

## **Proposal for the merger of APMS and GMS contracts held by Blackthorn Health Centre for the provision of NHS General Medical Services to the patients of Bursledon Surgery and Blackthorn Health Centre**

### **1 Introduction**

- 1.1 The former NHS West Hampshire Clinical Commissioning Group (“West Hampshire CCG”) awarded an Alternative Provider Medical Service (“APMS”) contract to the GP partners of Blackthorn Health Centre based in Hamble from 1 January 2020.
- 1.2 The APMS contract relates to the provision of NHS primary medical services, as defined by the NHS (General Medical Services Contracts) Regulations 2015 (“GMS”), to the patients of Bursledon Surgery.
- 1.3 In the absence of an identified market for small practices or other viable options, e.g. a practice merger, patient list dispersal options, partnerships with Dr Ding, to enable to provision of GMS to the Bursledon Surgery patients, West Hampshire CCG’s preferred option was a direct award of the contract for the provision of primary medical services to Blackthorn Health Centre.
- 1.4 In a decision of 11 March 2020, the West Hampshire CCG Procurement Group approved the recommendation to direct award a GMS contract to the GP partners of Blackthorn Health Centre. Accordingly, a procurement information notice (PIN) was published confirming the intention of the CCG to proceed with the direct contract award. The closing date of the PIN passed on 30 April 2020 with no enquiries or challenges having been received. An updated PIN has not been issued since.
- 1.5 The original term of the APMS contract was 6 months with the intention that a new GMS contract for Bursledon Surgery would be awarded to Blackthorn Health Centre from 1 July 2020 and merged on that date with the existing GMS contract held by the Health Centre practice.
- 1.6 In view of a need to focus all efforts on managing the COVID-19 pandemic, the partners of Blackthorn Health Centre asked that the planned merger be deferred until 1 April 2021. The extension of the APMS contract was agreed by West Hampshire CCG.
- 1.7 In advance of the revised planned contract merger date, Blackthorn Health Centre informed the CCG that, whilst still willing to proceed with the merger, they no longer see a need to provide GMS to the merged patient list from two practice sites. They instead intend to provide all GMS to patients only from the Blackthorn Health Centre.
- 1.8 West Hampshire CCG determined this change to service provision to be significant necessitating a process of patient and stakeholder engagement by the practice. The timescales for an effective engagement process meant that the planned date of the contracts merger was delayed to 1 October 2021. West Hampshire CCG extended the APMS contract to 30 September 2021.
- 1.9 The Primary Care Commissioning Committee is asked to consider the contracts merger application received from Blackthorn Health Centre together with the patient

and stakeholder engagement process outcomes and determine if the contracts merger should be supported on the basis proposed by Blackthorn Health Centre.

- 1.9 In accordance with the Scheme of Delegation, any applications for the approval of practice mergers (with service changes for patients) are to be determined by the PCCC (12.16).

## **2 Background**

- 2.1 Dr Vivian Ding was the single GP holding a GMS contract for the provision of services to the patients of Bursledon Surgery until her retirement on 31 December 2019.
- 2.2 Dr Ding's practice was relocated within Bursledon to a new purpose built surgery premises (346m<sup>2</sup> net internal area) constructed by Eastleigh Borough Council (the "Council") as part of the Lowford Community Centre in February 2014.
- 2.3 The practice served 3,383 registered patients in 2010, when the Outline Business Case for the new surgery premises was approved by the former Hampshire Primary Care Trust ("PCT"), and 4,699 by July 2021.
- 2.3 The Council held a 25 year lease with Dr Ding to secure its investment in the capital costs of creating the Lowford Community Centre with an integral GP surgery. At Dr Ding's request, the Council agreed a side letter to the lease permitting the termination of the lease with six months' after any termination of her GMS contract.
- 2.4 Since the termination of Dr Ding's lease, the Council have agreed a short term licence to occupy Bursledon Surgery with Blackthorn Health Centre. This licence will be terminated on 30 September 2021 if not otherwise extended or replaced by a long term lease with an alternative provider(s) of NHS services from the Bursledon Surgery premises.
- 2.5 The coronavirus pandemic meant that Bursledon Surgery was used as a hub for consultations with patients from across the Eastern Southern Parishes with a suspected COVID-19 infection from May 2021. More recently, from December 2020, the surgery has been used exclusively as a vaccination site supporting the highly successful delivery of the COVID-19 vaccination programme in Eastleigh Southern Parishes.
- 2.6 The proposal for a contracts merger from the Blackthorn Health Centre is provided as **Appendix A** of this paper.

## **3. Alternative Use of Bursledon Surgery**

- 3.1 Bursledon Surgery was developed at significant cost by Eastleigh Borough Council acting as a third party developer to the practice on the strength of outline and full business cases for the development approved by the former PCT in 2011.
- 3.2. Whilst it is perhaps unlikely that the same conclusions would be reached from the outline business case approved by the PCT, if considered by the CCG today. It would however prove counterproductive to the CCGs relationship with a key strategic estates partner, Eastleigh Borough Council, if a full withdrawal of all NHS service provision from this site occurs within 9 years of the construction of Bursledon Surgery.

- 3.3. Since receiving notice of the planned cessation of GMS from Bursledon Surgery by Blackthorn Health Centre, post any contracts merger, the CCG has engaged with the Eastleigh Southern Parishes Primary Care Network (the "PCN") and Eastleigh Southern Parishes Network Limited (the "GP Federation") to design a range of services to be provided from Bursledon Surgery suitable for the needs of local patients.
- 3.4 The PCN has been active in recruiting additional roles staff, with funding available via the NHS Network Contract Directed Enhanced Service (the "DES"), in support of practices across the area served by the PCN, e.g. social prescribers, clinical pharmacists, mental health practitioners, pharmacy technicians, paramedics etc.
- 3.5 The emerging strategic estates plan for the PCN identifies a need to provide accommodation for these PCN staff however no capacity exists currently within the PCN estate.
- 3.6 The GP Federation currently holds an NHS contract with the CCG for the provision of GMS appointments in the Extended Hours period, i.e. in weekday evenings and at weekends. The service is provided from premises in Botley. The GP Federation and PCN are already planning transitional arrangements for this service when the funding and responsibility for providing Extended Hours access transitions to the PCN from April 2022.
- 3.7 The PCN and GP Federation propose, with the support of the CCG, to locate all PCN additional roles staff and services in Bursledon Surgery from October 2021. The GP Federation will also, again with the support of the CCG, relocate the provision of Extended Access services to Bursledon Surgery as soon as possible.
- 3.8 The PCN will allocate a core Network practice to hold a longer term lease with the Council, on behalf of the PCN. Since the majority of the services to be provided by the PCN at Bursledon Surgery will relate to the DES, the CCG has confirmed that financial assistance towards the lease holding practices' rental costs will be available under the terms of the NHS (GMS Premises Costs) Directions 2013.
- 3.9 The full scope of the service to be accommodated in Bursledon Surgery from October 2021, subject to support from the CCG, is provided as **Appendix B** of this paper.
- 3.10 Despite protracted negotiations with the CCG, the Blackthorn Health Centre is not willing to provide any face to face GMS activity from Bursledon Surgery. Instead all GMS activity will be managed from the Blackthorn Health Centre site, either in terms of remote consultations or face to face consultations. Home visits will be provided for those assessed by the practices as having an urgent clinical need who cannot travel to Blackthorn Health Centre.

#### **4. Patient and Stakeholder Engagement**

- 4.1 An interim report of the outcomes of a patient and stakeholder engagement process supported by the CCG is included as **Appendix C** to this report.
- 4.2 The closing date of the patient survey is Friday, 27 August 2021. Whilst the report at Appendix B will be updated and finalised before presentation to the CCGs Primary Care Commissioning Committee meeting in September 2021, key themes are already clear from the relatively high response rate.

- 4.3 An Equality Impact Assessment, informed by the engagement process, forms **Appendix D** to this paper.

## **5. Options**

- 5.1 Any further short term extension of the APMS contract requires a willing provider of services. The GP Partners have confirmed to the CCG that they will not agree to a further extension of the current APMS contract beyond September 2021.
- 5.2 In the absence of an interim provider of GMS to the patients of Bursledon Surgery beyond the end of September 2021, the CCG is prevented from undertaking a procurement process even if it were determined that there was a reasonable prospect of a market existing for a practice patient list of this size (circa 4,700 patients).
- 5.3 If the contracts merger proposal were to be rejected, the only other option would be a managed dispersal of patients to surrounding practices. Given the geography of the Hamble peninsula, it is likely that the majority of patients would seek registration with Blackthorn Health Centre or be assigned to that practice by the CCG. Other practices in the PCN area are at or close to capacity and would be unlikely to accept significant numbers of new patients.
- 5.4 The outcome of a managed list dispersal would be the same for the Bursledon Surgery premises, and the proposed service provision as set out above, in the event of a contracts merger. Any list dispersal would have to be concluded by 30 September 2021 and it is unlikely that patient choice could be accommodated within that timescale.
- 5.5 The only reasonable option existing is therefore to proceed with the proposed contracts merger and the award of a GMS contract to the GP partners of the Blackthorn Health Centre.
- 5.6 The resolution of this issue will bring stability for patients, partners and staff of the currently separate practices. It will secure continued use of the Bursledon Surgery for the provision of NHS services and a base for the PCN and GP Federation staff. The larger Blackthorn Health Centre practice operating from a single site is likely to be more resilient.

## **6. Recommendations**

- 6.1 It is recommended that the Primary Care Commissioning Committee:
- 6.1.1 Supports the application for an NHS contracts merger effective from 1 October 2021 on the basis of the proposals submitted by the Blackthorn Health Centre.