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Derby & Derbyshire LMC Newsletter





DDLMC Working for You

Cyber-attack Extended Hours DES Victory



One of Derby and Derbyshire LMC priorities during and since the LMC conference has been campaigning for a fair deal for practices affected by the NHS cyber-attack in May 2017. Following the incident, local practices raised the important issue regarding the Extended Hours DES. Commissioners were insisting that practices should make up the missed extended opening hours in the second quarter due to the cyber-attack.

The LMC raised this with GPC, stating that this is not acceptable as it was out of the control of practices. Following this, NHS England has now asked their local offices to liaise with commissioners and ensure it is seen as exceptional circumstances and not practice decision/error.

As a direct result commissioners are being advised to waive action on this occasion with no negative impact on the associated funding for the DES.

Our work is not done yet, we are waiting to hear back regarding the larger issue of compensation for practices, and we will share this with you once more news received.

GP Workload Tool

It has come to our attention that NHS Digital have sent out a [Data Provision Notice](#) to practices as NHS England wish to expand the existing Patient Online Management Information (POMI) data collection so that it includes additional data on patient appointments and, in particular, a measure of patient access to general practice referred to as the Third Next Available Appointment.

NHS England has directed NHS Digital, under section 254 of the Health and Social Care Act 2012, to collect this additional information as part of the POMI data collection.

Some practices have asked whether they are obliged to provide this information/data collection and the LMC advice is that practices should complete this work as it is part of the data collection mandated under the Health and Social Care Act 2012. The new data will be collected via the Calculating Quality Reporting Service (CQRS) system, and **all practices are required to accept the Offer in CQRS as soon as possible.** Please contact [David Gibbs](#) or [NHS Digital](#) if you have any further questions.

Introducing the LMC Members

In our upcoming newsletters we would like to take a moment to introduce your [LMC members](#) who are working with General Practice across Derbyshire.

Dr Susie Bayley, Head of Communications



Susie qualified as a GP in 2010, and is a Partner in a busy inner city teaching practice. Passionate about General Practice, but concerned by growing workload, and lack of control, Susie developed a keen interest in medical politics. She combined this with her social media expertise to become Chair of, the online group [GP Survival](#) (2015-16). She has recently become a Partner in the peer support and education group Resilient GP.

Utilising her experience and skills she became Head of Communications for both the DDLMC and its sister organisation the [GP Task Force](#) in 2016. She believes giving GPs a loud clear voice to help them provide a safe, quality service for patients.

Flag Patient Notes Template Letter

Practices are reporting an increased number of requests from secondary care and Public Health England to 'flag' patient records for potential problems and bear that particular 'flag' in mind during consultations. We appreciate that these issues are clinically relevant and should be recorded, but soon we will not be able to see the wood for the trees as there will be so many flags.

Different practices will deal with flags in different ways and there is a huge risk that something will be missed. We are expected to deal with all of this as well as the patient consultation within 10 minutes and it is just not possible.

In consultation with GPC, the LMC has produced a [template letter](#) which you may choose to use when you receive such requests in the future.

Problems with GP Registrar Payments

It has come to our attention that since the changeover to Lead Employer for GP Registrars there have been some teething problems with salary payments and training grants. We have received the following update from Robert Ramsden from PCSE:

"The July/Aug salary overpayments made to all East Midlands practices, for GPRs who have now gone Lead Employer, will be recovered from the practices next month. PCSE weren't formally notified of the date that Lead Employer arrangements were coming into effect.

We are still responsible for paying the training grants, however for Aug new starters we have yet to receive the information from NHSE to make the payments. We are in the process of chasing this."

We have raised the issue with NHS England to try and ascertain why the system failed again leading to additional work for GP practices and we will provide feedback when we get it. Would practices please notify us if these issues are not resolved in your September payments and we will chase again on your behalf.

Information update: Additional Workload on Practices

It has come to our attention recently that third party providers of various services are asking GP practices to assist in various ways with the delivery or monitoring of these services or initiatives. Please find further information [here](#)



Guidance on Overseas Patients

We have been asked by several practices about the regulation concerning the registration and treatment of patients from overseas. The [following guidance](#) aims to clarify GP practices obligations under the GMS/PMS/APMS contract surrounding patient registration, particularly overseas patients, in GP practices.

Additionally, in respect of prescriptions, overseas patients should be treated in the same way as UK residents, so unless they have an exemption from prescription charges then they should be charged in the usual way.





FREE LEGAL SURGERY SESSIONS AVAILABLE



Andrew Lockhart-Mirams
Consultant

What others say...

"A great, go-to authority on matters of contract and contract dispute for general practice."

"A highly respected figure in the market and is well versed in all areas of medical partnership."

"An incredibly astute lawyer... deserving of a lot of respect."
- **Chambers & Partners**

"Masterfully powerful yet elegantly subtle-supremely persuasive (sounds like a Premier Cru Claret?!). Seriously we're greatly impressed and offer renewed thanks."

- **Dr John Cannon**

HOW CAN ANDREW HELP YOU?

Andrew had over fifteen years of primary care regulatory and contract work at another highly respected healthcare firm before founding Lockharts. For more than twenty years, he acted for the 'General Practitioners Committee of the BMA' on a wide range of regulatory and contractual issues affecting GPs, including the New GMS Contract in 2004 and in 2005. He was given an award at the 'Annual LMC Conference Dinner' in recognition of 21 years' service to GPs in the UK.

MEETING YOUR NEEDS

Andrew has a national reputation for his work in the development of PMS and APMS agreements. In addition to producing agreements for federations of practices, he has produced shareholder agreements for provider companies wishing to supply services to PCTs (historically) and currently CCGs and local authorities, in response to commissioning recommendations.

When:

Wednesday 1st November

Where:

DDLMC
Celtic House, 3rd Floor
Heritage Gate
Friary Street
Derby
DE1 1LS

To Book Your Appointment

Contact Us:

Office@Derbyshirelmc.Nhs.Uk

01332 210 008

Delivered By VWV | Lawyers & Parliamentary Agents

Topics of Interest

- Mergers and 'super' Partnerships
- Provider entities
- Premises and lease work
- Practice contract and structural arrangements
- Regulation
- Federating
- General practice and rural dispensing
- Professional registration
- Dispute resolution
- Mediation and arbitration
- 24 hour retirement and pension arrangements

These 40 minute FREE sessions are available on a first come first serve basis



DDLMC Needs YOU!

DDLMC representatives have meetings set up with providers, CCGs and our local hospitals throughout 2017.

We want to reflect your views and iron out any problems you are having. Please contact the [office](#) to discuss any problems, and one of your operational team will get back to you.

We are also looking at updating the resource section on the DDLMC website, but we need you to tell us which resources would help make the day job easier?

Please email your suggestions and feedback to:
Head of Communications
susiebayley@gmail.com

Since launching our new website in January over 50% of our levy paying practices visit the site on a daily basis, if there is something you want to see more of let us [know](#)

Around the World in General Practice

Shortage of Hepatitis B Vaccines - Recommendations for General Practice

Please find link to a [Public Health England communication](#) on the shortage of Hepatitis B Vaccine including recommendations for adults and children during periods of vaccine supply constraints. As noted in the letter, the situation is under constant review, to ensure that available supply is able to match the clinical need for the rest of the year. Public Health England is developing patient and public facing materials which will be published alongside any changes to guidance on gov.uk and [Vaccine Update](#)

Seasonal Flu Best Practice Pack 2017/18

In preparation for the 2017/18 Seasonal Flu please find attached the [Seasonal Flu Best Practice pack](#) which contains guidance, templates and promotional material (links and documents) in the single document.

NHS England Guidance Regarding Raising Concerns for Primary Care Providers

Information, including a link to the NHS England guidance on raising concerns for primary care providers, is available [here](#)

Directory of Services to Support Children and Young People with Emotional Health and Wellbeing

Please find this useful contact database [here](#)

Single Pack Flu Vaccines

The LMC Buying Groups Federation have been informed that pharmacies often get deliveries earlier because the suppliers want to shift their single dose packs first before the big packs of multiple vaccines and due to lack of fridge space, many practices do not want these.

If a practice is happy to receive some/all of their flu vaccines in single packs, they can and just need to ask their flu supplier to do this and therefore get an earlier date of delivery.

If practices encounter any problems with this approach, the [LMC Buying Group](#) are happy to field queries.





PCSE Claims Guidance

The BMA is aware that practices and individual GPs continue to experience unacceptable incidents relating to PCSE (Primary Care Support Services in England), commissioned by NHS England and provided by Capita.

The issues have been ongoing for some time and the BMA is aware of cases where practices have not received payments, or have received incorrect payments.

It is never acceptable for payments to be delayed and their advice is to follow [this process](#) if a practice or individual has experienced an issue due to PCSE.

Please contact the BMA on info.gpc@bma.org.uk if the issue is not resolved through this process in a timely manner, and they will take up your claim with NHS England.

BMA Guidance - Helping You Meet Your Training Obligations

The BMA's new guidance on training is now available [online](#). This is mainly aimed at practices in England due to the specific issues they have faced with inappropriate training demands/requests from CCGs and CQC, but it should be of interest to all practices.

BMA response to new government plans to recruit more GPs from overseas and poor figures on GP workforce increases

BMA Press Release

Immediate Release: Tuesday, 22 August

Responding to the [launch of a new drive by NHS England to recruit more GPs from overseas](#) and workforce figures published today showing an increase of [barely one per cent in the GP workforce in England](#), Dr Richard Vautrey, BMA GP Committee Chair:

"Plans to recruit more doctors from overseas may help to provide much needed GPs in the short term. These professionals have a strong track record of providing first rate care to patients in the NHS over many decades. However, more needs to be done by the government to create a sustainable, long term basis on which to remedy the huge workforce problems threatening to overwhelm GP services across the country.

It is disappointing that once again the latest official figures show only a marginal increase in the GP workforce in England despite repeated promises by politicians that patients would be seeing thousands more GPs trained in the UK delivering care in the NHS.

Many GP practices are struggling badly to provide enough appointments and basic services to the public because of endemic staff shortages. A recent BMA poll found that a third of GP practices had [vacancies unfilled for more than a year](#)

We need the government to not only immediately implement in full the provisions of the GP Forward View but to go beyond this so that Health Education England, NHS England and other bodies are able to recruit and, crucially, retain GPs. Far too many GPs are quitting the profession owing to the overworked and underfunded environment they are expected to work in, while medical graduates are turning their backs on a career in general practice for the same reasons."

Capped Expenditure Process (CEP)

The CEP is a new regulatory intervention designed to radically and rapidly cut spending within specific geographical areas in England.

The CEP has not been announced publicly and only limited details have been made available. The BMA is deeply concerned by the CEP and by the implication that deeper cuts will be made to already stretched services. You can access and download the full briefing [here](#)

[Sessional GPs e-newsletter](#)

Please find a [link](#) to the latest (August) edition of the Sessional GPs e-newsletter

Derby and Derbyshire LMC Recruitment Services

Our recruitment campaign service comes highly recommended by all the GP partners who have used our service before. DDLMC have supported GP practices for over 100 years and therefore fully understands the needs of GP practices. For more information click [here](#)

Kraft HR Consulting



Taking pride in working with clients to produce solutions to workforce problems that meet the requirements of the law whilst minimizing interference with your business priorities, to read more click [here](#)



Social and Therapeutic horticulture

Initiative between GP-S and Muddy Fork



All GPs in Derbyshire can access free GP only sessions of social and therapeutic horticulture.

Who is it suitable for?

Any GP whether or not you have experience in gardening. This will provide an opportunity to meet and socialise with colleagues whilst doing something meaningful ... and it should be fun!

The sessions are held in Retford and last for an afternoon. The sessions are flexible, allowing you to attend when you can. You then take part in different levels of gardening activities on the site, from light, medium to heavy, both inside and outside, with the help of a trained peer facilitator.

To find out more or sign up, visit: <https://www.muddyfork.org/gp-wellbeing/>





What's new this month.....?

In this article, John Krafts of [KHR Consulting Ltd](#) looks at recent cases which are of relevance to general practice.

Employment tribunal fees

The much publicised and eagerly anticipated decision from the Supreme Court which has declared that Employment Tribunal and Employment Appeal Tribunal fees, which were introduced on 29 July 2013, are unlawful. The Tribunals have already updated their electronic online systems so a fee is no longer payable and the government have pledged to repay all fees paid to date. It will be interesting to see how this operates in practice given some employees will have received payment of their fees as part of their award at Tribunal from their employer.

Also, given there was around a 70% decrease in claims being issued into the Tribunal following the introduction of the fees will this latest development result in an increase in claims again? Only time will tell...

Holiday Pay and Voluntary Overtime

In the latest chapter in the long-running holiday pay saga, the Employment Appeal Tribunal has decided that where a worker works regular voluntary overtime over a sufficient period of time, an employer must include this in their calculations for the first four weeks of the worker's annual holiday.

In the case of *Dudley Metropolitan Borough Council v Willets*, a number of council workers brought claims against the Council alleging that their regular voluntary overtime should have been included in the calculations of their holiday pay. The courts have previously ruled that both compulsory overtime and commission payments should form part of holiday pay calculations if they form part of a worker's normal remuneration, but this is the first time purely voluntary overtime has been before the appeal courts.

An Employment Tribunal upheld the workers' claims and the Council appealed to the EAT. The EAT dismissed the appeal and stated that:

- whilst an "intrinsic link" between the type of work and the employee's contractual duties could be evidence of normal payments, it was not the only criteria to consider; and
- regardless of the type of work carried out, overtime payments which extend for a sufficient period of time and on a regular or recurring basis, will need to be included.

The upshot is that regular voluntary overtime paid to workers will now have to be factored in to employees' holiday pay in respect of the first 20 days of leave per year. However, as is the case for other holiday claims, the liability for back-pay is limited as a three-month gap between deductions from wages remains sufficient to break a series, restricting the claims Employment Tribunals are able to deal with.

The gig economy

Another major development last month was the publication of the Taylor report, which was commissioned off the back of the recent flood of cases to land in the Courts and Tribunals in respect of the gig economy and questions arising over employment status.

Amongst the many recommendations, Taylor has proposed that the distinction between worker and employee remain but that workers be renamed “dependent contractors” and that they be given additional rights. He has also suggested that legislation and guidance be developed to adequately set out the tests that need to be met to establish employee or dependent contractor status. Any changes to legislation will need to be consulted upon and so this is an important “watch this space” for any GP that uses gig-economy labour.

Further information

John runs Kraft HR Consulting Ltd which supports General Practice & other small and medium sized businesses on human resource management issues. He can be contacted on john@khrconsulting.co.uk or on 0115 8491753.

If you wish to explore any issues further with him, he will be happy to give advice and provide stencil documents. Initial consultations are always welcome and always free!

TRAINING AND OPPORTUNITIES

East Midlands Leadership Academy (EMLA)

Don't forget if you are interested in any of the EMLA courses, master classes or skills development programmes and want to secure sponsorship, please email [our office](#), including your job role and practice/organisation name.

Places are allocated on a first come first served basis. Once you have received sponsorship you can directly book your training through the EMLA website on any of the future events. Please note some of the national leadership programmes are payable and sit outside the sponsorship.

If you have sponsorship already, you can book on any of the following programmes:

[OD & Talent Management Network Events](#)

[Great Talent Conversations For Line Managers](#)

[Relationship and Connectivity Workshop](#) – 29 September 2017

This practical one day workshop will:

- Develop your skills and behavioural competencies
- Enable you to build trusting relationships and connect outside your own area of work
- Help you to creating connections with patient and public users.
- Focus on recognising and accepting difference
- Look at ways to improve your connections across the system
- Help you to influence and negotiate beyond your authority
- Better equip you to manage fear of conflict

- **PCDC Training courses:**

[Being an Effective Manager workshop](#) – 13 September 2017

[Developing a Positive Workforce Culture, Values & Behaviours workshop](#) – 28 September 2017

[General Data Protection Regulation \(GDPR\) workshop](#) – 10 October 2017

[General Data Protection Regulation \(GDPR\) workshop](#) – 12 October 2017

[Contract Variation & Employment Law Update](#) – 2 November 2017

[Managing Conflict with Patients](#) – 22 November 2017

[Business Planning](#) – 29 November 2017

[Complaint Management & Whistleblowing](#) – Delivered by NHS England & PCDC - 29 November 2017

- **PCDC & SD CCG - Frailty Training** The Primary Care Development Centre is proud to be working with **Southern Derbyshire CCG** to be able to offer free training courses on Frailty.

This course is aimed at staff (*Primary, Secondary and Community Health Care, Social Care staff as well as staff from Care, Nursing and Residential homes*):

- If you are involved directly in the care of older people or related services.
- Hands-on Managers or Team Leaders who help others to develop skills to support self-care.
- Commissioners and staff working on new care models where frailty and supported self-care are priority areas.

- 26 September 2017, 13:00 to 16:00 – [Link to event page](#)
- 21 November 2017, 13:00 to 16:00 – [Link to event page](#)
- 31 January 2018, 13:00 to 16:00 – [Link to event page](#)
- 20 March 2018, 13:00 to 16:00 – [Link to event page](#)

- [Celebrating General Practice 2017](#) Open to all GP Practice staff with 200 free places offered to RCGP Members. Guest of honour RCGP President Elect Prof. Mayur Lakhani will be presenting the SYNT Practice of the Year Award 2017. Visit the [RCGP Website](#) for more information and to book your place. – 11 November 2017

- Places are going fast for the popular **Lincolnshire Practice Managers Conference** so if you haven't booked already, now is the time to book your places [online](#) Please find [agenda](#) for information. – 12 October 2017

- **GP and Practice Manager Complaints Training** [This workshop](#) has been developed to support you and your practice team in preventing and managing complaints and improving the service provided to patients. It will encompass some short lectures, reflective exercises, and facilitated group discussions. – 5 October 2017

- **GP Fellowship Event** in the East Midlands registration is now [live](#)

- [The ACCA](#) has some fantastic courses which can help organisations build strong finance skills across multiple departments quickly, at scale and low cost

- [M&K](#) offer a variety of courses for General Practices

- [Primary Care Commissioning](#) offer e-courses covering Leadership, Risk Management, Strategic Thinking and Project Management



Hi There!

Practices are looking for
awesome people to work with.

Title	Organisation	Location	Salary	Closing date
Advanced Clinical Practitioner (specialising in urgent care)	The Surgery	Ashbourne		
Advanced Nurse Practitioner	Vernon Street Medical Centre	Derby	Band 8	
Advanced Nurse Practitioner	The Park Surgery	Heanor	£40000 - £45000	17/09/2017
General Practitioner	Barnby Gate Surgery	Newark		
GP	Chapel Street Medical Centre	Spondon	Full/ Part Time/Salaried/Partnership	
GP Partner	The Osmaston Surgery	Derby		30/09/2017
GP Partner	Overdale Medical Practice	Derby		08/09/2017
GP Partner	Arthur Medical Centre	Derbyshire		25/09/2017
GP Partner or Salaried GP	Calow and Brimington Practice	Chesterfield		02/10/2017
GP Partner – 6 to 8 sessions per week	Mickleover Surgery	Mickleover		
GP Salaried/ Partner	Alvaston Medical Centre	Alvaston		
Health Care Assistant / Co-ordinator	The Calow and Brimington Practice	Chesterfield		25/09/2017
Part Time Medical Receptionists	Lister House Surgery	Derby	£7.65 per hour	05/09/2017
Part time Salaried GP	Avenue House & Hasland Partnership, Chesterfield	Chesterfield		
Part time Salaried GP (maternity leave cover)	Avenue House Surgery & Hasland Surgery	Chesterfield		10/09/2017
Part-time Practice Nurse (24 hrs per week)	Mickleover Surgery	Mickleover, Derby	Band 5/6	

<u>Salaried General Practitioner</u>	Lister House Surgery and Oakwood Medical Centre	Pear Tree		
<u>Salaried GP</u>	Gladstone House Surgery	Ilkeston		
<u>Salaried GP</u>	Vernon Street Medical Centre	Derby	£7,500 - £9,500 per session	
<u>Salaried GP</u>	Wellbrook Medical Centre	Derby		25/09/2017
<u>Salaried GP</u>	Melbourne and Chellaston Practice	Derby		02/11/2017
<u>Salaried GP or Partner</u>	Jessop Medical Practice	Amber Valley	Negotiable	
<u>Sessional GPs and ANPs</u>	Derbyshire Health United Health Care CIC	Derbyshire	GPs £70-£90 / ANPs 8a/8b equivalent	31/12/2017
<u>Vacancy for part time Salaried GP to cover maternity leave</u>	Avenue House & Hasland Partnership, Chesterfield	Chesterfield		

Full job advert details including contact details are available on the [job opportunities DDLMC website](#)

DDLMC Supporting You

LMC members attend meetings on behalf of constituents to help make your voice heard.



For non-clinical practice queries please contact
Head of Business Support, [David Gibbs](#)

DDLMC Representatives

Your DDLMC representatives are available to support you in your area:

North Dales, North Derbyshire

Dr Peter Williams, Dr Peter Holden, Dr Pauline Love,
Dr Mark Wood

High Peak, North Derbyshire

Dr Peter Short

Chesterfield

Dr Ruth Dils

North Derbyshire

Dr Denise Glover

Southern Derbyshire

Dr Brian Hands, Dr Vineeta Rajeev, Dr Murali
Gembali, Dr James Betteridge-Sorby

Derby City and Derbyshire County

Dr Susie Bayley

Amber Valley and South Derbyshire Dales, South Derbyshire

Dr Jenny North, Dr Greg Crowley,
Dr Heather Kinsella,
Dr Yadavakrishnan Pasupathi

Erewash

Dr Gail Walton, Dr Andrew Jordan, Dr John Ashcroft

For contact details of your local DDLMC
representative see [here](#)

DDLMC Office Contact Details

www.derbyshireLMC.org.uk
office@derbyshireLMC.nhs.uk

01332 210008

Derby and Derbyshire LMC Ltd Office
Heritage Gate
Celtic House, 3rd Floor
Friary Street
Derby
DE1 1LS

Chief Executive

Kath.markus@derbyshirelmc.nhs.uk

Chief Operating Officer

Lisa.soultana@derbyshirelmc.nhs.uk

Head of Communications

Susiebayley@gmail.com

Head of Business Support

David.gibbs@derbyshirelmc.nhs.uk

Personal Aide

Laura.grainger@derbyshireLMC.nhs.uk

Business Support Officer

Anita.farkas@derbyshirelmc.nhs.uk

Business Support Administrative
Apprentice

Zainab.sharif@derbyshirelmc.nhs.uk

GPTF Project Manager

Claire.leggett@derbyshirelmc.nhs.uk