

## ICB Primary Care Commissioning Committee

<b>Date of meeting</b>	14 <sup>th</sup> March 2024
<b>Title of paper</b>	Group Escalation and Assurance Report
<b>Presented by</b>	Peter Tinson, Director Primary Care
<b>Author</b>	Amy Lepiorz, Associate Director Primary Care
<b>Agenda item</b>	7a
<b>Confidential</b>	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 8<sup>th</sup> February 2024 to advise, assure and alert the Primary Care Commissioning Committee.

- Primary Medical Services Group: Peter Tinson (Director of Primary Care)
- 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.

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 relate to:

		Tick
SO1	Improve quality, including safety, clinical outcomes, and patient experience	X
SO2	To equalise opportunities and clinical outcomes across the area	

SO3	Make working in Lancashire and South Cumbria an attractive and desirable option for existing and potential employees	
SO4	Meet financial targets and deliver improved productivity	
SO5	Meet national and locally determined performance standards and targets	
SO6	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	08/02/2024	To provide oversight to the Primary Care Commissioning Committee of business conducted at the Groups during this period.
Primary Dental Services Group	22/02/2024	
Primary Optometric Services Group	19/02/2024	
Pharmaceutical Services Group	21/02/2024	
Primary Care Capital Group	21/02/2024	

### 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

# Primary Care Commissioning Committee

14 March 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.

<b>Committee: Primary Care Medical Services Group</b>	<b>Date: 8th February 2024</b>	<b>Chair: Peter Tinson</b>
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<b>Key Items Discussed</b>		
<b>Issue</b>	<b>Committee update</b>	<b>Action</b>
<b>Alert</b>		
<b>Nothing to Escalate</b>		
<b>Advise</b>		
<b>Millom Primary Network Application</b>	<p>The Primary Medical Services Group were informed that Waterloo House Practice, Millom, applied to form a new Primary Care Network (PCN) from April 1st, 2024. The practice had completed all relevant documentation which was reviewed by the Group in accordance with the nationally and locally specified requirements and criteria.</p> <p>The Group recognised the exceptional rurality and agreed to recommend approval to the Primary Care Commissioning Committee.</p>	<p>Recommend to Primary Care Commissioning Committee in March 2024.</p>
<b>SMS Funding in Primary Care (General Practices)</b>	<p>The Group received a paper previously discussed by the ICB Primary and Integrated Care Transformation Group regarding the funding of General Practice electronic patient messaging in accordance with the General Practice Information Technology Operating Model requirements. This includes notifying patients of appointments, test results and similar.</p> <p>The Group agreed to the proposed fair share population allocation of the existing budget to practices and that practices would be liable for any excess costs.</p> <p>The Group also noted that the implementation of Modern General Practice would further increase the use of messaging in excess of the current budget.</p>	<p>Communicate approach to practices and escalate budget issue to ICB Business and Sustainability Group.</p>

	This cost pressure would be identified to the ICB Business and Sustainability Group.	
<b>Assure</b>		
LES/ GPQC Update and engagement plan	<p>The Group were provided with an update regarding the proposed Local Enhanced Services (LES)/General Practice Quality Contract (GPQC) approach for 2024/25. In particular the Group was advised of the engagement planned over the following weeks and the outcome of engagement that had taken place, including with Local Medical Committee (LMC) colleagues.</p> <p>The Group noted the update and that a formal proposal would be received at the Primary Care Commissioning Committee in March 2024.</p>	Received by Primary Care Commissioning Committee in March 2024.
MIAA Audit	The Group were advised of the outcome of the recent MIAA audit, including associated management actions. The Group would receive a draft work plan for review at its March meeting.	Draft work plan to be reviewed at Group meeting in March 2024.

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

<b>Committee and Date</b>	<b>Item or Issue</b>	<b>Referred to</b>
Primary Care Medical Services Group February 2024	Millom Primary Network Application	Primary Care Commissioning Committee
Primary Care Medical Services Group February 2024	SMS Funding in Primary Care (General Practices)	ICB Business and Sustainability Group.

Committee: Pharmaceutical Services Group	Date: 21/02/2024	Chair: Amy Lepiorz
<b>Key Items Discussed</b>		
<b>Issue</b>	<b>Committee update</b>	<b>Action</b>
<b>Alert</b>		
<b>Nothing to Escalate</b>		
<b>Advise</b>		
<b>Community Pharmacy Assurance Framework (CPAF) Breaches</b>	<p>ICBs use the Community Pharmacy Assurance Framework (CPAF) to monitor community pharmacy owners' compliance with the terms of the Community Pharmacy Contractual Framework (CPAF)</p> <p>The CPAF is mandatory and should be completed every year.</p> <p>After receiving the submission data from NHS Business Services Authority (NHSBSA) it has been identified that several pharmacies did not complete their CPAF submission for 2023/24</p> <p>Decision: Enter into Local Dispute Resolution to ascertain why the questionnaire has not be completed. The Group agreed that Chairs action can be taken if the contractors do not respond within 7 days and breach notifications issued.</p> <p>Pharmacies failing to complete:  FH219 – Blackpool Pharmacy  FLC47 – Dalton Square Pharmacy  FMK85 – Pharmisense  FPE56 – Leyland Late Night Pharmacy  FPT46 – Youles Pharmacy &amp; Clinics  FQN46 – Lloydspharmacy  FXV04 - Whitworths</p>	Communicate with the Pharmacies identified and issue breach notices if they fail to respond
<b>Imaan Ltd Contractual Sanction</b>	<p>Where an NHS pharmacist or a body corporate become the subject of any investigation into their professional conduct by any licensing, regulatory or other body they must inform the relevant integrated care board (ICB) within 7 days of its occurrence.</p> <p>Imaan Ltd has failed to notify the ICB of two current investigations into their superintendent.</p> <p>The investigation into the superintendent and the details of the investigation were not notified within the required 7 days timeframe.</p> <p>After investigation by the ICB, it is considered that Imaan Ltd is in breach of Schedule 4, part 4, Paragraph 31(1)(i) as it did not formally notify the NHS Lancashire and South Cumbria ICB of the GPhC investigation into the superintendent with 7 days of becoming aware of it.</p> <p>Breach notice to be issued.</p>	Issue breach notice.

<b>O'Briens Consolidation (FE584)</b>	<p>Application from O'Brien's Chemists Ltd to consolidate the pharmacy premises from 6 Mill Lane, Burscough, L40 5TJ onto 50-52 Liverpool Road North, Burscough, L40 4BY.</p> <p>Consolidation happens when two pharmacy contracts consolidate into one pharmacy contract. The Contractor has provided evidence for the request to consolidate the premise and has provided a rationale that continued access to pharmaceutical services will be available to current users of the closed site – 6 Mill Lane Burscough, L40 5TJ. Also, the Contractor has provided 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>	<p>Application approved – complete necessary paperwork</p>
<b>My Pharmacy No Significant Change Relocation (NSCR) (FJL20)</b>	<p>Application from My Pharmacy (UK) Ltd to relocate the pharmacy premises from 1 Hesketh House Hesketh Street, Great Harwood, BB8 7DW to 58a-60 Queen Street Great Harwood BB8 7AL</p> <p>The Contractor has provided evidence for the request to relocate and has provided rationale that there will be no significant change to accessibility of services for anyone currently using them. Also, the Contractor has provided 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>	<p>Application approved – complete necessary paperwork</p>
<b>Market Exit Rescind Notification – Evercare (FPN11)</b>	<p>Evercare Pharmacy wishes to rescind their previous notification to close the pharmacy and keep the pharmacy open.</p>	<p>Inform stakeholders of notification.</p>
<b>Assure</b>		
	<b>Nothing to escalate</b>	

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

Committee and Date	Item or Issue	Referred to
<b>Primary Care Committee</b>		

Committee: Primary Optometric Services Group	Date: 19/02/2024	Chair: Dawn Haworth
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Key Items Discussed		
Issue	Committee update	Action
<b>Alert</b>		
<b>Nothing To Escalate</b>		
<b>Advise</b>		
<b>Assurance Framework</b>	The Group continue to review the NHSE Delegated Assurance Framework on a regular quarterly basis, in order to ensure the information to support the final annual declaration is of a high quality.	
<b>Assure</b>		
<b>Terminations and New Contractors</b>	<p>It was shared that there is one new Additional Services Contract and two mandatory Contractors that have served a notice of termination –</p> <p>Chorley – The practice is part of a multiple group; they have come to the decision that this practice is no longer viable. It was confirmed even with the closure of the practice there are still eight operating within 3.2 miles.</p> <p>Blackburn – Due to the practice no longer being viable and ill health with staff, the practice has opted to terminate their contract. With the closure of this practice, it was confirmed there are fourteen other practices within 1 mile.</p>	
<b>Covid Over Payments</b>	The ICB contacted the National Team regarding information about Covid Over Payments. The National Team confirmed that Lancashire & South Cumbria ICB Contractors did not receive any over payments during the Covid period.	
<b>Special Schools Update</b>	<p>It was shared with the group that any existing contractors providing services to special schools in Lancashire and South Cumbria will transfer their contracts to the ICB on 1 April 2024. However, the ICB is still awaiting further information from the National Team in relation to –</p> <ul style="list-style-type: none"> <li>• The number of special schools within Lancashire and South Cumbria ICB</li> <li>• The level of funding</li> <li>• Procurement support</li> </ul>	
<b>Electronic Referrals</b>	It was advised at the meeting that The Electronic Referrals contract which allows Optometrist to refer patients to a secondary care or GP setting 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: Primary Dental Services Group	Date: 22/02/2024	Chair: Amy Lepiorz
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Key Items Discussed		
Issue	Committee update	Action
<b>Alert</b>		
<b>Nothing to Escalate</b>		
<b>Advise</b>		
<b>Relocation Request – Dr Ritu Dhariwal</b>	<p>Dr Ritu Dhariwal an individual who is part of the Smart Dental Group organisation holds an NHS General Dental Services (GDS) contract has submitted a relocation form.</p> <p>The request is to transfer from 28 High Street Rishton BB1 4LA to 128-0130 Accrington Rad Blackburn BB1 2AE.</p> <p>The distance between the two contracts is 2.7 miles.</p> <p>The contract is a GDS Contract and runs in perpetuity and is not time limited. It currently delivers 6200 units of dental activity.</p> <p>The group reviewed and discussed the content of the report, the services have been sub-contracted to the proposed location since April 2022 but the contractor wishes to make the transfer permanently.</p> <p>The group approved the recommendation to support the relocation application. The provider will be informed of the approval.</p> <p>The contractor will be requested to provide the most up to date CQC Registration and the Dental Advisor will perform a visit.</p>	Notify the contractor of the approval
<b>Dental Provision South Cumbria – Additional Sessions – Mint Dental Performance Review</b>	<p>The ICB commissioning Miss Julie Forde (the provider) to provide on a sessional basis additional activity for the South Cumbria population when a dental contract was handed back in Grange-over-Sands. The number of additional sessions commissioned rose from an initial 5 sessions from April 23 to 8 sessions in July 23. The contract is due for termination on the 31<sup>st</sup> March 24 and a thorough review of performance was reported to the group. The group review in detail all aspects of the performance of the contract, which was largely fully delivered, with one concern over the performance of the core contracts which potentially may not deliver in full.</p> <p>The sessional activity is delivering mandatory services and as such when reflecting on whether to continue the contracts into 2024/25 the activity provided, and the numbers of patients treated was reviewed in detail. The number of individual patients is lower than anticipated, similarly as was the UDA numbers. The contract was set up to</p>	Notify the provider



	<p>provide treatment and services for displaced patients from Grange-over-Sands, but only 6.6% of patients attending where from the wards of Grange and Cartmel, with 95% of patients from with the ICB geography.</p> <p>The review of activity and the associated costs under the sessional contracts was deemed to be very costly and not value for money. The level of activity was also deemed to be of a level that the provider could absorb into their existing contracts if the contract were permitted to performance at 110% as permitted in the GDS contracts.</p> <p>The group confirmed the provider can continue the equivalent additional activity within their existing core contract and the additional 10% flexibility.</p>	
<p><b>Dental Access Recovery Plan</b></p>	<p>The announcement on the 7<sup>th</sup> February 2024 by NHS and Department of Health &amp; Social Care published a joint plan “Faster, simpler and fairer: our plan to recover and reform NHS dentistry” with a number of incremental developments and programmes to reform the dental system. The report focused upon the implementation of one element, as guidance documents were not available to report in full detail across other reforms proposals.</p> <p>The specific element reviewed in the report was the implementation of a new minimum indicative UDA tariff of £28 per UDA. The group was notified that this impacts upon 26 contracts. The changes may be implemented using two options, the first is to retain the same contract value and reduce the targeted UDA, the second to increase the contract value whilst maintaining the targeted UDAs.</p> <p>The group agreed to recommending Option 1 to contractors who historically under delivered on activity, and Option 2 to contractors who have delivered activity. The group has delegation to implement adjustments for option 1, however, option 2 requires authorisation by the committee and has been included in the dental commissioning plan paper submitted to the March committee.</p> <p>The group received a verbal update regarding the other aspects of the reforms, the new patient payments at £15 per band 1 and £50 per band 2 or 3, all contractors have been engaged and have the opportunity to opt out if they so wish, this will be reported in full at the March meeting. Other developments such as the Golden Hello programme. Mobile Dental vans were advised but further guidance and confirmation of funding is expected. The group were made aware of the</p>	

	wider prevention programmes to be implemented by the Public Health team in local authorities.	
<b>Relocation Request – Drakes Dental Care Ltd</b>	<p>Drakes Dental Care Ltd, part of the Smart Dental Group organisation holds an NHS General Dental Services (GDS) contract has submitted a relocation form.</p> <p>The request is to transfer from 334 Whalley Range, BB1 6NN to 44 New bank Road BB2 6JE.</p> <p>The group reviewed and discussed the content of the report, the group felt that the application was not complete and sufficient information had not been provided in order to make a reasonable judgement on the application. Further information and clarification will be requested.</p> <p>The Group did not approve the request.</p>	Notify the contractor and request further information and clarification.
<b>Flexible Commissioning – UDA tariff rebasing requests</b>	<p>The framework issued by NHS England in October 2023 regarding flexible commissioning has resulted in a large number of contractors requesting uplifts to their UDA indicative tariffs.</p> <p>The report proposed to develop and refine the ICB processes to include a gateway stage to quickly evaluate requests across 3 key gateway parameters – location, access and existing UDA tariff. The framework also recommended the ICB process included a review of financial records, an evaluation of the impact on local needs and surrounding practices, and considering value for money and legal risks.</p> <p>The group agreed to the implementation of the gateway process and the adoption of the framework recommendation not already incorporated into their existing ICB review process. Further additional quality aspect were recommended to be included in the ICB review process.</p>	Implement the new gateway process and notify applicants of the decisions.
<b>Assure</b>		
<b>Referral Management Service-Waiver</b>	<p>The contract for the referral management service (RMS) in L&amp;SC is due to terminate on 31 March 2024 and as there is no provision in the existing contract to extend.</p> <p>RMS provides a single point of entry for the processing of referrals from primary care dentists and orthodontists, ensuring a consistent quality of referrals, ability to monitor volumes and support demand management and the ability to triage referrals.</p> <p>As this is a non-clinical service it sits under the full Public Contract Regulations (PCR) 2015 (as amended) and is within the PCR thresholds.</p>	

	<p>The Primary and Community Commissioning teams, senior leader team meeting has recently approved the submission of a Single Tender Action Waiver request to the ICB's Finance Director to seek approval to proceed to a direct award of a contract to the current provider of the RMS contract from 1 April 2024 to ensure provision of services for patients and to mitigate against patient safety issues</p>	
<p><b>Community Dental Service – Waiver</b></p>	<p>The contracts for the two Community Dental Service Agreements in L&amp;SC are due to end on 31 March 2024.</p> <p>The Primary and Community Commissioning teams, senior leader team meeting has recently approved the submission of a Single Tender Action Waiver request to the ICB's Finance Director to seek approval to extend these contracts for an initial period of 2 years from 1 April 2024.</p> <p>Changes to legislation through the implementation of the Provider Selection Regime (PSR) became law on 1 January 2024. However, as the process had already begun to seek an extension to these contracts, it has been considered appropriate to continue to seek an extension through the PCR process under the transitional provisions of the PSR.</p>	

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

Committee and Date	Item or Issue	Referred to

<b>Committee: Primary Care Capital Group</b>	<b>Date:</b> 21/02/2024	<b>Chair: Donna Roberts</b>
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<b>Key Items Discussed</b>		
<b>Issue</b>	<b>Committee update</b>	<b>Action</b>
<b>Alert</b>		
Barrow	The group was provided with a brief update of the developments expected within Barrow. Advised that there is an expectation of a large population increase in the town, and the impacts expected across primary care. The group will retain a watching brief to ensure impacts and developments are reviewed at the earliest opportunity.	
<b>Advise</b>		
Capital Investment plan 2024/25	The group reviewed in detail the proposed investment plans for 2024/25, confirming full agreement with the apportionment of the primary care capital allocation of £3,109k – GPIT £2,488k and Grants £777k. Also confirming the analysis of the larger capital scheme that impact upon the ICB revenue budgets and the level of approval each scheme has historically received	Report to committee in April 2024
<b>Assure</b>		
Capital Investment Pipeline	The general practice expressions of interest processes deadline is the 28 <sup>th</sup> February, the group were notified of the 27 applications received to date, with more expected. The thorough review and prioritisation is expected to occur in March and April	Report to committee in April 2024

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

<b>Committee and Date</b>	<b>Item or Issue</b>	<b>Referred to</b>

### **3. Conclusion**

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

### **4. Recommendations**

3.1 The Primary Care Commissioning Committee is requested to:

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

**Amy Lepiorz, Associate Director Primary Care**

**14/03/2024**