



NHS Contract

Documentation and monitoring

What is the NHS Standard Contract?

- Form of contract mandated for use by NHS commissioners (CCGs and NHS England) for all of their healthcare commissioning contracts other than core primary care
- <http://www.england.nhs.uk/nhs-standard-contract/>

Why have a Standard Contract?

- There are benefits in a standardised approach:
- one set of rules which everyone understands
- a level playing field for all types of provider
- economies of scale (contract production, legal advice)

Format of the Standard Contract

- The Contract comprises three sections:
- ➤ *General Conditions* set out national terms that apply in all contracts
- ➤ *Service Conditions* set out national terms that apply where specific services are being commissioned
- ➤ *Particulars* set out who the contracting parties are and include schedules with locally-agreed detail

“Tailoring” the Standard Contract

- Not intended as a “one size fits all” approach
- General Conditions are the same in all contracts
- Content of Service Conditions and Particulars varies depending on the specific services being commissioned
- So provisions or requirements that aren’t relevant don’t apply
- This “tailoring” approach works best if the electronic contract system (the eContract) is used

General Conditions

- This section contains the fixed standard conditions which apply to all services and all types of provider
- 39 separate areas include

GC9 Contract Management

GC14 Dispute Resolution

GC21 Data Protection, Freedom of Information and Transparency

- GC22 Intellectual Property

GC9 Contract management process

1. Failure to comply with contract
 2. Issue Contract Performance Notice
 3. Contract meeting with in 10 working days
 4. Agree if review is necessary
 5. Agree Remedial Action Plan within 5 working days of Contract Meeting
 6. Failure to meet RAP then financial penalty
- Process Streamlined for 2015/6



Service Conditions

- The content of any applicable Service Condition may not be varied.
- 38 separate areas include

SC6 Choice, Referral and Booking
SC29 Managing Activity and Referrals
SC36 Payment Terms

Completing a contract locally (Particulars)

- The key areas for local completion are:
- ➤ Service Specification(s) (Schedule 2A)
- ➤ Indicative Activity Plan (Schedule 2B)
- ➤ Local Prices (Schedule 3A)
- ➤ Expected Annual Contract Value (Schedule 3C)
- ➤ Local Quality Requirements (Schedule 4C)
- ➤ CQUIN (Schedule 4E)
- ➤ Reporting Requirements (Schedule 6B)

Service specification (schedule 2A)

- Standard format
 - Population needs
 - Outcomes
 - Scope
 - Service standards
 - Quality requirement
- Embedded in contract with contractual requirements
- Vary in scope and level of detail

Finance

- ➤ Indicative Activity Plan (Schedule 2B)
- ➤ Local Prices (Schedule 3A)
 - Cost and volume
 - Block contracts
- ➤ Expected Annual Contract Value (Schedule 3C)

Quality Requirements (Schedule 4)

- 4A Operational standards:
 - RTT , A&E
- 4B National Quality requirements
 - Duty of candour
- 4C Local Quality Requirements
 - Service specific
- 4D Never Events



Reporting requirements (Schedule 6B)

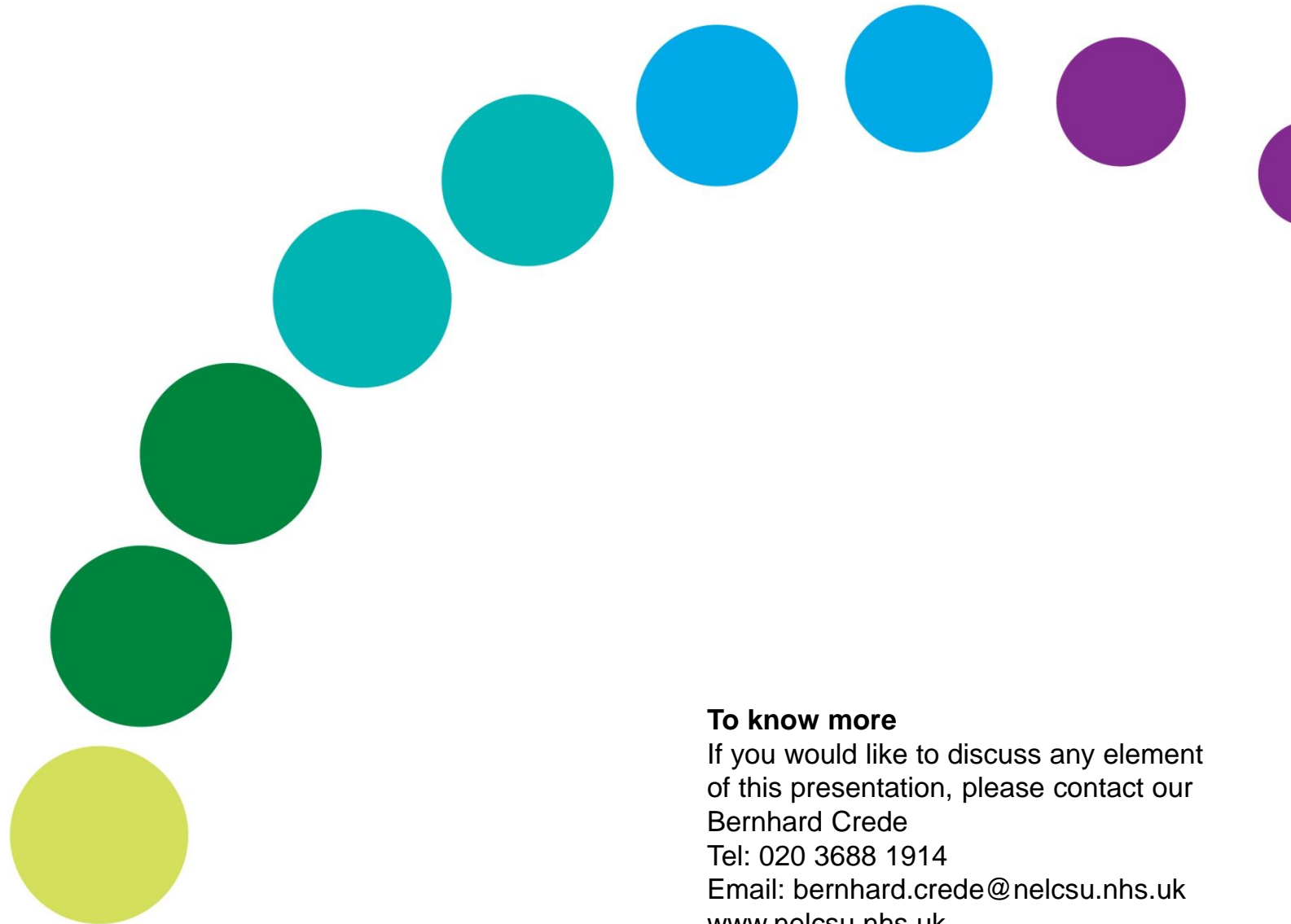
- Stipulates what data is needed to provided and when.
- Process for improving quality of information provision via DQIP (data quality improvement plan)
- Information allows review of contract performance
- National requirements
- Local requirements

Contract management

- Regular monthly meetings to discuss performance
- Representatives from Providers and Commissioners
- Contract Technical group
- Contract Quality Review Group
 - Quality performance
 - SIs, Complaints, User feedback
- Contract Management Group
- Whole system approach: escalation process for managing key peak times such as Christmas, Easter

Any questions

- Information on forthcoming changes to the contract are published by NHSE
- <http://www.england.nhs.uk/nhs-standard-contract/>
- Detailed explanation of contract is in technical guidance
- <http://www.england.nhs.uk/wp-content/uploads/2015/03/7-nhs-contract-tech-guid-fin.pdf>
- <https://www.england.nhs.uk/nhs-standard-contract/16-17/>



To know more

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