

SCHEDULE 2

Other required terms

PART 2

Patients: general

Removal from the list of patients who are violent

24.—(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 [F1NHS England] in accordance with sub-paragraph (3).

[F2(1A) [F3Subject to sub-paragraph (1B), where a contractor]—

- (a) accepts a person onto its list of patients; and
- (b) subsequently becomes aware that the person has previously been removed from the list of patients of another provider of primary medical services—
 - (i) because the person committed an act of violence against any of the persons specified in sub-paragraph (2) (as read with sub-paragraph (2A)) or behaved in such a way that any of those persons feared for their safety; and
 - (ii) the other provider of primary medical services reported the incident to the police,

the contractor may give notice to [F1NHS England] in accordance with sub-paragraph (3) that it wants to have the person removed from its list of patients with immediate effect.]

[F4(1B) A contractor must not give notice to [F1NHS England] pursuant to sub-paragraph (1A), where—

- (a) a person mentioned in paragraph (1A) was allocated to a Violent Patient Scheme set up in accordance with direction 8 of the Primary Medical Services (Directed Enhanced Services) Directions 2020 to receive primary medical services under that scheme; and
 - (b) the provider of the Scheme discharged that person because they were not considered to pose a risk of violence, or
 - (c) that person successfully appealed their allocation to a Violent Patient Scheme.]
- (2) The persons specified in this sub-paragraph are—
- (a) any party to the agreement who is an individual;
 - (b) a member of the contractor's staff;
 - (c) a person engaged by the contractor to perform or assist in the performance of services under the agreement;
 - (d) any other person present—
 - (i) on the contractor's practice premises, or
 - (ii) in the place where services were provided to the patient under the agreement.

Changes to legislation: The National Health Service (Personal Medical Services Agreements) Regulations 2015, Paragraph 24 is up to date with all changes known to be in force on or before 03 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

[^{F5}(2A) For the purposes of sub-paragraph (1A), any reference to “the contractor” in sub-paragraph (2) is to be read as a reference to the other provider of primary medical services referred to in sub-paragraph (1A), and sub-paragraph (2) is to be construed accordingly.]

(3) Notice under [^{F6}sub-paragraph (1) or (1A)] 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 the notice was given.

(4) [^{F1}NHS England] must acknowledge in writing receipt of a request from the contractor under [^{F7}sub-paragraph (1) or (1A)].

(5) A removal requested in accordance with [^{F8}sub-paragraph (1) or (1A)] takes effect at the time at which the contractor—

- (a) makes a telephone call to [^{F1}NHS England]; or
- (b) sends or delivers the notice to [^{F1}NHS England].

(6) Where, under this paragraph, the contractor has given notice to [^{F1}NHS England] 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 the person's physical or mental health, or
 - (ii) put the safety of a person specified in sub-paragraph (2) at risk.

(7) Where a person is removed from the contractor's list of patients in accordance with this paragraph, [^{F1}NHS England] 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.

Textual Amendments

- F1** Words in Regulations substituted (6.11.2023) by [The Health and Care Act 2022 \(Further Consequential Amendments\) \(No. 2\) Regulations 2023 \(S.I. 2023/1071\)](#), reg. 1(1), **Sch. para. 1**
- F2** Sch. 2 para. 24(1A) inserted (1.10.2018) by [The National Health Service \(General Medical Services Contracts and Personal Medical Services Agreements\) \(Amendment\) Regulations 2018 \(S.I. 2018/844\)](#), regs. 1(2), **15(a)**
- F3** Words in Sch. 2 para. 24(1A) substituted (E.) (1.10.2020) by [The National Health Service \(General Medical Services Contracts and Personal Medical Services Agreements\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/911\)](#), reg. 1(2), **Sch. 2 para. 9(a)**
- F4** Sch. 2 para. 24(1B) inserted (E.) (1.10.2020) by [The National Health Service \(General Medical Services Contracts and Personal Medical Services Agreements\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/911\)](#), reg. 1(2), **Sch. 2 para. 9(b)**
- F5** Sch. 2 para. 24(2A) inserted (1.10.2018) by [The National Health Service \(General Medical Services Contracts and Personal Medical Services Agreements\) \(Amendment\) Regulations 2018 \(S.I. 2018/844\)](#), regs. 1(2), **15(b)**
- F6** Words in Sch. 2 para. 24(3) substituted (1.10.2018) by [The National Health Service \(General Medical Services Contracts and Personal Medical Services Agreements\) \(Amendment\) Regulations 2018 \(S.I. 2018/844\)](#), regs. 1(2), **15(c)**
- F7** Words in Sch. 2 para. 24(4) substituted (1.10.2018) by [The National Health Service \(General Medical Services Contracts and Personal Medical Services Agreements\) \(Amendment\) Regulations 2018 \(S.I. 2018/844\)](#), regs. 1(2), **15(c)**

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F8 Words in Sch. 2 para. 24(5) substituted (1.10.2018) by [The National Health Service \(General Medical Services Contracts and Personal Medical Services Agreements\) \(Amendment\) Regulations 2018 \(S.I. 2018/844\)](#), regs. 1(2), **15(c)**

Changes to legislation:

The National Health Service (Personal Medical Services Agreements) Regulations 2015, Paragraph 24 is up to date with all changes known to be in force on or before 03 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 2 para. 3(3)(4) inserted by [S.I. 2024/575 Sch. 2 para. 7\(a\)\(ii\)](#)
- Sch. 2 para. 17(3)(3A) substituted for Sch. 2 para. 17(3) by [S.I. 2024/575 Sch. 2 para. 10](#)
- reg. 21AA(10)(a)(b) words in reg. 21AA(10) renumbered as reg. 21AA(10)(a)(b) by [S.I. 2023/436 Sch. 2 para. 3\(2\)](#) (This amendment not applied to Legislation.gov.uk - S.I. 2023/436 revoked by S.I. 2023/449, reg. 4 immediately before coming into force.)
- reg. 21AA(11)(a)(i)(ii) words in reg. 21AA(11)(a) renumbered as reg. 21AA(11)(a)(i)(ii) by [S.I. 2023/436 Sch. 2 para. 3\(3\)\(a\)](#) (This amendment not applied to Legislation.gov.uk - S.I. 2023/436 revoked by S.I. 2023/449, reg. 4 immediately before coming into force.)