

**Status:** This version of this provision is prospective.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The National Health Service (General Medical Services Contracts) (Wales) Regulations 2023. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PROSPECTIVE

## SCHEDULE 3

### Other contractual terms

## PART 2

### Patients

#### Removals from the list of patients who are violent

**30.**—(1) Where a contractor wants a person to be removed from its list of patients 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 Local Health Board in accordance with sub-paragraph (3) requesting that the person be removed from its list of patients.

(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) Notification under sub-paragraph (1) must be in writing and include the crime reference number allocated to the incident by the police.

(4) A removal requested in accordance with sub-paragraph (1) takes effect from whichever is the earlier of—

- (a) the date on which the Local Health Board is given notice of the registration of that person with another provider of unified services (or their equivalent),
- (b) the day after the day on which the Local Health Board gives notice to the contractor of its approval of the removal, or
- (c) the seventh day after the date on which the Local Health Board receives the notice from the contractor, if the Local Health Board has neither approved nor rejected the notice within that period.

**Status:** This version of this provision is prospective.

**Changes to legislation:** There are outstanding changes not yet made by the [legislation.gov.uk](https://www.legislation.gov.uk) editorial team to The National Health Service (General Medical Services Contracts) (Wales) Regulations 2023. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(5) Where, pursuant to this paragraph, the contractor has given notice to the Local Health Board that it wants to have a patient removed from its list of patients and that request has taken effect under sub-paragraph (4), 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.

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

(7) 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.

---

**Commencement Information**

**II** Sch. 3 para. 30 in force at 1.10.2023, see [reg. 1\(2\)](#)

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The National Health Service (General Medical Services Contracts) (Wales) Regulations 2023. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Sch. 3 para. 30 coming into force by [S.I. 2023/953 reg. 1\(2\)](#)

**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. 3 para. 16(3) inserted by [S.I. 2023/1421 reg. 18\(b\)](#)
- Sch. 5 para. 2(2)(a)(iv)(aa) omitted by [S.I. 2023/1421 reg. 20\(d\)](#)
- Sch. 5 para. 2(2)(a)(i)(aa) word substituted by [S.I. 2023/1421 reg. 20\(c\)](#)