

## Premises update January 2019

Our main update this month concerns Rent Agreement Letters. The rest of this item re-iterates advice provided in previous premises updates, which remains relevant to practices in NHS Property Services (NHSPS) and Community Health Partnerships (CHP) premises..

### LMC support with premises Issues

NHS England/CCGs have a duty to consult with the LMC over issues that impact General Practice, including premises/estates issues. Londonwide LMCs has set up a GP Premises Liaison Group with Surrey & Sussex LMCs and Barking & Havering LMCs to meet regularly with NHS England London Region, CHP and NHSPS to discuss strategic, policy and operational issues. We are aware that there are ongoing issues where practices need individual support and we have agreed with NHSEL/CCGs, CHP and NHSPS that they should encourage you to contact GP support for confidential assistance and advice before further action is taken, including legal action. They may also confidentially highlight to GP support out of meetings where a practice may need urgent individual assistance; this may result in you receiving a call from one of our GP Support team. Please contact us if you have any concerns regarding this. We are aware that practices are under significant stress and would like to reassure you that our GP support team is here to assist.

### NHSPS Rent Agreement Letters

We are aware that NHSPS intend to write out to their practice tenants with Rent Agreement Letters for completion and return. We understand that some practices may already have received letters, drafts of which contain open-ended commitments to pay service charges and other fees. Please note these have not been agreed with the GPC or LMCs. These documents should be treated with extreme caution, and professional advice sought from an appropriately qualified legal adviser with Healthcare/General Practice knowledge and experience before you sign anything. You may also wish to contact [gpsupport@lmc.org.uk](mailto:gpsupport@lmc.org.uk). You are under no obligation to sign these letters.

### NHSPS Occupancy Agreement Letters

We are aware that NHSPS are sending practices Occupancy Agreement Letters and Occupancy Change Notices for completion and return. Please note these have not been agreed with the GPC or LMCs. These documents should be treated with extreme caution, and professional advice sought from an appropriately qualified legal adviser with Healthcare/General Practice knowledge and experience before you sign anything. You are under no obligation to sign the Agreement if you do not agree to its terms.

### London policy for financial assistance with service charges and premises running costs

NHS England London region and London CCGs have developed a policy with London LMCs for accessing financial support for service charges and premises running costs. Please contact GP support on [gpsupport@lmc.org.uk](mailto:gpsupport@lmc.org.uk) for more information. Please note, there is a gateway with eligibility criteria including: full disclosure of income and expenditure on an open book and annual basis, and production of an action plan to demonstrate how you will optimise your income and reduce expenditure over the next 12 months.

### Transitional funding

Such arrangements should only be entered into where you are entirely satisfied that when the transitional period ends you are not inadvertently left having to meet increased costs without the benefit of increased funding. In the view of the BMA and LLMCs, transitional arrangements should be avoided. More permanent solutions which align a practice's funding to their costs are needed.

### Service charges

Practices should only make payments to the extent that they are both satisfied as to the legal basis upon which they are payable and their accuracy, and set aside/accrue funds while you resolve your concerns. We are aware that this issue is causing practices significant stress. You can access support through [gpsupport@lmc.org.uk](mailto:gpsupport@lmc.org.uk). If NHSPS take action to enforce charges against you please contact [gpsupport@lmc.org.uk](mailto:gpsupport@lmc.org.uk) immediately; you may also wish to contact the GPC on [gpcpremises@bma.org.uk](mailto:gpcpremises@bma.org.uk).