

### SCHEDULE 3

#### Other contractual terms

### PART 2

#### Patients: general

#### **Removal from the list of patients who are violent**

**25.**—(1) Where a contractor wants a person to be removed from its list of patients with immediate effect on the grounds that—

- (a) the person has committed an act of violence against any of the persons specified in sub-paragraph (2) or has behaved in such a way that any of those persons has feared for their safety; and
- (b) the contractor has reported the incident to the police,

the contractor must give notice to the Board in accordance with sub-paragraph (3).

(2) The persons specified in this sub-paragraph are—

- (a) the contractor, where the contractor is an individual medical practitioner;
- (b) in the case of a contract with two or more persons practising in partnership, a partner in the partnership;
- (c) in the case of a contract with a company limited by shares, a person who is both a legal and beneficial owner of shares in that company;
- (d) a member of the contractor's staff;
- (e) a person engaged by the contractor to perform or assist in the performance of services under the contract; or
- (f) any other person present—
  - (i) on the contractor's practice premises, or
  - (ii) in the place where services were provided to the person under the contract.

(3) Notice under sub-paragraph (1) may be given by any means but, if not in writing, must subsequently be confirmed in writing before the end of a period of seven days beginning with the date on which notice was given.

(4) The Board must acknowledge in writing receipt of a request for removal from the contractor under sub-paragraph (1).

(5) A removal requested in accordance with sub-paragraph (1) takes effect at the time at which the contractor—

- (a) makes a telephone call to the Board; or
- (b) sends or delivers the notice to the Board.

(6) Where, under this paragraph, the contractor has given notice to the Board that it wants to have a person removed from its list of patients, the contractor must inform that person of that fact unless—

- (a) it is not reasonably practicable for the contractor to do so; or
- (b) the contractor has reasonable grounds for believing that to do so would—
  - (i) be harmful to that person's physical or mental health, or
  - (ii) put the safety of any person specified in sub-paragraph (2) at risk.

**Status:** This is the original version (as it was originally made).

(7) Where a person is removed from the contractor's list of patients under this paragraph, the Board must give that person notice in writing of that removal.

(8) The contractor must record the removal of any person from its list of patients under this paragraph and the circumstances leading to that removal in the medical records of the person removed.