
DIRECTIONS

NATIONAL HEALTH SERVICE

The Alternative Provider Medical Services (Amendments Relating to the Provision of Primary Care Services during a Pandemic etc) Directions 2020

The Secretary of State for Health and Social Care, in exercise of the powers conferred by sections 98A(3), 272(7) and 273(1) of the National Health Service Act 2006(a) gives the following Directions.

Citation, commencement and application

1.—(1) These Directions may be cited as the Alternative Provider Medical Services (Amendments Relating to the Provision of Primary Care Services during a Pandemic etc) Directions 2020 and come into force on 27th March 2020.

(2) These Directions are given to the National Health Service Commissioning Board(b).

Amendment of the Alternative Provider Medical Services Directions 2019

2.—(1) The Alternative Provider Medical Services Directions 2019(c) are amended as follows.

(2) In direction 2(1)—

- (a) in the definition of “core hours”, after “means” insert “, subject to direction 2A,”;
- (b) in the definition of “out of hours”, after “means” insert “subject to direction 2A,”.

(3) After direction 2, insert—

“Variation of core hours while a disease is or in anticipation of a disease being imminently pandemic etc.

2A.—(1) In these Directions, where an announcement is made by the Board under paragraph (2), in the circumstances specified in that announcement, and for the period specified in that announcement—

- (a) “core hours” means the period beginning at 8.00am and ending at 6.30pm on any day from Monday to Friday; and
- (b) “out of hours period” means—
 - (i) the period beginning at 6.30pm on any day from Monday to Friday and ending at 8.00am on the following day; and
 - (ii) the period beginning at 6.30pm on Friday and ending at 8.00am on the following Monday.

(a) 2006 c. 41. Section 89A was inserted by s. 49 of the Health and Social Care Act 2012 (c. 7). There are amendments to sections 272 and 273 which are not relevant to these Directions.

(b) The National Health Service Commissioning Board was created by section 1H of the National Health Service Act 2006 (c. 41) (as inserted by section 9(1) of the Health and Social Care Act 2012 (c. 7).

(c) Signed on 30th September 2019.

(2) The Board may, with the agreement of the Secretary of State, for the purpose set out in paragraph (3), make an announcement to the effect that the core hours of contractors are to include Good Friday and bank holidays—

- (a) in the area to which the announcement relates,
- (b) in the circumstances specified in the announcement, and
- (c) during the period specified in the announcement.

(3) An announcement may be made under paragraph (2) in order to assist in the management of a serious or potentially serious risk to human health arising as a consequence of a disease being, or in anticipation of a disease being imminently—

- (a) pandemic, and
- (b) a serious risk or potentially a serious risk to human health.”.

(4) In paragraph (1) of direction 14 (mandatory terms of an APMS contract under which essential services are to be provided)—

- (a) after paragraph (a), insert—

“(aa) regulation 3B (amendment and withdrawal of announcements and advice in respect of pandemics etc.)(a);”;

- (b) after paragraph (b), insert—

“(bb) regulation 27A (suspension of agreement terms or of enforcement of agreement terms while a disease is or in anticipation of a disease being imminently pandemic etc.);”.

Signed by authority of the Secretary of State for Health and Social Care



Edward Scully
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Member of the Senior Civil Service
Department for Health and Social Care

Date: 26/03/2020

(a) Regulations 3B and 27A are inserted by S.I. 2020/351.