



Birmingham

LOCAL MEDICAL COMMITTEE

Supporting the *Business* of General Practice

36 Harborne Road

Edgbaston

Birmingham B15 3AF

T 0121 454 5008

F 0121 455 0758

www: <http://blmc.co.uk>

Dr Charles Zuckerman MBE, Medical Secretary

Dr Robert Morley, Executive Secretary

Margaret Ritchie, Business Manager

22nd November 2011

Dear colleagues

Clinical Commissioning Groups Inter- Practice Agreements

The LMC is aware that some shadow clinical commissioning groups (CGCs) are asking their practices to sign inter- practice agreements, and that there appears to be an understanding that signing such agreements is a requirement both for practices to gain membership of their chosen CGC and for the CGC itself to obtain authorisation.

The view of the LMC is that some of these CGC agreements are inappropriate and unfit for purpose. Indeed, following a recent meeting between the DH and the GPC and subsequent GPC advice which has clarified a number of issues, the position of the LMC is that it would now counsel all practices against signing such documents.

The salient points are:

- The only contractual obligation, from April 2012, will be for practices to be a member of a CGC.
- This of itself will be dependent on the Health and Social Care Bill receiving Royal Assent
- In any case CGSs are in shadow form, not statutory bodies and have no legal status
- CGSs are defined by the Health and Social Care Bill as membership organisations; the members are practices and the practices should approve a constitution and governance framework, not have one imposed
- There is NO requirement for shadow CGS to have signed inter- practice agreements in place in order to be approved for authorisation. THE DEPARTMENT OF HEALTH HAS MADE THIS CLEAR.
- When practices are all required to be part of a CGC they will be able to join a different CGC(depending on geographical practicalities) by mutual consent and after consultation. There are no plans in place which would allow any practice to be expelled for not engaging or " failing" and no place for this to be part of any local document
- It would be inappropriate and a conflict of interest for any CGC to take any action in a formal way against a practice. Any such action which is required must be independent of the CGC and should have strong involvement of the LMC



Birmingham

LOCAL MEDICAL COMMITTEE

Supporting the *Business* of General Practice

36 Harborne Road

Edgbaston

Birmingham B15 3AF

T 0121 454 5008

F 0121 455 0758

www: <http://blmc.co.uk>

Dr Charles Zuckerman MBE, Medical Secretary

Dr Robert Morley, Executive Secretary

Margaret Ritchie, Business Manager

- There is no requirement on practices to "engage" with the CGC in any matter mandated by the CGC nor to engage in any work, particularly if unresourced, related to commissioning. The only obligation, as stated above, will be to be a member of a CGC if the Bill becomes law,
- It is believed the DH are currently developing a Governance Framework for CGCs, which will give examples of constitutions etc, which can be adapted and adopted locally. This might be available sometime in the new year.

I trust you find this information helpful.

Regards

Bob

Dr Robert Morley
Executive Secretary
Birmingham Local Medical Committee