

## SUMMARY OF CONTRACTUAL CHANGES – (PUBLISHED AUGUST 2024)

Below is a summary of the changes to the GMS standard contract published in the Contract Variation Notice August 2024 which has been distributed by the ICB. The numbered clauses refer to the relevant clause within the Contract (based on the Standard Version published by NHS England). Similar variation notices apply for PMS and APMS contracts, although the paragraph numbering will be different.

CHANGE	NEW CLAUSE / CHANGE OF WORDING	EFFECTIVE FROM
<b>PART 1.1 – DEFINITIONS</b>		
<b>Definition to be inserted</b> which says a “digital practice area map” means a map of the practice area produced on digital tools provided by NHS England	<b>New requirement</b> for digital practice map	14 days after contract variation notice was sent out by commissioner
<b>PART 7.3 – TELEPHONE SERVICES</b>		
In clause <b>7.3.1</b> , insert (“relevant telephone service”) after “telephone services”	Additional wording	Either: 14 days after contract variation noticed was sent out by commissioner OR By 1 <sup>st</sup> October 2024 (whichever is the later)
Immediately after clause 7.3.1 <b>Insert</b> “7.3.2 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 AND <b>Insert</b> “7.3.3 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.”	<b>New contractual requirement</b> Need to make telephony data available to NHS England when requested	
Replace clause 7.3A.1 with “Reserved”	Moved to previous clause	
<b>PART 7.5 – CONTACT WITH PRACTICE</b>		
In clause <b>7.5.2(a)</b> <b>delete words</b> “and the patient's health would not thereby be jeopardised”	Rewording of this clause	14 days after contract variation notice was sent out by commissioner
In clause <b>7.5.4(a)</b> replace the word “; and” with the words “, including the need to avoid jeopardising the patient’s health;”		
<b>Immediately after 7.5.4(b) insert:</b> “and (c) any benefits to the patient of providing for continuity of the health care professional involved in their care and treatment.”	<b>New clause</b>	

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<b>PART 7.13 – DUTY TO HAVE REGARD TO ARMED FORCES COVENANT PRINCIPLES</b>		
<p><b>Immediately after clause 7.13A.3, insert:</b> “<b>Duty to have regard to Armed Forces Covenant Principles</b> “7.13B.1 When providing services under this Contract, 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.”</p>	<p><b>New contractual requirement</b></p>	<p>14 days after contract variation notice was sent out by commissioner</p>
<b>PART 11A – VACCINATIONS AND IMMUNISATIONS</b>		
<p>In the title for clause 11A2 <b>replace</b> the word “appointments” with the word “standards”</p>	<p>Rewording</p>	<p>14 days after contract variation notice was sent out by commissioner</p>
<p><b>Immediately after clause 11A2.1 insert:</b> “11A.2.1A A Contractor must comply with the standards contained in the Vaccines and Immunisations Standards on the processing of data relating to patients.”</p>	<p><b>New contractual requirement</b></p>	
<p>In heading of clause 11A.2.2 <b>remove</b> “1”</p>	<p>Rewording</p>	
<p>In clause 11A2.2 <b>insert</b> the following definition: ““<i>processing</i>” has the meaning given by section 3(4) of the Data Protection Act 2018;” AND <b>replace</b> the definition of “relevant vaccine or immunisation” with the following: ““relevant vaccine or immunisation” has the same meaning as in Clause 11A.1.1(a) of this Contract”.</p>		
<p>In the definition of “the Vaccines and Immunisations Standards” immediately after the words “determined by NHS England”, <b>insert the words</b> “published on 15 April 2024”; AND in the definition of “the Vaccines and Immunisations Standards” insert the following sub-clause: “(g) the processing of records relating to patient vaccinations and immunisations, including records relating to the administration of vaccines and patient vaccination status.”</p>	<p>New definitions / new publication dates</p>	
<b>PART 13 – PATIENTS</b>		
<p><b>Replace clause 13.5.3</b> with: “13.5.3. Subject to clause 13.5.4, the Contractor may only accept an application for inclusion in that list if it is: (a) an application on a form specified to the Contractor by NHS England; or</p>	<p><b>New contractual requirement</b></p>	<p>Either: 14 days after contract variation noticed was sent out by commissioner</p>

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(b) an application through the online registration service supplied to the Contractor by NHS England. “13.5.3A The Contractor must make available both application methods referred to in clause 13.5.3.”	Requirement for practices to make available the on-line registration service	OR By 31 <sup>st</sup> October 2024 (whichever is the later)
<b>PART 15 – PERSONS WHO PERFORM SERVICES</b>		
<b>Replace</b> clause 15.1.1 with: “15.1.1. A medical practitioner may only perform a clinical service under the Contract where that medical practitioner is not: (a) prohibited from performing any such service by regulation 24 of the National Health Service (Performers Lists) (England) Regulations 2013; (b) suspended from the medical performers list or from the Medical Register; and (c) subject to interim suspension under section 41A of the Medical Act 1983.”	<b>New requirement</b> Emphasis changed from the requirement to be included in the Performers List to not being prohibited from providing services by the Performers List Regulations. Also removes the previous definition of “exempt medical practitioner” (ie exempt from the need to be included in the Performers List	14 days after contract variation notice was sent out by commissioner
<b>Replace</b> clause 15.1.2 with: “Reserved”		
<b>Replace</b> clause 15.1.3 with: “Reserved”		
In clause <b>15.1.4</b> , <b>replace</b> the words “clauses 15.1.1 and 15.1.2 apply” with the words “clause 15.1.1 applies”.		
<b>Replace</b> clause 15.2.1 with: “15.2.1. Subject to clause 15.2.2, the Contractor may not employ or engage a medical practitioner unless the Contractor has checked that the practitioner meets the requirements of: clause 15.1.1; and clause 15.1.6.”		
<b>Replace</b> clause 15.2.3 with: “Reserved”	New link / references	14 days after contract variation notice was sent out by commissioner
In clause 15.4.1 <b>replace</b> the link “ <a href="https://www.nhsemployers.org/-/media/Employers/Documents/Pay-and-reward/TCS-GP-GMS-150409.pdf">https://www.nhsemployers.org/-/media/Employers/Documents/Pay-and-reward/TCS-GP-GMS-150409.pdf</a> ” with the link “Model terms and conditions of service for a salaried general practitioner employed by a GMS practice (“Practice”) (nhsemployers.org)”		
<b>PART 16 – RECORDS, INFORMATION, NOTIFICATION AND RIGHTS OF ENTRY</b>		
<b>Replace</b> clause 16.1.4(c) with: “(c) the Contractor is aware of, and has signed an undertaking that it will have regard to, the guidelines contained in “Digital Primary Care:	Updated guidance	14 days after contract variation notice was sent out by commissioner

CHANGE	NEW CLAUSE / CHANGE OF WORDING	EFFECTIVE FROM
Good Practice Guidelines for GP electronic patient records – (GPGv5)”, published on 20th September 2023.”		
<p><b>[National England Workforce Collection] Replace</b> clause 16.8F.2 with: “16.8F.2 The data referred to in clause 16.8F.1 must be</p> <p>(a) appropriately coded, reviewed and updated by the Contractor in line with agreed standards set out in guidance published by NHS England;</p> <p>(b) submitted to NHS England: (i) 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 (ii) at such intervals during the financial year as are notified to the Contractor by NHS England.”</p>	<p><b>New contractual requirement</b></p> <p>Additional words “at such intervals during the financial year as are notified to the Contractor by NHS England”</p>	14 days after contract variation notice was sent out by commissioner
<p><b>Replace</b> clause 16.8F.3 with: “Reserved”</p>	<p>Rewording</p>	
<p>In clause 16.11.1, after the words “with the Commissioner”, <b>insert</b> the words “and make available to the Commissioner a digital practice area map”</p>	<p><b>New contractual requirement</b></p>	
<p>In clause 16.11.3, after the words “the completed return”, <b>insert</b> the words “and make available the digital practice area map”</p>	<p>Need for digital map to be made available to Commissioners as part of annual review</p>	
<p><b>SCHEDULE 3 – INFORMATION TO BE CONTAINED IN PRACTICE LEAFLET</b></p>		
<p>in point 9 of information to be included in Practice Leaflets, <b>replace</b> 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”</p>	<p><b>New contractual requirement</b></p> <p>Need for digital map</p>	14 days after contract variation notice was sent out by commissioner