **delete** the words “, and the Patient's health would not thereby be jeopardised”.
3. In clause 7.8.4.1, **replace** the word “; and” with the words “, including the need to avoid jeopardising the Patient’s health;”.
4. Immediately after clause 7.8.4.2, **insert**:

“7.8.4.3 any benefits to the Patient of providing for continuity of the Health Care Professional involved in their care and treatment.”.

5. In clause 7.12, immediately after the words “for telephone services”, **insert** the words (“relevant telephone services”).
6. **Replace** clause 7.13A, with the following:

“7.13A 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.

7.13B 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.”.

Part 17

7. In the title for clause 17A.3, **replace** the word “appointments” with the word “standards”.

8. Immediately after clause 17A.3.1, **insert**:

“17A.3.1A The Contractor must comply with the standards contained in the Vaccines and Immunisations Standards on the processing of data relating to patients.”.

9. In clause 17A.3.2.1

9.1. **replace** the definition of “Relevant Vaccine or Immunisation” with the following”:

““Relevant Vaccine or Immunisation” has the same meaning as in clause 17A.2.1.1 of this Agreement.”.

9.2. **insert** the following definition:

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

10. In clause 17A.3.2.2:

10.1. immediately after the words “determined by NHS England”, **insert** the words “published on 15 April 2024”; and

10.2. **insert** the following sub-clause:

“17A.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.”.

Part 20

11. **Replace** clause 20.1 with:

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

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

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

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

12. **Replace** clause 20.2 with: “Reserved”.

13. **Replace** clause 20.3 with: “Reserved”.

14. **Replace** clause 20.7 with:

“Subject to clause 20.8, the Contractor may not employ or engage a medical practitioner unless the Contractor has checked that the practitioner meets the requirements of:

20.7.1 clause 20.1; and

20.7.2 clause 20.6.”.

15. **Replace** clause 20.9 with: “Reserved”.

16. In clause 20.20 **Replace** the link “<https://www.nhsemployers.org/-/media/Employers/Documents/Pay-and-reward/TCS-GP-GMS-150409.pdf>” with the link “[Model terms and conditions of service for a salaried general practitioner employed by a GMS practice \(“Practice”\) \(nhsemployers.org\)](#)”.

Part 29

17. **Replace** clause 29.6.3 with:

“29.6.3 the Contractor is aware of, and has signed an undertaking that it will have regard to the guidelines contained in “Digital Primary Care: Good Practice Guidelines for GP electronic patient records – (GPGv5)”, published on 20th September 2023.”.

Part 38

18. **Replace** clause 38.20 with:

- “38.20 The data referred to in clause 38.19 must be:
- 38.20.1 appropriately coded, reviewed and updated by the Contractor in line with agreed standards set out in guidance published by NHS England;
 - 38.20.2 submitted to NHS England:
 - 38.20.2.1 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
 - 38.20.2.2 at such intervals during the financial year as are notified to the Contractor by NHS England.”.

19. **Replace** clause 38.21 with: “Reserved”.

Part 40

20. In clause 40.1:

- 20.1. after the words “relating to this Agreement” **remove** the words “to the Commissioner”.
- 20.2. after the words “agreements with the Commissioner” **insert** the words “and make available to the Commissioner a Digital Practice Area Map”.

21. In clause 40.2, after the words “the completed return” **insert** the words “and make available the Digital Practice Area Map”.

Part 52

22. Immediately after clause 52B.3, **insert**:

“52C Duty to have regard to Armed Forces Covenant principles

52C.1 When providing services under this 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.”.

Schedule 5

23. **Replace** paragraph 5.3 with:

“5.3 Subject to paragraph 5.4, the Contractor may only accept an application for inclusion in that list if it is:

5.3.1 an application on a form specified to the Contractor by NHS England; or

5.3.2 an application through the online registration service supplied to the Contractor by NHS England.

5.3A The Contractor must make available both application methods referred to in paragraph 5.3.”.

Schedule 12

24. In point 7 of information to be included in Practice Leaflets, **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”.

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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: