

*From the Office of David Flory CBE
Deputy NHS Chief Executive*

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To:
All Chief Executives in Primary Care Trusts in England

Cc:
All Directors of Finance in Strategic Health Authorities in England
All Directors of Finance in Primary Care Trusts in England

Gateway reference: 15446

14th January 2011

Dear Colleague,

Re: Winter Pressures

Winter always places an additional burden on the NHS. This year has been no exception.

NHS contracts for the provision of acute services typically allow for a level of winter pressures and profile elective activity accordingly. However, in exceptional circumstances, the level of emergency activity may lead to elective activity falling well below contractual levels.

In some cases, this may lead to an exceptional and undue burden on the financial position of an NHS Trust or Foundation Trust. At the same time, this could leave the PCT with reduced overall expenditure on elective activity by the year end. Where this occurs, the PCT may, through local agreement, adjust the overall payment for emergency activity.

My expectation is that PCTs will consider this matter carefully and where it is clear that an NHS Trust or Foundation Trust has been unfairly penalised, PCTs should be reasonable and fair in arriving at the agreement for final payment.

Yours Sincerely

A handwritten signature in black ink that reads 'David Flory'.

David Flory
Deputy NHS Chief Executive