

# SHEFFIELD LOCAL MEDICAL COMMITTEE

# NEWSLETTER

## FEBRUARY 2014

### INSIDE THIS ISSUE:

**ACTIVITY UPDATE: DECEMBER 2013 TO JANUARY 2014**

**MINIMUM PRACTICE INCOME GUARANTEE (MPIG) OUTLIERS**

**PERSONAL MEDICAL SERVICES (PMS) EQUITABLE FUNDING AND REVIEWS**

**SECURING THE FUTURE OF GENERAL PRACTICE IN SOUTH YORKSHIRE & BASSETLAW**

**LEGAL AID CUTS AND VICTIMS OF DOMESTIC ABUSE**

**CARE QUALITY COMMISSION (CQC) INSPECTIONS FEEDBACK**

**CARE QUALITY COMMISSION (CQC) SAFEGUARDING INSPECTIONS**

**SHEFFIELD LMC NEWSLETTER DISTRIBUTION**

**GENERAL PRACTITIONERS COMMITTEE (GPC) REGIONAL ELECTIONS 2014-2017**

**LIMITED COMPANIES AND DISPENSING PRACTICES**

**EMPLOYMENT LAW COURSES**

**GETTING READY FOR GENERAL PRACTICE**

### **ACTIVITY UPDATE: DECEMBER 2013 TO JANUARY 2014**

The LMC's latest Activity Update (December to January) was recently emailed to all represented Sheffield GPs and Practice Managers.

Further copies can be downloaded from the LMC Reports section of our website at:

[http://www.sheffield-lmc.org.uk/Reports/SLMC\\_Activity\\_Update\\_Dec13-Jan14.pdf](http://www.sheffield-lmc.org.uk/Reports/SLMC_Activity_Update_Dec13-Jan14.pdf)

In addition, hard copies can be requested from the LMC office via email to:

[adminassistant@sheffieldlmc.org.uk](mailto:adminassistant@sheffieldlmc.org.uk).

We hope that GPs and Practice Managers find the updates interesting and helpful in knowing what role the LMC plays in local negotiations and how we can assist practices.

We would, of course, be keen to receive any feedback or suggestions for future editions via email to:

[manager@sheffieldlmc.org.uk](mailto:manager@sheffieldlmc.org.uk).

### **MINIMUM PRACTICE INCOME GUARANTEE (MPIG) OUTLIERS**

On 18 December 2013 NHS England wrote to Area Teams about the phasing out of MPIG and outlier practices.

The letter refers to 98 national outliers, whose details have been sent to relevant Area Teams. It provides some options for Area Teams to consider in dealing with these practices, eg encouraging collaboration or agreeing a new contract type with the practice.

The General Practitioners Committee (GPC) has raised concerns with NHS England regarding leaving these decisions to Area Teams, rather than devising a suitable nationally directed process for Area Teams to adopt. Following this, NHS England confirmed that it will encourage Area Teams to work with LMCs to support practices that are adversely affected by the arrangements.

Sheffield LMC contacted the South Yorkshire & Bassetlaw (SY&B) Area Team to request clarification on whether or not any Sheffield GP practices had been classed as an outlier practice and await the opportunity to discuss this in detail.

In the meantime, if any practices have been contacted by the Area Team in this regard and would like LMC support or advice, please do not hesitate to contact the LMC office via:

[manager@sheffieldlmc.org.uk](mailto:manager@sheffieldlmc.org.uk)

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### **PERSONAL MEDICAL SERVICES (PMS) EQUITABLE FUNDING AND REVIEWS**

NHS England has published guidance and an accompanying presentation for its local Area Teams on equitable funding arrangements and reviews for PMS practices, which are available at:

- <http://www.england.nhs.uk/wp-content/uploads/2014/02/lett-adir-pms-rev1.pdf>
- <http://www.england.nhs.uk/wp-content/uploads/2014/02/rev-pms-cont.pdf>

In summary:

- £325M of "premium" PMS expenditure has been identified by NHS England as the amount by which PMS expenditure exceeds the equivalent items of General Medical Services (GMS) expenditure.
- The premium will reduce to £235m over the seven years to 2021/22 as GMS correction factor funding is phased out and global sum funding increases.
- Area Teams will have two years from April 2014 to review their local PMS contracts, with the pace of change on the redeployment of funding following the reviews being left to local judgment.
- Area Teams will invest the premium funding in GP services according to criteria set by NHS England, which are that the investment should:
  - reflect joint Area Team/Clinical Commissioning Group (CCG) strategic plans for primary care;
  - secure services or outcomes that go beyond what is expected of core general practice or improve primary care premises;
  - help reduce health inequalities;
  - give equality of opportunity to all GP practices;
  - support fairer distribution of funding at a locality level.

The guidance gives Area Teams discretion about how the funding should be invested within these criteria.

The GPC's position is that the premium expenditure should have been redistributed to core GP funding, providing greater certainty for practices and allowing them to invest for the future with greater

confidence, for example by employing long-term staff and taking on new partners. In largely leaving decisions about the process and timescales to Area Teams, the guidance will create further uncertainty for practices and potentially create further inequity between practices in different areas.

We have requested that this issue is raised at a meeting of SY&B LMCs and the SY&B Area Team. We will, of course, keep practices informed of developments.

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### **SECURING THE FUTURE OF GENERAL PRACTICE IN SOUTH YORKSHIRE & BASSETLAW**

*A conference organised by the South  
Yorkshire and Nottinghamshire  
LMCs with support from the NHS  
England South Yorkshire &  
Bassetlaw Area Team*

**Thursday 27 February 2014  
1.30 pm to 4.45 pm**

Preceded by lunch and  
exhibition from 12.15 pm

**New York Stadium, Rotherham**

Topics include:

- General practice at a crossroads (which way forward?)
- The "Call to Action" and NHS England's Strategic Framework for General Practice.
- Creating collaborative organisations.
- Understanding the implications of recent changes to the GMS contract.

This event is for GPs and Practice Managers represented by Barnsley, Doncaster, Nottinghamshire, Rotherham or Sheffield LMCs.

Lunch is included and there is no charge to attend this event, *but places are limited, so please register your interest by emailing:*  
[amy.bolton@nottslmc.co.uk](mailto:amy.bolton@nottslmc.co.uk).

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### **LEGAL AID CUTS AND VICTIMS OF DOMESTIC ABUSE**

Many of you will recall that towards the end of 2012, Taylor & Emmet Solicitors wrote to Sheffield GPs regarding the introduction of a system whereby GPs would be asked to complete a medical examination and short medical report on patients who are claiming to be victims of domestic violence.

The LMC noted that these requests fall outside of normal NHS contractual work and, therefore, GPs are entitled to refuse to complete the work. If choosing to do the work, GPs can charge a fee and must ensure they have adequate patient consent.

In view of this being a national issue, in May 2013 the LMC and Taylor & Emmet Solicitors authored a joint communication to the Ministry of Justice.

The reply from the Ministry of Justice does not address all of the concerns raised locally, but does confirm the following:

- The Ministry of Justice requires a short letter, rather than a full medical report. A template letter has been created for this purpose, which is available at:  
<http://www.justice.gov.uk/downloads/la-private-matters/doctors-dv.doc>.
- There is no requirement that a GP investigate allegations of domestic abuse as part of this process, just to confirm that they have reason to believe that the injuries were caused by domestic abuse.
- If a GP has a genuine reason to believe that the injuries or condition were caused by some reason other than domestic abuse, eg a road traffic accident, the GP would not be able to provide a letter.
- In relation to third party information, the GP is not required to state who may have caused the injuries or condition and, therefore, it is not anticipated that third party information would need to be included in the letter.

- Any costs associated with the provision of medical evidence will not be met from the legal aid fund.

The British Medical Association (BMA) has produced a brief guidance note on this issue, which can be downloaded from the BMA website at:

<http://bma.org.uk/practical-support-at-work/pay-fees-allowances/fees/fee-finder/fee-finder-legal-aid-domestic-violence>

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### **CARE QUALITY COMMISSION (CQC) INSPECTIONS FEEDBACK**

The LMC office has been made aware that a number of practices in Sheffield have been inspected by the CQC, with largely positive feedback.

The LMC Executive feels that it could be a useful learning exercise if practices could inform the office of any positive or negative feedback, useful information for other practices that have yet to be inspected etc.

If you feel that it could be of value to share your experiences, it would be appreciated if you could do so via email to:

[manager@sheffieldlmc.org.uk](mailto:manager@sheffieldlmc.org.uk).

Information received will be anonymised, collated and shared with practices.

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### **CARE QUALITY COMMISSION CQC SAFEGUARDING INSPECTIONS**

The CQC has recently published its new inspection framework for conducting Safeguarding Children and Looked after Children Reviews. These are in addition to the CQC individual GP practice inspections.

The safeguarding inspections last a week, with 2 working days' notice being given, ie the Thursday prior to the Monday, and will be co-ordinated by the Designated Nurse and Doctor in Sheffield CCG.

The framework is based on following a child's journey through its

safeguarding or looked after experiences.

A minimum of 6 cases will be selected and, as the journey is followed, it could include visiting the child's GP practice. When the inspectors come to the practice they may also request other cases to "dip sample".

The CQC has a legal right to examine case notes of safeguarding cases under the Health and Social Care Act 2008.

The draft timetable given by CQC indicates Thursday afternoon of the inspection week for the inspectors to visit GP practices and to be accompanied by one of the Named GPs, however, there is some flexibility with this.

The Designated Nurse will inform the relevant GP practice as soon as they are aware of an impending inspection and the names of the children selected.

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### **SHEFFIELD LMC NEWSLETTER DISTRIBUTION**

As many of you will be aware, we reviewed the distribution of LMC newsletters in response to a number of practices stating that they no longer needed to receive hard copy LMC newsletters, as well as questioning the need for newsletters to be distributed in hard copy to any practice.

As we recognise that some practices prefer to work more electronically, whilst others value receiving hard copy newsletters, we undertook an audit to ascertain GPs' preferences.

As that process was undertaken some years ago, and many more people now have a preference for electronic working, all Practice Managers that receive hard copy newsletters have been contacted in the last few months to check their preferences.

We would like to take this opportunity to encourage those Practice Managers who currently receive hard copy newsletters, and have not yet had the opportunity to discuss the practice's preferences and

inform the LMC office, to do so. Once the practice has reached a consensus on either continuing to receive hard copy and electronic versions of the newsletter, or moving to an electronic only system, it would be appreciated if this decision could be conveyed to Emma Birtles, LMC Administrative Assistant, via [adminassistant@sheffieldlmc.org.uk](mailto:adminassistant@sheffieldlmc.org.uk).

Your assistance in this matter is greatly appreciated.

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### **GPC REGIONAL ELECTIONS 2014-2017**

Nominations are being sought for a GPC Regional Representative for this region (Barnsley, Doncaster, Rotherham, Sheffield).

Candidates must be:

- GPs who contribute to the voluntary levy of an LMC in the constituency and who provide personally or perform NHS primary medical services for a minimum of 52 sessions distributed evenly over six months in the year immediately before election (6 March 2014); or
- GPs who are on the doctors retainer scheme and who contribute to the voluntary levy of an LMC in the constituency; or
- Medically qualified LMC secretaries in the constituency.

Nominations should be made on forms available from the BMA website at:

<http://bma.org.uk/-/media/files/pdfs/working%20for%20change/negotiating%20for%20the%20profession/general%20practitioners/gpc%20regional%20elections%20nomination%20form.pdf>

A full election pack, outlining the work of the committee and more details on getting involved, is also available on the BMA website at:

<http://bma.org.uk/-/media/files/pdfs/working%20for%20change/negotiating%20for%20the%20profession/general%20practitioners/gpcregionalelectionpack2014.pdf>

Any queries should be sent to [rjuby@bma.org.uk](mailto:rjuby@bma.org.uk).

The deadline for receipt of nominations is 5pm on **Thursday 6 March 2014**.

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### **LIMITED COMPANIES AND DISPENSING PRACTICES**

The GPC has been informed that some practices have been advised by accountants that they should put their dispensing income into a limited company, distinct from the practice, to avoid breaching the pension taxation limit.

In order to have the rights to dispense to patients, a practice must hold a Primary Medical Services Contract with the NHS.

Any practice divorcing their dispensing rights from their NHS contract as suggested will risk losing their rights to dispensing altogether. Therefore, the GPC's advice is for practices to take appropriate legal and accountancy advice before making any changes to their dispensing arrangements.

The GPC will be contacting the Association of Independent Specialist Medical Accountants (AISMA) to make accountants aware of this issue.

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### **EMPLOYMENT LAW COURSES**

The BMA is offering three one-day courses introducing GP practices to key issues in employment law.

The first course introduces the fundamentals of employment law and subsequent courses look at managing absence and performance and managing disciplinary issues and dismissal.

Reduced registration fees are available for BMA members.

The courses, which are suitable for GP partners and their Practice Managers, are being held as follows:

### **Introduction to Employment Law**

- Tuesday 18 February, BMA House, London.
- Wednesday 7 May, BMA House, London.
- Tuesday 23 September, Aston Business Centre, Aston University, Birmingham.

### **Managing Absence & Performance**

- Thursday 13 March, BMA House, London.
- Friday 6 June, BMA House, London
- Friday 17 October, Aston Business Centre, Aston University, Birmingham.

### **Managing Disciplinary & Dismissal**

- Tuesday 8 April, BMA House, London.
- Tuesday 15 July, BMA House, London.
- Thursday 20 November, Aston Business Centre, Aston University, Birmingham.

Full details are available:

- on the BMA website at <http://bma.org.uk/events/2014>;
- via email to [confunit@bma.org.uk](mailto:confunit@bma.org.uk);
- via BMA Conferences on 020 7383 6422.

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### **GETTING READY FOR GENERAL PRACTICE**

*Thursday 27 March 2014  
BMA House, London*

Have you started your GP training, but need information and support about your career options?

Do you need help making sure you are starting your career in good financial health?

Find the answers you need and make new contacts among colleagues at an informal, friendly seminar.

With BMA staff on hand to advise you about how you can be supported as you begin your career, this event allows you to personalise the programme to meet your needs with a selection of breakout sessions.

The seminar is open to BMA members and non-members.

If you have already started GP training but are looking for further information and support about the types of career open to you and the practicalities of working as a qualified GP, this event is for you.

Registration fees:

- members £90.00 inc VAT;
- non-members £150.00 inc VAT.

Find out more and book your place via the BMA website at:

<http://bma.org.uk/events/2014/march/getting-ready-for-general-practice>

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Please forward any articles, comments etc for inclusion in the LMC newsletter to the LMC office via:

**Email:**

[manager@sheffieldlmc.org.uk](mailto:manager@sheffieldlmc.org.uk)

**Articles for the March edition  
to be received  
by Friday 7 March 2014**