



EMBARGOED UNTIL FRIDAY 18th DECEMBER, 00:01hrs

The CCP finds NHS Kingston's decision to deny the opening of a new branch surgery to be inconsistent with the Principles and Rules for Co-operation and Competition

The Co-operation and Competition Panel (CCP) has concluded that a decision made by NHS Kingston not to allow a GP practice, Churchill Medical Centre, to provide NHS services from a new branch surgery is inconsistent with the NHS' *Principles and Rules for Co-operation and Competition*.

In assessing NHS Kingston's decision the CCP carefully analysed its impact on the best interests of local patients, as well as value for money considerations for taxpayers.

The CCP's review, following a complaint by Churchill Medical Centre, concludes that NHS Kingston's decision to deny Churchill Medical Centre the opening of a new branch surgery would prevent around 1,500 patients from accessing their first choice for more convenient primary care services and may undermine improvements in service quality for local patients more generally.

As a result, the CCP has recommended to the Department of Health and London Strategic Health Authority that NHS Kingston should allow Churchill Medical Centre to provide NHS-funded services at the proposed branch surgery.

CCP Director, Andrew Taylor commented:

"We carefully considered NHS Kingston's concerns that allowing the new branch practice to open may negatively impact on the viability of a nearby practice and impose additional financial costs on NHS Kingston. However, the Panel's view is that any potential adverse effects arising from the opening of the new branch surgery are likely to be small or immaterial. Any such effects would not be sufficient to outweigh the potential benefits to local patients and taxpayers of improved access, choice and quality derived from the introduction of the new branch surgery."

Mr Taylor added:

"We are conscious that primary care services are subject to significant regulation and control by Primary Care Trusts. Nevertheless, we consider that decisions taken by a PCT in the course of managing the local health economy should take into account the benefits to patients and taxpayers which are secured by careful application of the *Principles and Rules*."

"Our recommendation takes into account a number of factors specific to this case, in particular Churchill Medical Centre's willingness to develop the new branch surgery at its own cost and having not sought reimbursement for this initial outlay, ongoing rent or other costs normally requested by GP practices from a Primary Care Trust."

ENDS

Notes to Editors:

1. The Cooperation and Competition Panel's (CCP) report and further information on the CCP's approach to conduct complaints is available on the CCP's website at www.ccp-panel.org.uk
2. The Principles and Rules for Co-operation and Competition form the basis of the Department of Health's policy of managing cooperation and competition in the NHS in a fair, consistent and transparent manner. The Principles and Rules aim to ensure the NHS comprises providers and commissioners who deliver the needs of their patients and population, and that both providers and commissioners co-operate to foster patient choice and offer patients an experience of a seamless health service, regardless of organisational boundaries, whilst maintaining service continuity and sustainability. The role of the CCP is to advise on the application of the Principles and Rules.
3. The CCP was formally established following a Written Ministerial Statement in the House of Commons from the Minister of State for Health Services on 29 January 2009. It advises on the application of the Principles and Rules of Co-operation and Competition, and makes independent recommendations to Strategic Health Authorities, the Department of Health and, in relation to NHS Foundation Trusts, Monitor, on how such breaches should be resolved. The Panel is chaired by Lord Carter of Coles and its membership comprises Guy Beringer QC, Laura Carstensen, Professor Dame Janet Husband, Professor Peter Smith, John Swift QC, Andrew Taylor and John Wotton.
4. The Department of Health and London SHA will now consider the CCP's findings and recommendation.
5. For inquiries about the Co-operation and Competition Panel contact Tom Frusher, Policy and Communications Director, on 0207 270 5442/07825 256 530 or visit www.ccp-panel.org.uk