



Classification: Official

NHS England
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To:
James Goldman
British Dental Association 64
Wimpole Street,
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21 December 2022

Dear James,

Mid-year review action plans

Many thanks for your letter dated 15 December 2022 sent to me and all regions regarding action plans supplied to contractors who have failed to achieve at least 30% of activity at midyear point.

The Regulations provide that in these circumstances NHS England may require the contractor to participate in a mid-year review process. It is clear from the Regulation that this process includes the ability for a contractor to provide written evidence to NHS England as to the reasons for the level of activity in the first half of the financial year. The Regulations are also very clear that NHS England can request any information in connection with the contract or reasonably required in connection with NHS England's functions.

The template action plan assists contractors in identifying the information that would be useful to NHS England in its determination of whether the contractor is likely to provide the required number of UDAs by the end of the financial year. The information provided will be used to enable commissioners to fully understand all factors that may have contributed to any under-performance and gain confidence that the contractor can recover activity. Where the commissioner considers the written evidence provided by the contractor and is satisfied by the detail supplied then a formal review meeting would not be required. This reduces the need for a contractor to attend formal mid-year review meetings.

However, if the information provided is not sufficient (which may be the case where a form is only partially complete), then a commissioner will need to hold the formal mid-year review meeting. This meeting would provide contractors the opportunity to provide any further comment. Commissioners will then consider all written and oral evidence to determine whether it is assured that the contractor is on target to deliver contracted activity.

I trust this addresses the concerns you have raised.

Yours sincerely,

Ali Sparke
Director of Primary Care, Dentistry, Pharmacy,
Optometry & Standard Contract
NHS England

