

NHS NW LONDON PROTECTED LEARNING TIME POLICY AND APPLICATION PROCESS

This policy in regards to Protected Learning Time (PLT) sets out the principles and expectations for NHS NW London GP practices requesting approval for planned closure or to make alternative arrangements for telephone or physical access during core contracted hours for training, whilst ensuring that national guidance in meeting reasonable needs of patients are met in line with contractual obligations.

PLT events are sessions for GPs, Registered nurses, healthcare assistants, admin/reception staff and allied health professionals which are organised during pre-agreed times of the year. It is intended that the sessions will improve team working and the quality of care provided to patients and therefore NHS NW London is fully supportive in all NWL GP practices allocating the necessary time.

PLT events provide opportunities for healthcare professionals and other staff to learn about new clinical developments and updates to national guidance in an environment that promotes patient care. PLT events are also essential in promoting peer support, building relationships, keeping teams motivated as well as engaged in training and development.

Contractors retain responsibility for ensuring that the care provided during core hours is appropriate to meet the reasonable needs of patients. Therefore, all requests for planned practice closure or to put in alternative arrangements for telephone or physical access during core hours requires the Contractor to demonstrate how their registered list will access services. The General Medical Services and Personal Medical Services Regulations require general practice Contractors to provide essential and additional services at such times within core hours, "*as are appropriate to meet the reasonable needs of patients,*" and require the Contractor to have in place arrangements for its patients to access those services throughout core hours in case of emergency. Core hours for GMS practices are 08:00 to 18:30, Monday – Friday, excluding weekends and bank holidays. Opening hours for PMS and APMS practices are set out in their contract but largely mirror GMS opening hours or longer. Historically, Contractors requesting closure or to put in alternative arrangements to ensure telephone or physical access during core hours for a PLT event, have generally followed a sub-contracting model which has involved adhering to the appropriate Contractual requirements.

Sub-Contracting Arrangements

The contract says the following in terms of Sub-Contracting;

GMS (Part 15. Persons Who Perform Services)

15.9.1. Subject to clause 15.9.2, the Contractor must not sub-contract any of its rights or duties under the contract in relation to clinical matters to any person unless-

- (a) In all cases, including those duties relating to out of hours services to which fall within clauses 15.10.1 to 15.10.15, it has taken reasonable steps to satisfy itself that-
 - (i) It is reasonable in all the circumstances to do so, and

- (ii) The person to whom any of those rights or duties is sub-contracted is qualified and competent to provide the service; and

- (b) Except in cases to which fall within clauses 15.10.1 to 15.10.15, the Contractor has given notice in writing to the Commissioner of its intention to sub contract as soon as reasonably practicable before the date on which the proposed sub-contract is intended to come into effect**

15.9.2 Clause 15.9.1(b) does not apply to a contract for services with a health care professional for the provision by that professional personally of clinical services

15.9.3 A notice given under clause 15.9.1(b) must include-

- (a) the name and address of the proposed sub-contractor;
- (b) the duration of the proposed sub-contract
- (c) the services to be covered by the proposed sub-contract; and
- (d) the address of any premises to be used for the provision of services under the proposed sub-contract

15.9.4 On receipt of a notice given under clause 15.9.1(b), the Commissioner may request such further information relating to the proposed subcontract as appears to it to be reasonable and the Contractor must supply such information to the Commissioner promptly.

15.9.5 The Contractor must not proceed with a sub-contract or, if the sub-contract has already taken effect, the contractor must take steps to terminate it, where—

- (a) the Commissioner gives notice in writing of its objection to the sub-contract on the grounds that the sub-contract would—

- (i) put the safety of patients at serious risk, or
- (ii) put the Commissioner at risk of material financial loss;

and notice is given by the Commissioner before the end of the period of 28 days beginning with the date on which the Commissioner received a notice from the Contractor under clause 15.9.1(b), or

- (b) the sub-contractor would be unable to meet the Contractor's obligations under the Contract.

[...]

PMS (27. Sub-Contracting of Clinical Matters)

27.1 The Contractor must not sub-contract any of its rights or duties under the Agreement in relation to clinical matters to any person [without the prior written authorisation of the Commissioner and subject to such conditions as the Commissioner may impose. The

Contractor shall only seek to sub-contract such rights or duties where] unless it has taken reasonable steps to satisfy itself that-

27.1.1 it is reasonable in all the circumstances to do so;

27.1.2 the person to whom any of those rights or duties is sub-contracted is qualified and competent to provide the service; and

27.1.3 the person holds adequate insurance pursuant to clause 28.2

27.2 Where the contractor sub-contracts any of its rights or duties under the agreement in relation to clinical matters, it must-

27.2.1 inform the Commissioner of the sub-contract as soon as reasonably practicable; and

27.2.2 provide the Commissioner with such information in relation to the sub-contract as the Commissioner may reasonably request

27.2.3 comply with all directions from the Commissioner regarding its relationship with such sub-contractor including (without limitation) termination of such sub contract.

[...]

Core principles for approval

It is necessary to adopt standard principles across North West London to ensure consistency across all boroughs. The following principles have been agreed to retain the required levels of services to meet the reasonable needs of patients and continue to demonstrate our priority to patient care and access:

1. No GP practice should be closing completely for a PLT event.
2. As a minimum, patients should be able to access essential services throughout core hours by telephone and attend the practices premises during core hours to collect prescriptions or access urgent medical attention. Patients should be able to book or cancel an appointment.
3. In regards to urgent medical attention, the Contractor should ensure arrangements are in-place that are appropriate to meet the reasonable needs of patients.
4. Suitable arrangements might be through a 'buddy' system, GP Federation, locum staff for the duration of the PLT event or subcontracting arrangements which the practice will need to self-fund.
5. The Contractor should inform its Primary Care Network.
6. Requests for closure or to make alternative access arrangements in all GP Practices within the borough at the same time (linked to borough wide events) will not usually be approved.
7. The number of PLT events requested per financial year will be considered in the context of the total and applications from other local practices.
8. GP practices are required to apply individually and are expected to be planned well in advance normally on a quarterly basis. Approval is required from NHS NW London in advance (in line with governance arrangements) and the Contractor is required to communicate with patients.
9. The Contractor must have plans in place to communicate with patients.

10. Failing to adhere to the principles and closing or using sub-contracting arrangements without prior approval from NHS NW London may result in contractual action being taken.

Application Process

Contractors wishing to apply for a planned temporary closure and/or planned temporary alternative telephone or physical access arrangements for PLT during core hours are required to complete an application form for consideration and approval by NHS NW London. The application will allow NHS NW London to assess the proposed cover arrangements.

Applications should be submitted in line with NHS NW London governance arrangements.

1. Inform the Primary Care Contracting Team at least 8 weeks prior to the event(s).
2. Where a practice has a series of events planned over the calendar year, then a multi-event application can be made.
3. The application should be submitted to NHS NW London via the Primary Care Contracting Team email (nhsnwl.lon-nw-pcc@nhs.net).
4. Requests will be considered and the practice informed of the outcome no less than three weeks prior to the planned event following review and approval.

PROTECTED LEARNING TIME APPLICATION FORM*

Practice Name	
Practice Code	
Borough	
PCN	
Date(s) and Time of PLT	

Have you informed your PCN? Y / N

Are you sub-contracting any part of your service? Y / N
(If Y, please provide details below)

Subcontractor providing services: Name and Address	
Address of Premises used for Service Provision	
Services Provided under the Sub-Contracting arrangements	
Duration	

Please describe the model adopted to provide services to your patients during the PLT event(s).
Within your response, please confirm whether clinicians providing cover can access clinical records.

Please provide a response to the following questions and include any evidence or commentary as required

	Y / N	Evidence / Comments
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During the PLT event, are Patients able to:

attend a pre-bookable appointment (face to face)?		
book / cancel appointments from the premises?		
collect / order a prescription from the premises?		
access urgent appointments / advice as clinically necessary?		
request a Home visit (where clinically necessary)?		
receive telephone advice?		

Communication with patients:

Please describe how patients will be informed?		
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* For more information about training provided in NW London please contact your Training Hub