

## PCSE claims guidance

August 2017

We are aware that practices and individual GPs continue to experience unacceptable incidents relating to PCSE (primary care support services in England), commissioned by NHS England and provided by Capita. The issues have been ongoing for some time and we are aware of cases where practices have not received payments, or have received incorrect payments. It is never acceptable for payments to be delayed and we advise practices to follow the below process to ensure incorrect payments are corrected.

Similarly, we are aware that practices or individual doctors may have suffered losses due to the failing of these services and again we advise to follow the below process.

### Process

If a practice or individual has any issue due to the service provided by PCSE, such as delays or errors in payment, they should contact PCSE in the first instance to resolve the issues [pcse.enquiries@nhs.net](mailto:pcse.enquiries@nhs.net), or you can make a complaint to PCSE by emailing [pcse.complaints@nhs.net](mailto:pcse.complaints@nhs.net).

If the issue is not resolved by PCSE in a timely manner you should contact NHS England to make a claim at their designated email address [pcse.ppinfo@nhs.net](mailto:pcse.ppinfo@nhs.net).

Every case is different, and the BMA cannot advise on individual cases, however we suggest that you include the following details in your email:

- Your name and address (or the name of the practice and its address)
- The reason for your claim
- A clear explanation of the facts
- What losses are you are claiming (these may be direct losses such as your contractual payments, or indirect losses such as costs incurred as a result of having to take out a loan to pay for practice expenses)
- Attach any supporting documents which verify the facts in the letter and the amount claimed
- A date by which you want a full response, we recommend 28 days
- Any other relevant information

NHS England should then be in contact about your claim. You should note that by accepting an offer of compensation it could mean you forego the right to seek any further redress, so please consider fully all losses that you suffered as a result of failings by PCSE.



If you cannot reach agreement with NHS England over your claim, please contact GPC England ([info.gpc@bma.org.uk](mailto:info.gpc@bma.org.uk)) and we can escalate the issue on your behalf. Please include the previous correspondence and a clear outline of the issue and then desired outcome.

You may also wish to consider taking up your claim via the small claims court, however not all claims are suitable for this route. For guidance on bringing a small claim, see guidance [here](#).

If you are unsure about the terms of any offer or your legal rights you may wish to seek independent legal advice, however, depending on the financial loss you have suffered, this may not be financially prudent. BMA Law offers expert legal advice at preferential rates for BMA members. They can be contacted on [info@bmalaw.co.uk](mailto:info@bmalaw.co.uk) or 0300 123 2014.

## **Background**

Capita has been responsible for the delivery of NHS England's primary care support services since 1 September 2015, under the name PCSE. GPs and LMCs identified serious issues with the service from the outset, with patient safety, GP workload and GP finances being affected.

GPC have been meeting with NHS England and Capita to highlight the ongoing issues, and some progress has been made following our lobbying. However, services still fall short of what is acceptable and there is still an urgent need to resolve these issues in order to give practices and locum GPs confidence in the service.

GPC believe that NHS England, as the commissioner of this service, have a responsibility to recompense practices or individual doctors who have demonstrable loss as a direct result of failures by PCSE.

In recognition of the additional administrative burden on practices, a goodwill payment of £250 payment per practice was made by NHS England and this was paid to practices by 30 April 2017. This payment should not prohibit those who have suffered a demonstrable loss from being recompensed.