

ICB Primary Care Commissioning Committee

| | |
|------------------------|---|
| Date of meeting | 13 June 2024 |
| Title of paper | Committee Escalation and Assurance Report |
| Presented by | Peter Tinson, Director of Primary and Community Commissioning |
| Author | Amy Lepiorz, Associate Director Primary Care |
| Agenda item | 6 |
| Confidential | No |

Executive summary

This report highlights key matters, issues, and risks discussed at the below group meetings since the last report to the Committee on 1st May 2024 to advise, assure and alert the Primary Care Commissioning Committee.

- Primary Medical Services Group: Peter Tinson (Director of Primary and Community Commissioning)
- Primary Dental Services Group: Amy Lepiorz (Associate Director Primary Care)
- Pharmaceutical Services Group: Amy Lepiorz (Associate Director Primary Care)
- Primary Optometric Services Group: Dawn Haworth (Head of Delivery)
- Primary Care Capital Group: Donna Roberts (Associate Director of Primary Care)

Each summary report also highlights any issues or items referred or escalated to other committees or the Board. Appended to the report are the risks currently being managed by the respective groups.

Reports approved by each Group Chair are presented to Committee to provide assurance that the committees have met in accordance with their terms of reference and to advise the Committee of business transacted at their meeting.

Recommendations

The Primary Care Commissioning Committee is requested to:

- **Receive** and **note** the Alert, Assure, Advise (AAA) reports from the five delegated primary care groups.

| Which Strategic Objective/s does the report contribute to | | Tick |
|--|--|-------------|
| 1 | Improve quality, including safety, clinical outcomes, and patient experience | X |
| 2 | To equalise opportunities and clinical outcomes across the area | |

| | | |
|---|--|--|
| 3 | Make working in Lancashire and South Cumbria an attractive and desirable option for existing and potential employees | |
| 4 | Meet financial targets and deliver improved productivity | |
| 5 | Meet national and locally determined performance standards and targets | |
| 6 | To develop and implement ambitious, deliverable strategies | |

Implications

| | Yes | No | N/A | Comments |
|---|-----|----|-----|---|
| Associated risks | | | | Any risks for the committee's awareness are included in the triple A report |
| Are associated risks detailed on the ICB Risk Register? | | | | |
| Financial Implications | | | | |

Where paper has been discussed (list other committees/forums that have discussed this paper)

| Meeting | Date | Outcomes |
|-----------------------------------|--------------------------|--|
| Primary Medical Services Group | 18/04/2024 23/05/2024 | To provide oversight to the Primary Care Commissioning Committee of business conducted by the Groups during this period. |
| Primary Dental Services Group | 25/04/2024 23/05/2024 | |
| Primary Optometric Services Group | 22/04/2024 | |
| Pharmaceutical Services Group | 17/04/2024 15/05/2024 | |
| Primary Care Capital Group | 15/05/2024 | |

Conflicts of interest associated with this report

Not applicable.

Impact assessments

| | Yes | No | N/A | Comments |
|--|-----|----|-----|----------|
| Quality impact assessment completed | | | X | |
| Equality impact assessment completed | | | X | |
| Data privacy impact assessment completed | | | X | |

Report authorised by:

Craig Harris, Chief Operating Officer

ICB Primary Care Commissioning Committee
13 June 2024

Committee Escalation and Assurance Report

1. Introduction

1.1 This report highlights key matters, issues, and risks discussed at the Service Group meetings since the last report to the Committee to advise, assure and alert the Primary Care Commissioning Committee.

| | | |
|--|-----------------------|----------------------------|
| Committee: Primary Medical Services Group | Date: 18/04/24 | Chair: Peter Tinson |
|--|-----------------------|----------------------------|

| Key Items Discussed | | |
|--|---|--|
| Issue | Committee update | Action |
| Alert | | |
| Risk Register | The Primary Medical Services Group reviewed and discussed any items which may need to be added to the Risk Register in the future. | |
| Advise | | |
| Scale Hall Branch Surgery Closure | The Primary Medical Services Group considered the paper and agreed that, following consideration of the PCN estates plan, the proposal would be presented to the Committee in August 2024. | Proposal to be presented to Primary Care Commissioning Committee in August 2024. |
| Out of Hours Contracting Arrangement – Kirkham Practices Briefing Paper | The Primary Medical Services Group noted the historic arrangements whereby two practices opt into providing an out of hours service and subcontract to an out of hours provider. Previous commissioning organisations received an out of hours development fund which contributed to the cost of the service. The Group were informed that this funding is no longer available and requested greater clarity about funding flows and options for consideration at a future meeting. | Updated paper to be considered at a future Primary Medical Services Group meeting. |
| Assure | | |
| | Nothing To Escalate | |

Summary of items or issues referred to other committees or the Board over the reporting period.

| Committee and Date | Item or Issue | Referred to |
|---|-----------------------------------|---|
| Primary Medical Services Group - 18 April 2024 | Scale Hall Branch Surgery Closure | Primary Care Commissioning Committee August 2024. |

| | | |
|---|------------------|---------------------|
| Committee: Primary Medical Services Group | Date: 23/05/2024 | Chair: Peter Tinson |
|---|------------------|---------------------|

| Key Items Discussed | | |
|--|--|---|
| Issue | Committee update | Action |
| Alert | | |
| GP Quality Contract Update - Structured Medication Review (SMR) | The Primary Medical Services Group received an update regarding the feedback received from practices and subsequent amendments to the specification. The Group supported the changes. | |
| National Contract - British Medical Association Letter | The Primary Medical Services Group noted the information in relation to the BMA national contract letter and likely 'industrial action'. | Update and risk assessment to be presented to Primary Care Commissioning Committee part 2 in June 2024. |
| Advise | | |
| Changes to Patient Electronic Prescription Service (EPS) without Patient Consent | The Primary Medical Services Group were informed about complaints received from a pharmacy contractor in relation to a GP practice. The complaint concerns the amendment of EPS nominations by the practice without the consent of patients. Based on the information provided the Group agreed to issue a breach notice to practice and make a referral to NHS England in relation to professional conduct. | Breach notice to be issued and referral to NHS England. |
| Application To Increase Practice Payments for The Ankle Brachial Pressure Index (ABPI) Enhanced Service | <p>The Primary Medical Services Group were asked to consider a request from Ribbleson Medical Centre to increase payments for the ABPI enhanced service. Since 2022, the Centre is the only provider in Central Lancashire. Demand and activity is currently exceeding that commissioned and there is a growing waiting list. The Group was also advised of a gap in service provision in West Lancashire.</p> <p>The Group acknowledged the issue, current budgetary constraint, differing service provision across the ICB and recommended that a wider paper and options was prepared for consideration by the Commissioning Resource Group.</p> | Paper to be prepared for Commissioning Resource Group. |
| Extension of Primary Care Local Enhanced Service and Other Primary Care Contracts 2024/2025 | <p>The Primary Medical Services Group noted that the new Provider Selection Regime (PSR) requires the ICB to formally sign off the route taken to extend contracts.</p> <p>For General Practice Local Enhanced Services (LES) this is via PSR direct award A, except for the GP with Special Interests in Cardiology in Morecambe Bay, which is direct award C.</p> <p>The Group noted that services from legacy General Practice Quality Contracts (GPQC) were incorporated into new LES which included-</p> <p>Medicine Optimisation - Fylde Coast Blackpool, and Morecambe Bay</p> <p>Shared Care - Fylde Coast and Blackpool</p> | |

| | | |
|--|---|---|
| | <p>Menorrhagia - Fylde Coast and Blackpool</p> <p>Diabetes - Blackburn with Darwen</p> <p>The Group noted that the above operationalised the LES and GPQC arrangements previously agreed by the Primary Care Commissioning Committee and endorsed the extensions.</p> | |
| Special Allocation Scheme Procurement Options | The Primary Medical Services Group noted that a notice has been published for the agreed contract extension until 30 November 2024. The options appraisal for the long-term provision is currently being finalised for Primary Care Commissioning Committee consideration. | Procurement options appraisal to be considered by the Group in June 2024 prior to Primary Care Commissioning Committee consideration. |
| Assure | | |
| Nothing To Escalate | | |

Summary of items or issues referred to other committees or the Board over the reporting period.

| Committee and Date | Item or Issue | Referred to |
|---|--|------------------------------|
| Primary Medical Services Group - 23 May 2024 | ABPI service provision, risks, funding and options. . | Commissioning Resource Group |

| | | |
|---|----------------|--------------------|
| Committee: Primary Care Dental Services Group | Date: 25/04/24 | Chair: Amy Lepiorz |
|---|----------------|--------------------|

| Key Items Discussed | | |
|---|--|-----------------------------|
| Issue | Committee update | Action |
| Alert | | |
| Breach Notice – Nelson Centre Dental Practice | <p>On 19 March 2024, Dr Adnan Ashraf (provider) advised the ICB that he had moved the dental practice from 2 Scotland Road, Nelson, BB9 7UU to new premises at 9 Raglan Street, Nelson, BB9 7NT.</p> <p>The relocation of a dental practice is a formal application process by a provider to the ICB which must be agreed by both parties prior to any relocation occurring.</p> <p>Dr Ashraf had not made an application to the ICB for relocation and therefore had breached the terms and conditions of his NHS GDS Contract (Clause 65).</p> <p>The group noted the contents of the report and approved the issuing of a breach notice for the period 12 March 2024- 21 March 2024 when an approved sub-contracting agreement was enacted.</p> | Issue breach notice. |
| Breach Notice – Mr Allan – Dental Access Recovery Plan - £28 minimum UDA Value | <p>The group noted the 26 contracts affected by the implementation of the £28 minimum UDA value.</p> <p>One contractor, whilst has responded to confirm acceptance of the increase to £28, is failing to respond to the ICB in relation to contractual concerns in relation to the lack of FP17 submissions. The increase has therefore not yet been actioned. As it is a contractual requirement under Clauses 211 and 212 of the GDS Contract and Clause 35 of The National Health Service (GDS Contracts) Regulations 2005 that “any information which is reasonably required by the Commissioner for the purposes of or in connection with the Contract”, consideration should be given as to whether a breach notice should be issued to the Provider.</p> <p>The group noted the contents of the report and approved the proposed action to issue the provider with a breach notice.</p> | Issue breach notice. |
| Advise | | |
| Incorporation Request – Change of Opening Hours - Hardhorn Road Dental Partners Update | <p>The provider has made a request to change the contractual opening hours as part of the incorporation application. The provider took control of the contract 1 April 2020 and was not aware of the contracted hours detailed within Schedule 5 dated 1 April 2016.</p> <p>The group noted the content of the report and agreed for the contractual opening hours to be amended to those proposed by the Provider, and</p> | Formally confirm agreement. |

| | | |
|---|--|--|
| | for these opening hours to form Clause 75 within the new GDS contract for the limited company. | |
| Flexible Commissioning – UDA tariff rebasing requests Update | The paper provided an overview of the process, detailing the various stages and the information and documentation produced to evaluate, review, and approve or reject applications from providers to ensure consistency. The group noted the content of the report. | |
| Dental Access Recovery Plan - £28 minimum UDA Value – Update | The paper provided an update on implementation of minimum UDA tariff of £28 on the 26 affected contracts. <ul style="list-style-type: none"> • 9 contracts rebased. • 17 contracts uplifted. The group noted the content of the report. | |
| Assure | | |
| Contract Changes & Contract Handbacks – March 2024 | Assure the Primary Care Commissioning Committee that all processes and contractual changes are in line with the regulations and the delegated authority for the Dental Services Group. | |
| Year End - Early Repayment Scheme | Assure the Primary Care Commissioning Committee that the process has followed the NHS England Year End Reconciliation Process 2023/2024. | |
| NW PC Delegation Agreement – Notification Protocol | Assure the Primary Care Commissioning that Notification protocol has been adhered to. | |

Summary of items or issues referred to other committees or the Board over the reporting period.

| Committee and Date | Item or Issue | Referred to |
|---------------------------|----------------------|--------------------|
| | | |

| | | |
|---|------------------|--------------------|
| Committee: Primary Care Dental Services Group | Date: 23/05/2024 | Chair: Amy Lepiorz |
|---|------------------|--------------------|

| Key Items Discussed | | |
|---|---|---|
| Issue | Committee update | Action |
| Alert | | |
| Advise | | |
| Mr A Ghaffoor – 2324 Carry Forward of Over Performance | <p>Mr A Ghaffoor of 71 Dental, Leyland requested the carry forward of any over delivery into 2024/25 instead of receiving a payment due to personal extenuating circumstances.</p> <p>As a pathway provider in 2023/24 it has not yet been possible to calculate the final contract over delivery, but it is likely to be above 102%. The provider is approved to perform up to 110% maximum in 2023/24.</p> <p>The Group noted the content of paper and in accordance with the NHSE year end process and Committee decision making matrix agreed a carry forward of up to 110%.</p> | Formally confirm agreement. |
| Update to Dental Access Recovery Plan minimum £28 UDA Rate | <p>On 22 February 2024, the Dental Access Recovery Plan paper was presented to the Dental Services Group. The paper outlined the process for the introduction of a minimum indicative £28 UDA Value. On 25 April 2024, the Group were provided with an update on implementation of the 26 affected contracts.</p> <p>A recent validation exercise has identified that 2 further contracts have a UDA value which is below £28.</p> <p>The group noted the content of the report and agreed to progress with the negotiations with the 2 contractors.</p> <p>The group agreed to Chairs action in relation to the options.</p> <p>Option1 - reduction in the number of UDAs in the contract (within existing contract value). Option 2 - increase to existing contract value</p> <p>The group agreed that NHS England be informed that the ICB has identified 2 further contracts.</p> | <p>Negotiate with the 2 contractors.</p> <p>Notify NHS England.</p> |
| Dental Referral Management Service - Request for Information (RFI) | <p>The ICB approved a single tender waiver in March 2024 to permit a direct award for a one-year contract to the current provider of the service. The expectation was that a full procurement of the service would be implemented with effect from 1st April 2024, however, it has come to light that the ICB has convened a review of the GP RMS provided by Midlands & Lancashire Commissioning Support Unit (MLSCU) which is expected to confirm the commissioning intentions by September 2024.</p> | RFI proposal to Primary Care Commissioning Committee in June 2024. |

| | | |
|---|---|--|
| | <p>It has been confirmed that the dental pathways have not been included in the scope of the current review and at this stage it is not feasible for this review's scope to be extended to include dental pathways. The review is expected to report recommended commissioning intentions in September 2024 to align with contractual end date for the existing MLCU contracts. It is therefore not feasible to align all referral management service contracts currently.</p> <p>An RFI will be presented at Primary Care Commissioning Committee on 13 June 2024.</p> | |
| Assure | | |
| Contract Changes & Contract Handbacks – April 2024 | Assure the Primary Care Committee that all processes and contractual changes are in line with the regulations and the delegated authority for the Dental Services Group. | |

Summary of items or issues referred to other committees or the Board over the reporting period.

| Committee and Date | Item or Issue | Referred to |
|---|---|--|
| Primary Care Dental Services Group – 23 May 2024 | Dental Referral Management Service - Request for Information (RFI). | Primary Care Commissioning Committee in June 2024. |

| | | |
|--|------------------|---------------------|
| Committee: Primary Optometric Services Group | Date: 22/04/2024 | Chair: Dawn Haworth |
|--|------------------|---------------------|

| Key Items Discussed | | |
|---|--|---|
| Issue | Committee update | Action |
| Alert | | |
| Nothing to Escalate | | |
| Advise | | |
| Local Risk and Issues Log | The current risk log report was shared with the Group and current risks were highlighted. Members were requested to advise of any additional risks which needed to be added to the register in preparation for the June 2024 meeting. | Members to advise of any additional risks. |
| Assurance Framework | The Optometry section of the Delegation Assurance Framework was shared with the Group who were advised that this will be taken to the Primary Care Committee meeting on 1 May 2024. All Optometry indicators were RAG rated green. The group agreed with the submission. | Delegation Assurance Framework to Primary Care Commissioning Committee in May 2024. |
| Assure | | |
| Terminations and New Contractors | No new contract applications or termination requests had been received since the last meeting of the Group. | |
| Special Schools Update | 3 special schools contracts transferred from NHS England to the ICB on 1 April 2024. The national NHS England team has advised that there are 74 schools within the ICB and further information relating to the service specification and associated finances will be shared with the ICB shortly. | |
| Electronic Referrals | The Electronic Referrals system has successfully been secured for a further 12 months. | |

Summary of items or issues referred to other committees or the Board over the reporting period.

| Committee and Date | Item or Issue | Referred to |
|--------------------|---------------|-------------|
| | | |

| | | |
|---|-------------------------|---------------------------|
| Committee: Pharmaceutical Services Group | Date: 17/04/2024 | Chair: Amy Lepiorz |
|---|-------------------------|---------------------------|

| Key Items Discussed | | |
|--|--|--|
| Issue | Committee update | Action |
| Alert | | |
| Risk Register | The Pharmaceutical Services Group were informed about changes to the risk register. An exercise has been undertaken to recommend risks for closure. The register will be shared with the group at future meetings. | Review risk register at next Group meeting. |
| Advise | | |
| Change of Ownership | A summary of determinations made in relation to applications for Change of Ownership was presented to the Group who were assured that all applications had been processed in line with regulations. | |
| Pharmaceutical Needs Assessment (PNA) Development | Work will shortly commence with the Health & Wellbeing Boards on the new PNAs. The group will be updated on the work taking place at future meetings. | Future update to the Group regarding the PNA work. |
| Assure | | |
| Nothing To Escalate | | |

Summary of items or issues referred to other committees or the Board over the reporting period.

| Committee and Date | Item or Issue | Referred to |
|---------------------------|----------------------|--------------------|
| | | |

| | | |
|--|------------------|--------------------|
| Committee: Pharmaceutical Services Group | Date: 15/05/2024 | Chair: Amy Lepiorz |
|--|------------------|--------------------|

| Key Items Discussed | | |
|---|--|---------------------------------------|
| Issue | Committee update | Action |
| Alert | | |
| Nothing To Escalate | | |
| Advise | | |
| Core Hours Redistribution - FA157 - Evercare Pharmacy, Colne | <p>An application was received from Evercare Pharmacy in Colne to redistribute their core hours and close on Saturdays.</p> <p>The Contractor had provided evidence for the request to redistribute their core hours and provided details of activity which has been undertaken. The Group was satisfied that alternative provision was available at neighbouring pharmacies.</p> <p>Application approved.</p> | Formally confirm agreement. |
| Core Hours Redistribution – FL157 - Peel Street, Accrington | <p>An application was received from Peel Street Pharmacy Accrington to redistribute current core hours. Core opening hours will remain at 40 hours.</p> <p>The Contractor had provided evidence for the request to redistribute their core hours and provided details of activity which has been undertaken. The Group was satisfied that alternative provision was available at neighbouring pharmacies.</p> <p>Application approved.</p> | Formally confirm agreement. |
| Core Hours Redistribution - FVM37 - Ash Trees, Carnforth | <p>An application was received from Ashtrees Pharmacy Carnforth to redistribute their current core hours maintaining 100-hour access.</p> <p>The Contractor had provided evidence for the request to redistribute their core hours and provided details of activity which has been undertaken. The Group was satisfied that alternative provision was available at neighbouring practices.</p> <p>Application approved.</p> | Formally confirm agreement. |
| New Medicines Services - Post Payment Verification | <p>NHS Business Services Authority (NHSBSA) had been carrying out post-payment verification (PPV) of pharmacy contractors for the New Medicines Service (NMS), covering the period of April 2021 to March 2022, on behalf of NHS England (NHSE).</p> <p>A pharmacy had been contacted as part of this PPV exercise to request that they provide evidence to substantiate their claims. However, they had not provided any/sufficient evidence to support all of the NMS claims made, despite</p> | Formally confirm agreement to NHSBSA. |

| | | |
|--|--|------------------------------|
| | <p>several attempts made by the NHSBSA Pharmacy Provider Assurance Team.</p> <p>The Group approved the request from the NHSBSA to reclaim any payments made.</p> | |
| Patient Healthcare – Distance Selling Premises Inclusion | <p>An application was received from Patient Healthcare Ltd for inclusion in the pharmaceutical list as a distance selling premises. Operating from unit 5 and Unit 6 Guide Business Centre.</p> <p>The contractor has provided evidence in support of their application and has provided the required assurances.</p> <p>Application approved</p> | Formally confirm agreement. |
| No Significant Change Relocation (NSCR) - FJR72 - Ronald Holmes | <p>Ronald Holmes (Lancaster) Ltd t/a Dalton Square Pharmacy (King Street) applied to relocate their premises from 44 King Street Lancaster LA1 1RE to 5-11 Brock Street Lancaster LA1 1UR.</p> <p>The Contractor provided evidence for the request to relocate and assurances that all services currently provided will be maintained and there will be no interruption in opening times or services provided.</p> <p>Application approved</p> | Formally confirm agreement. |
| Pharmacy SLAs | <p>Endorsement was requested from the Group to extend current Community Pharmacy Local Enhanced Services that ended on 31 March 2024 in compliance with the new provider selection regime.</p> <p>The Pharmaceutical Services Group endorsed the extension of the Community Pharmacy Local Enhanced Service Contracts detailed in the paper.</p> | Formally confirm extensions. |
| Assure | | |
| | | |

Summary of items or issues referred to other committees or the Board over the reporting period.

| Committee and Date | Item or Issue | Referred to |
|--------------------|---------------|-------------|
| | | |

| | | |
|---------------------------------------|------------------|----------------------|
| Committee: Primary Care Capital Group | Date: 15/05/2024 | Chair: Donna Roberts |
|---------------------------------------|------------------|----------------------|

| Key Items Discussed | | |
|---|---|--|
| Issue | Committee update | Action |
| Alert | | |
| Revenue Report – Notional Rent reviews | <p>The Group received a report regarding the District Valuation (DV) offices tri-annual rent reviews for seven practices.</p> <p>Following detailed review and in accordance with the decision-making matrix, the Group agreed the uplifts at a total recurrent cost of £4,545 per annum.</p> <p>The Group also agreed to the restrictions reported on two practices. The reports for both practices had identified a potential increase in the practice demise, one arising from a self-funded extension and other from a loss of a private tenant. Neither increases received prior approval and the Group agreed to reject the proposal to include the space in the practice demise, and therefore reject all revenue costs associated with the space.</p> | The results of the DV reviews to be notified to the practices for their agreement. Place teams to liaise with the two practices. |
| Improvement Grant – Prioritisation of Capital Pipeline 2024/25 | <p>The Group undertook a review of the high volume of expressions of interest received from 78 practices across the ICB. The Group agreed to prioritise projections that had:</p> <ul style="list-style-type: none"> • Already received approval for any revenue cost increase or would be revenue neutral. • The highest utilisation rates identified in the PCN Estate plans. • Submitted proposals that would increase the practice and PCN capacity. <p>The group agreed to prioritise 12 projects. The shortlisted practices will be notified and advised to develop their applications which will be reviewed in due course for compliance with the premises cost directions 2024. All applications not prioritised for investments in 2024/25 will form the basis of the prioritised investment pipeline for consideration in future years.</p> | Inform all applicants of the results of the prioritisation process and support those shortlisted to develop their schemes. |
| Advise | | |
| Terms of Reference and Decision-Making Matrix | Approval by the Primary Care Commissioning Committee was noted by the Group. | |
| Premises Cost Directions 2024 | The Group was notified of the new Premises Cost Directions and confirmed that all future decisions regarding capital grant will be made in line with these new directions. The Group identified that the new directions allowed for grants to be awarded for proposals to build new premises and newly acquire premises which was not previously permitted. The directions now permit a grant to be awarded for 100%, the Group agreed that in order to remain consistent and from an affordability perspective it would accept grant applications based on the historic basis of 66% for the current financial year. | |

| | | |
|---------------|----------------------------|--|
| Assure | | |
| | Nothing To Escalate | |

Summary of items or issues referred to other committees or the Board over the reporting period.

| Committee and Date | Item or Issue | Referred to |
|--------------------|---------------|-------------|
| | | |

2. Conclusion

- 2.1 Each of the service groups has concluded their business in line with their terms of reference.

3. Recommendations

- 3.1 The Primary Care Commissioning Committee is requested to:
- Receive and note the Alert, Assure and Advise (AAA) reports from the five delegated primary care groups.

Amy Lepiorz, Associate Director of Primary Care

13 June 2024