

SCHEDULE 1

Amendment of the GMS Contracts Regulations

Essential Services

- 2.—(1) Regulation 3 (interpretation) is amended as follows.
- (2) The existing text becomes paragraph (1).
- (3) In paragraph (1)—
- (a) in the definition of “additional services” omit paragraphs (a) and (c) to (f);
 - (b) for the definition of “cervical screening services” substitute—
““cervical screening services” has the meaning given in paragraph (2);”;
 - (c) for the definition of “child health surveillance services” substitute—
““child health surveillance services” has the meaning given in paragraph (3);”;
 - (d) omit the definition of “childhood vaccines and immunisations”;
 - (e) for the definition of “maternity medical services” substitute—
““maternity medical services” has the meaning given in paragraph (4);”;
 - (f) after the definition of “therapeutic radiographer independent prescriber” insert—
““vaccine and immunisation services” has the meaning given in paragraph (7);”.
- (4) After paragraph (1) insert—
- “(2) “Cervical screening services” means the following services—
 - (a) providing necessary information and advice to assist women who are identified by the Board as recommended nationally for a cervical screening test in making an informed decision as to their participation in the NHS Cervical Screening Programme⁽¹⁾;
 - (b) performing cervical screening tests on women who have agreed to participate in that programme;
 - (c) ensuring that test results are followed up appropriately;
 - (d) where a cervical screening test is performed on a woman, recording in the patient’s record—
 - (i) the carrying out of the test,
 - (ii) the result of the test, and
 - (iii) any clinical follow up requirements.
 - (3) “Child health surveillance services” means the following services—
 - (a) monitoring the health, well-being and physical, mental and social development (“development”) of a patient who has not attained the age of five years (a “relevant patient”) with a view to detecting any deviations from normal development—
 - (i) by the consideration of information concerning the relevant patient received by or on behalf of the contractor, and

(1) Further information about the NHS Cervical Screening Programme is available at <https://www.gov.uk/guidance/cervical-screening-programme-overview> or in hard copy form from the Department of Health and Social Care, 39 Victoria Street, London, SW1H 0EU.

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- (ii) on any occasion when the relevant patient is examined or observed by or on behalf of the contractor (whether by virtue of sub-paragraph (c) or otherwise);
 - (b) offering to the parent of the relevant patient an examination of the relevant patient at the frequency that has been agreed with the Board in accordance with the nationally agreed evidence based programme set out in the fifth edition of “Health for all Children”(2);
 - (c) where any offer of an examination under sub-paragraph (b) is accepted, carrying out the examination of the relevant patient;
 - (d) maintaining, in the relevant patient’s record, an accurate record of the development of the patient whilst under the age of five years, which is compiled as soon as reasonably practicable following the first examination of the relevant patient and, where appropriate, amended following each subsequent examination;
 - (e) recording in the relevant patient’s record the response (if any) to any offer of an examination under sub-paragraph (b).
- (4) “Maternity medical services” means the following services—
- (a) providing to expectant mothers all necessary relevant services throughout the antenatal period;
 - (b) providing to mothers and their babies (if relevant) all necessary relevant services throughout the postnatal period other than neonatal checks;
 - (c) inviting each mother who gives birth to a child to attend a maternal postnatal consultation;
 - (d) where the invitation is accepted, providing the mother with such a consultation—
 - (i) otherwise than at the same time as any consultation at which the physical health of the baby is reviewed (if relevant), and
 - (ii) wherever possible, within the postnatal consultation period;
 - (e) providing all necessary relevant services to patients whose pregnancy has terminated as a result of miscarriage or abortion.
- (5) For the purposes of paragraph (4)(c) “child” includes a still-born child within the meaning of the Births and Deaths Registration Act 1953(3) (see section 41(1) of that Act).
- (6) For the purposes of paragraph (4)—
- “antenatal period” means the period beginning with the start of the pregnancy and ending with the onset of labour;
- “maternal postnatal consultation” means a consultation with a general medical practitioner, at which the physical and mental health and well-being of the mother is reviewed;
- “postnatal consultation period” means the period which—
- (a) begins six weeks after the conclusion of the delivery of the baby, and
 - (b) ends—
 - (i) eight weeks after the conclusion of the delivery, or

(2) “Health for all Children” revised fifth edition by Alan Emond was published by Oxford University Press on 28th February 2019.

(3) 1953 c. 20. The definition of “still-born child” was amended by Still-Birth (Definition) Act 1992 (c. 29).

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- (ii) if the mother has not been discharged from secondary care services before the end of that period, eight weeks after the mother's discharge from secondary care services;

“postnatal period” means the period which—

- (a) begins with the later of—
 - (i) the conclusion of the delivery of the baby, and
 - (ii) the mother's discharge from secondary care services, and
- (b) ends eight weeks after the conclusion of the delivery;

“relevant services”—

- (a) in relation to a patient (other than a baby), means all primary medical services relating to pregnancy, excluding intra partum care;
- (b) in relation to a baby, means any primary medical services necessary in their first eight weeks of life.

(7) “Vaccine and immunisation services” means the following services—

- (a) offering to administer or provide to patients all vaccines and immunisations of the type, and in the circumstances which are, specified in the GMS Statement of Financial Entitlements;
- (b) providing appropriate information and advice to patients and, where appropriate, to the parents of patients, about such vaccines and immunisations;
- (c) in relation to patients other than children and taking into account the individual circumstances of the patient, considering whether—
 - (i) immunisation ought to be administered by the contractor or by another health care professional, or
 - (ii) a prescription form ought to be provided for the purpose of self-administration by the patient of the immunisation;
- (d) recording in the patient's record any refusal of the offer mentioned in sub-paragraph (a);
- (e) where—
 - (i) the offer mentioned in sub-paragraph (a) is accepted, and
 - (ii) in case of a patient who is not a child, the immunisation is to be administered by the contractor or another health care professional,administering the immunisations and recording the immunisation information in the patient's record, using codes agreed by the Board for this purpose;
- (f) where—
 - (i) the offer mentioned in sub-paragraph (a) is accepted, and
 - (ii) in the case of a patient who is not a child, the immunisation is not to be administered by the contractor or another health care professional,issuing a prescription form for the purposes of self-administration by the patient.

(8) For the purposes of paragraph (7)—

“immunisation information” means—

- (a) either—
 - (i) the patient's consent to immunisation, or

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- (ii) where another person consents to immunisation on behalf of the patient, the name of the person who gave that consent and their relationship to the patient;
 - (b) the batch number, expiry date and title of the vaccine;
 - (c) the date of administration of the vaccine;
 - (d) where two vaccines are administered by injections, in close succession, the route of administration and the injection site of each vaccine;
 - (e) any contraindications to the vaccine; and
 - (f) any adverse reactions to the vaccine.
- (9) For the purposes of paragraphs (2) to (7) “a patient’s record” means the record which is kept in relation to a patient in accordance with regulation 67.”.