

NHS England's Comments on Legal & Financial Diligence Reports

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NHS England's response regarding the Legal & Financial Diligence Report relating to Primary Medical Services & Delegated Responsibility for South West London Clinical Commissioning:

Clinical Commissioning Groups (CCGs) in South West London (SWL) have commissioned a high level financial and legal due diligence exercise on the GMS, PMS and APMS contracts through which the primary medical services are provided, in advance of their intention to take on delegated responsibility from NHS England on 1st April 2016.

NHS England have reviewed the findings from the due diligence reports, and acknowledge their value for highlighting areas which may require closer working between the CCGs and NHS England to clarify the existing processes which are in place, as well as any opportunities to agree new ways of working as SWL CCGs move towards delegated commissioning.

It is important to recognise the wider context of NHS England and the teams supporting Primary Care Commissioning. The absence of this in the report has led to inappropriately positioned or inaccurate conclusions. The organisation no longer works in an environment equivalent to the Primary Care Trusts (PCTs), and has been through a significant reduction in staffing levels since 2013. As an example, these commissioners now take a risk-based approach for the management of its contractors, working within trusting relationships to provide a high level and light touch approach across contractors, and only actively managing contractor when required.

In addition, many recommendations refer to challenges known to both NHS England and the CCGs, some of which are being addressed nationally as they are wider than the control of the London region, and others are part of ongoing discussions between NHS England and SWL CCGs.

NHS England are committed to working collaboratively with SWL CCGs to support their move to delegation, and together they will address each recommendation in turn and are developing an action plan to ensure that appropriate steps are taken, within a shared understanding of the current operating context for NHS England and the SWL CCGs.