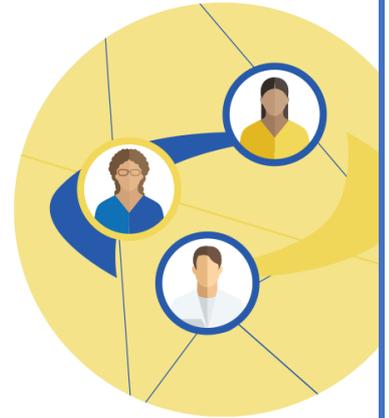


## Bedfordshire & Hertfordshire LMC Ltd: Weekly Update for Practices, Monday 20<sup>th</sup> June 2022



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#### 1. Bedfordshire & Hertfordshire LMC Guide to Practice Mergers

This Practice Merger Toolkit is intended to act as a guide for practices that are considering merging and to give an overview of areas that need to be considered through the merger process. Advice has been sought from organisations who are involved in the merger process as well as input from various practices within Bedfordshire & Hertfordshire that have merged. Please note this guide is not exhaustive but aims to highlight the main areas to be considered if merging and therefore full support should be taken from relevant, professional advisors throughout the process.

Please view here: [BHLMC Guide to Practice Mergers](#)

#### 2. 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 judgment on phase one of the trial has now been received, 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 GPC approach and they have consistently advised practices to do their own due diligence.

During these proceedings NHSPS has vastly revised its claims for outstanding service charges, 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. BMA/GPC is discussing next steps with the legal team, and will provide further updates and guidance as they become available.

DR Solicitors have also [written a blog](#) on this case.

### **3. Risk assessment for practices**

BMA/GPC has revised its [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 put in place.

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.

### **4. Accelerated access to patient records**

We 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 the 1<sup>st</sup> 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. BMA/GPC has worked with system suppliers and with safeguarding leads and they hope mitigations will be in place to address any ongoing safety concerns. They are also awaiting feedback from early adopter sites.

There are several steps that practices need to take between now and the launch date and BMA / GPC will provide guidance on this shortly. Work is still ongoing and BMA/GPC are making all

necessary representations, and continue to highlight the potential concerns of the profession. If you have any questions, you can contact BMA/GPC via [info.gpc@bma.org.uk](mailto:info.gpc@bma.org.uk).

## 5. Monkeypox

Whilst the risk of monkeypox infection remains 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 [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.

BMA/GPC has 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.

## 6. 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>

## 7. Safe surgeries survey

[Doctors of the World](#) wants to hear from general practice staff to find better ways to support staff and patients to ensure that everyone can register with a GP. Part of this work will be used to evaluate the [DOTW UK Safe Surgeries Initiative](#), a BMA-endorsed programme and toolkit that supports GP practices to become more accessible to socially excluded groups. Please complete a 5 minute [survey](#) by the 20<sup>th</sup> June 2022.

If you're interested in participating in a short [interview/piece of research], please contact Kerrie at [k.stevenson@ucl.ac.uk](mailto:k.stevenson@ucl.ac.uk)

## 8. Fit Notes

From the 1<sup>st</sup> 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 the 1<sup>st</sup> July. There will be a rollout period from this date where GP IT systems will be updated to reflect the change.

## 9. GPC Annual Representative Meeting (ARM) elections

GPC is 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<sup>th</sup> June. [Nominate yourself at elections.bma.org.uk](#)

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

## 10. 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](#)

## 11. Beds & Herts LMC Annual General Meeting – 29<sup>th</sup> June

Just a reminder that the Beds & Herts LMC Limited AGM will be held on Wednesday 29<sup>th</sup> June 2022 at 7.15pm at the 76 Lounge, The Lamex Stadium, Stevenage Football Club, Broadhall Way, Stevenage, Herts, SG2 8RH.

All GPs and Practice Managers in Beds & Herts are welcome to observe the meeting, and we would be grateful if you could indicate whether you are able to join by [clicking here to register](#), so that we can send the agenda and papers in due course and are aware of numbers.

Alongside taking care of the constitutional elements of the business, such as agreeing the accounts, auditors, budget and any amendments to levies, this will be an opportunity to catch up with colleagues, socialise and hear about the positive work the LMC has been doing.

We look forward to seeing you on the 29<sup>th</sup> June 2022!

## 12. Herts & West Essex Training Hub: Wise 5 Webinar – Prostrate Update

**\*Herts & West Essex Wise 5 Colleagues\***

**Date:** Wednesday 29<sup>th</sup> June 2022

**Time:** 19:30pm

**Venue:** Online via MS Teams

**How to book:** Please email [hwetraininghub@nhs.net](mailto:hwetraininghub@nhs.net) to book a place.

Jim Adshead, a Consultant Urologist at E&N Herts Trust, will be speaking at the next Wise 5 Webinar.

Jim will be providing an update on prostate issues and how the new NICE PSA guidelines will affect GP referral pathways.

Please see the [attached flyer](#) for further information about this webinar.

**News** - For the latest news, information and weekly updates for practices, please visit the [Hot Topics](#) section of our website.

**BHLMC Job Board** - Advertise your practice vacancies or search for jobs on our [Job Board](#). If you are interested in posting an advert please contact [lmadmin@bhlmc.co.uk](mailto:lmadmin@bhlmc.co.uk) for more information.

**Locums** - If you are a Locum and would like to receive LMC updates, please register via the [online form](#) to be added to our database and mailing list.

**Workforce Wellbeing & Support** [Visit our webpage](#).

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