

CLMC Bulletin 510 – 20/06/22

Update on NHS Property Services (NHSPS) legal case

Since early 2020, the BMA has been supporting 5 GP practices in legal dispute with NHS Property Services (NHSPS) around inflated service charges. The case has been broken into two phases by the court: phase one to look into the principles of which services NHSPS can charge the practices for, and phase two to look into what the exact amounts of any charges will be. The BMA have now received the judgment on phase one of the trial, and in determining which services practices are liable to pay, the court has decided in favour of NHSPS.

The complex judgment is 170 pages long, and gives some clarity to these practices about what services they are and are not obliged to pay for. The length of the judgment underlines the difficulties caused by the drastic change in approach by NHSPS to service charges that busy practices, working to provide care to patients under the most difficult circumstances, are being forced to navigate.

These proceedings were initially launched because NHSPS appeared to be increasing GP practices' service charges in reliance on its Consolidated Charging Policy. However, in June 2020 NHSPS conceded that its charging policy did not impliedly vary these practices' obligations retrospectively, and the recent judgment confirms that in none of the five practices' cases was NHSPS' charging policy incorporated into the terms of their tenancy.

GP practices' service charge obligations can only be determined on a case-by-case basis. The judgment confirms that practices facing demands for fees that they do not understand should take a constructive approach, and seek their own advice to investigate what is and is not recoverable by way of service charges. This has always been the BMA approach and they have consistently advised practices to do their own due diligence.

During these proceedings the BMA have seen NHSPS' claims for outstanding service charges revised vastly, in one case being reduced by as much as 34% (more than £178,000). This underlines the opacity of NHSPS' methods for calculating charges. Had the BMA not supported the GP practices in this case to defend NHSPS' claims for charges they could have overpaid hundreds of thousands of pounds to NHSPS, which NHSPS was unable to substantiate when required to do so.

The case is not over, with the next stage to determine how much these practices may owe, if indeed they received the services to the required standard or even at all. The BMA are discussing next steps with the legal team, and will provide further updates and guidance as they become available.

Risk assessment for practices

GPC have revised their [guidance on COVID-19 risk assessment for practices](#), following the updated NHSE/I national infection prevention and control (IPC) manual for England.

The [IPC manual](#) is clear about the need for local risk assessments for staff in contact with COVID-19, which is particularly important now that the requirement for social distancing and mask wearing is no longer obligatory. It is still the employer's responsibility to ensure safe working for staff, and thus a risk assessment should still be carried out and appropriate mitigations.

People who come to GP practices are more likely to be ill or clinically vulnerable, so it's vital that practices are able to exercise discretion to protect patients and staff. Especially in the context of rising abuse towards practice staff, people must be assured that if practices are asking them to continue wearing masks this is for the safety of everyone in the building.

The BMA will support practices and doctors who continue to ask patients and staff to wear face masks where they feel this is necessary.

GP abuse

A recent [BMJ investigation](#) found that the number of violent incidents at UK general practices recorded by police forces has almost doubled in the past five years.

In response to this, Dr Chaand Nagpaul, BMA council chair, said: "We fundamentally need the Government to be open and honest with the public that the real reason patients don't have the level of service they deserve is due to the fact we have severe shortages of GPs and a lack of capacity to meet record demand. We also need ministers to make clear to the public that there will be zero tolerance to abuse, violence and threats against GPs and their staff, and that swift action will be taken against any offenders." Read the full BMA [response](#)

Download the BMA [poster](#) against GP abuse

Rebuild General Practice: 3 ways to show your support

Help build awareness of the crisis facing general practice. Your support to amplify the message will help make the campaign a success. Here are three ways to get involved.

1. Sign the 'Letter to my patients'

Hundreds of GPs have already signed an open [letter to our patients](#) - showing them that GPs are on their side. To add your signature, simply email hello@rebuildgp.co.uk with your full name.

2. Use #RebuildGP

Follow and share content, news, and updates on the campaign [Twitter page](#)

3. Access campaign materials

Contact the [LMC](#) for more information and to access campaign materials.

Accelerated access to patient records

GPC would like to update you on developments with regard to the provision of prospective access to patient records. This new service was due to go live at the end of 2021 but was delayed due to concerns from the profession. The Secretary of State has now confirmed a launch date of 1 November 2022.

The GP Committee's IT Policy Group has been having weekly calls with NHS England and has participated in several workshops looking at clinical safety issues, redaction and guidance documents. They have worked with system suppliers and with safeguarding leads and hope mitigations will be in place to address any ongoing safety concerns. We are also awaiting feedback from early adopter sites.

There are several steps that practices need to take between now and the launch date and we will provide guidance on this shortly.

Work is still ongoing and GPC are making all necessary representations, and continue to highlight the potential concerns of the profession. If you have any questions, you can contact GPC via info.gpc@bma.org.uk

Monkeypox

Whilst the risk of monkeypox infection remain low, the [UK Health Security Agency \(UKHSA\)](#) is asking people to be alert to any new rashes or lesions on any part of their body.

If you are concerned that a patient may have contracted the disease, use appropriate PPE, including mask and gloves. For confirmed cases of Monkeypox, UKHSA guidance states that FFP3 respirators should be used. Isolate the person whilst seeking advice on next steps from the local sexual health clinic for urgent advice or your [local health protection team](#), and ensure the consultation room is cleaned appropriately afterwards based on [UKHPA advice](#).

Monkeypox is now a designated a [notifiable infectious disease](#) under the Health Protection (Notification) Regulations 2010. This means all doctors in England are required to notify their local council or local Health Protection Team (HPT) if they suspect a patient has monkeypox.

GPC have raised concerns with NHS England that specific guidance for primary care has not been provided in relation to the latest outbreak of Monkeypox.

Further information is available on the [UKHSA](#) website.

Fit Notes

From 1 July, new legislation will be enacted which will allow nurses, occupational therapists, pharmacists, and physiotherapists to legally certify fit notes, in addition to doctors who are currently the only profession able to do so.

Non-statutory guidance has been developed to help individuals identify if this task is within their scope of practice as well as a new training module which should be completed before taking up this task. These new products will be available from 1 July. There will be a rollout period from this date where GP IT systems will be updated to reflect the change.

Promoting Healthier Together

You may be aware that the ICS Child Health and Wellbeing Network (CHWN) have recently launched the Healthier Together website www.nenc-healthiertogether.nhs.uk, followed by the mobile application. The Healthier Together mobile application further enhances and complements the NENC Healthier Together website and system work to reduce anxiety amongst parents of children aged 0-18 years, and avoid unnecessary A&E and GP presentations.

It educates and empowers parents to make informed choices of where and when to access the healthcare system and is designed to support them in making decisions about their child's health. It includes lots of self-care advice, and good signposting to services such as pharmacy. It also may be useful for reception teams when deciding whether a child needs an urgent same day appointment.

The CHWN would like to request your support to promote Healthier Together website and mobile application with the communities you work with. Their ask is for you to:

- Download the Healthier Together app from your app store using QR codes below and familiarise yourself with it



- Ask friends, family members, colleagues to download it too
- Actively signpost to the app with individuals and communities you work with where it is appropriate.
- Use this link to add our banners on your website
<https://drive.google.com/uc?export=download&id=16yVdScslIi5i4NRwxsPFBV8wS7LNuECe>
- Use the attached social media toolkit, poster and graphics to help you to do this.

If you would like any promotional materials to use within your organisation please email laura.cassidy8@nhs.net and CHWN will arrange for them to be posted out to you.

Healthier Together is an opportunity to reduce pressures on the healthcare system whilst giving parents and carers accurate healthcare information to make informed choices. The Healthier Together website is also under continuous development with new content coming soon focusing on maternity/pregnancy and adolescence section for parent and carers.

CHWN would like to hear how you are using the app in your role and would value any feedback you may have.

Initial Health Assessment services in support of new arrivals from Ukraine

In order to support Ukrainian refugees arriving in England, NHSE/I is asking CCGs to commission Initial Health Assessment services in support of new arrivals from Ukraine. Whilst CCGs will be free to determine how best to undertake this, and who from, NHSE have developed an outline specification and a template Local Enhanced Service to support delivery by patients' own registered GP practice when they register, should practices wish to sign up. Details this can be found on the [NHS England website](#).

The DHSC has also published bilingual versions of the GMS1 registration form:

English / Ukrainian: <https://www.gov.uk/government/publications/gms1.uk>

English / Russian - <https://www.gov.uk/government/publications/gms1.ru>

Safe Surgeries Evaluation Survey - Regional

[Doctors of the World](#) (DOTW) is working with UCL and the NHS to better understand issues facing underserved groups when accessing GP services. They want to hear from general practice staff (e.g. GP Partners or Practice Managers) to find better ways to support staff and patients to ensure that society's most vulnerable can register with a GP. Part of this work will involve evaluating and redesigning the [DOTW UK Safe Surgeries Initiative](#), a BMA-endorsed programme and toolkit that supports GP practices to become more accessible to socially excluded groups.

This project '[Right to Care](#)' aims to identify barriers and facilitators to support socially excluded groups such as people experiencing homelessness, people with irregular or insecure immigration status, people who sell sex, and members of the Roma, Gypsy, and Traveller communities who may experience unique challenges to access primary care and to register with a GP.

GP staff perspectives will be highly valued and will help better support the needs of your GP practice and community – we therefore highly encourage those who are part of the Safe Surgeries Community, but also those who have previously not engaged with the initiative, to share their experiences. Please complete a 5 minute [survey](#) by 1 July 2022.

If you're interested in participating in a short online interview, please contact Kerrie at k.stevenson@ucl.ac.uk to organise a time that is convenient for you.

For all other questions, please contact fplayer@bma.org.uk

One career, endless opportunities #Choose GP

Applications for 2022 GP specialty training open on 26 July – 16 August 2022. The [GP National Recruitment Office](#) has timelines and applicant guidance, or email gprecruitment@hee.nhs.uk to be put in touch with GPs and trainees who can help with local or general enquiries. Please forward this information to any doctors who may be thinking about career options.

HEE launches new Work Experience Standard

HEE has this launched a new Work Experience Standard – [information here](#)

BMA request for case studies: innovative delivery in General Practice

Mercedes Broadbent, Senior Policy Advisor in the Healthcare Delivery team at the BMA and her team are doing some work on UK models of delivery in general practice, and are collecting case studies of GPs who are delivering and providing care within the system in new, different or innovative ways. They are interested in practices which could be, for example, trialling new ways of working and sharing workload, or utilising multidisciplinary teams in an unusual way, but they also interested in hearing from any GP who is innovating in delivery of healthcare, outside of these examples. If you or a GP you know is delivering care successfully in a new way, they would like to hear from you.

The BMA will be planning site visits to some of these practices, so if you would like the team to come visit your practice or would like to suggest, nominate, or put us in touch with a GP who is doing good work in this area, please email janice.foster@nhs.net and let us know.

BMA annual representative meeting 2022

The BMA's annual representative s meeting (ARM) will be held on 27-29 June, and is a hybrid event this year, taking place online and in Brighton, with the theme 'Fighting for our rights, fighting for our future'. [Find out more about the event, agenda and elections](#)

GPC ARM elections

GPC are seeking nominations for 10 seats on [GPC UK](#) for a one-session term. At least one seat will have their principal place of work in England, one in Northern Ireland, one in Scotland and one in Wales, and be elected by the RB as a whole. [Find out what you can expect as a committee member](#)
To stand in this election, you must be a BMA member and have a BMA online account.

Nominations will close at 10am on Monday, 27 June. [Nominate yourself at elections.bma.org.uk](https://elections.bma.org.uk)

Voting will take place during the [ARM](#) on 27–29 June. Voting is open to delegates of the ARM only.

BMA Employer Advisory Service

As a membership benefit, the BMA provides an employer advice service for GP partners and your practice managers. With no expensive contracts, you can get tailored advice from the BMA's specialist team of HR & employment advisers and regulatory knowledge, who can support you with:

- HR & employment law case management
- reviewing HR documentation and ensuring legal compliance
- employment tribunal support, and much more.

The service is available to BMA members - [contact the BMA GP employer advisory service](#)

GPC GP Bulletin & Informal Messaging

Read the latest GP bulletin (England) [here](#)

Read the latest sessional GPs Newsletter [here](#)

Read GPC Chair twitter page: [Dr Farah Jameel \(@DrFJameel\) / Twitter](#)

Read BMA twitter page: [General Practice \(@BMA_GP\) / Twitter](#)

Read more about the work of the [GPC England](#)

Read practical guidance for [GP practices](#)

Mental health and wellbeing – looking after you and your practice team

Primary care coaching - communications toolkit

In these pressured times it is absolutely critical you look after yourself and your teams. NHSE/I have launched their new communications toolkit, supporting promotion of the NHS England and NHS Improvement Looking After You national coaching service: <https://drive.google.com/drive/folders/1aS8-sTH1W9qv49d9Tq3hhwg9jJZZ5MFs>

Within the toolkit you will find social media images, banners, bulletin copy, website copy and quotes from those who have used the free services. There has been some excellent feedback from those who have accessed coaching, but we are aware there are still many colleagues who are not aware of this available support. It remains a difficult time for the workforce, so we would appreciate any help you are able to give to share these offers.

A member of their team would also be happy to come to meetings or events within regions and systems to talk about the offers: england.lookingafteryou@nhs.net

A coaching landing page hosts all three offers: www.england.nhs.uk/lookingafteryou . Recognising that frontline primary care colleagues involved in the delivery of primary care services, both clinical and non-clinical, continue to face many challenges, NHSE have developed three coaching offers for the workforce:

- 1) Looking After You Too – coaching about you and your wellbeing
- 2) Looking After Your Team – coaching about you and your team
- 3) Looking After Your Career - coaching about you and your career

The coaches are highly skilled and experienced, and all coaching is free and confidential. The sessions are delivered virtually, preferably via a video platform, but telephone appointments are also available. Thousands of people have booked sessions and given positive feedback on their experience.

GP appraisal leads and GP tutors offer of telephone support conversations remain for any GP who feels they would like to talk through any aspect of their professional/personal life that has been affected by Covid. To organise a telephone support conversation, either with the appraisal lead or with a GP tutor, please contact the appraisal team, or email di.jelley@nhs.net

Crisis Coaching & Mentoring: [Coaching and mentoring sessions are available now](#) for all NHS and Health and Social Care leaders. Delivered by The Centre for Army Leadership and Meyler Campbell Coaching, these sessions are designed to support with the huge pressure on the ability of the NHS to deliver safe, high-quality care, sharpen focus on meeting the core needs of staff, ensuring wellbeing and sustained motivation to deal with this rapidly changing situation. The intervention will give leaders an understanding of crisis leadership that goes beyond what is necessary and focused on engagement and motivation through Covid19. Further information and how to register [see link here](#)

CLMC continue to offer [wellbeing services via Validium](#) for **ALL working in general practice within Tees** (including locums). We understand that a number of staff have accessed this confidential service and it has been well received.

The BMA's [report on the mental health and wellbeing of the medical workforce](#) which sets out ten recommendations to be addressed to protect staff during the pandemic and in the future. The BMA is here for you and offers supportive [wellbeing services](#) which include face-to-face counselling. You can access one-off support or, after triage, a structured course of up to six face-to-face counselling sessions. Call 0330 123 1245 today or [visit the website](#) for more information.

For all other support, speak to a BMA adviser on [0300 123 1233](tel:03001231233) or email support@bma.org.uk

[Read more about doctors' wellbeing during the pandemic](#) and on Twitter [@TheBMA](https://twitter.com/TheBMA)

There is also a wealth of [ICS provided support through their North East Support Hub](#) Telephone: 0191 223 2030 or Email: Hubstheword@cntw.nhs.uk or via online form on the website

NHSEI have recently developed a new [communications toolkit](#) and resources to help promote their offers to the workforce. The toolkit has an overview of each offer, including bulletin, email and social media copy, and links to some case studies and posters.