

SCHEDULE 2

Other required terms

PART 2

Patients: general

General provision

12. This Part only applies to a contractor which provides essential services.

List of patients

13. The Board must prepare and keep up to date a list of the patients—
- (a) who have been accepted by the contractor for inclusion in its list of patients under paragraph 17 and who have not subsequently been removed from that list under paragraphs 22 to 30; and
 - (b) who have been assigned by the Board to the contractor’s list of patients—
 - (i) under paragraph 38(1)(a), or
 - (ii) under paragraph 38(1)(b) (by virtue of a determination of the assessment panel under paragraph 40(8) which has not subsequently been overturned by a determination of the Secretary of State under paragraph 41 or by a court).

Newly registered patients – alcohol dependency screening

- 14.—(1) Where a patient has been—
- (a) accepted onto the contractor’s list of patients; or
 - (b) assigned to that list by the Board,

the contractor must take action to identify any such patient over the age of 16 who is drinking alcohol at increasing or higher risk levels with a view to seeking to reduce the alcohol related health risks to that patient.

(2) The contractor must comply with the requirement in sub-paragraph (1) by screening the patient using either one of the two shortened versions of the World Health Organisation Alcohol Use Disorders Identification (“AUDIT”) questionnaires⁽¹⁾ which are known as—

- (a) FAST (which has four questions); or
- (b) AUDIT-C (which has three questions).

(3) Where, under sub-paragraph (2), the contractor identifies a patient as positive using either of the shortened versions of the AUDIT questionnaire specified in sub-paragraph (2), the remaining questions of the full ten question AUDIT questionnaire must be used by the contractor to determine increasing risk, higher risk or likely dependent drinking.

(4) Where a patient is identified as drinking at increasing or higher risk levels, the contractor must—

- (a) offer the patient appropriate advice and lifestyle counselling;

(1) The World Health Organisation Alcohol Use Disorders Identification Test (AUDIT) questionnaire can be accessed at http://www.who.int/substance_abuse/activities/sbi/en/. Further information about the Test, and the questionnaires themselves, is available in hard copy form from NHS England, PO Box 16738, Redditch, BP97 7PT.

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- (b) respond to any other need identified in the patient which relates to the patient's levels of drinking, including by providing any additional support or treatment required for people with mental health issues; and
 - (c) in any case where the patient is identified as a dependent drinker, offer the patient a referral to such specialist services as are considered clinically appropriate to meet the needs of the patient.
- (5) Where a patient is identified as drinking at increasing or higher risk levels or as a dependent drinker, the contractor must ensure that the patient is—
- (a) assessed for anxiety and depression;
 - (b) offered screening for anxiety or depression; and
 - (c) where anxiety or depression is diagnosed, provided with any treatment and support which may be required under the agreement, including a referral for specialist mental health treatment.
- (6) The contractor must make relevant entries, including the results of the completed questionnaire referred to in sub-paragraph (2), in the patient's record that the contractor is required to keep under regulation 60.

Accountable GP

15.—(1) A contractor must ensure that for each of its registered patients (including those patients under the age of 16) there is assigned an accountable general medical practitioner ("accountable GP").

(2) The accountable GP must take lead responsibility for ensuring that any services which the contractor is required to provide under the agreement are, to the extent that their provision is considered necessary to meet the needs of the patient, coordinated and delivered to the patient.

(3) The contractor must—

- (a) inform the patient, as soon as is reasonably practicable and in such manner as is considered appropriate by the contractor's practice, of the assignment to the patient of an accountable GP and must state the name and contact details of the accountable GP and the role and responsibilities of the accountable GP in respect of the patient;
- (b) inform the patient as soon as any circumstances arise in which the accountable GP is not able, for any significant period, to carry out the duties of an accountable GP in respect of the patient; and
- (c) where the contractor's practice considers it to be necessary, assign a replacement accountable GP to the patient and inform the patient accordingly.

(4) The contractor must comply with the requirement in sub-paragraph (3)(a) in the case of any person who is accepted by the contractor as a registered patient on or after the date on which these Regulations come into force, within 21 days from the date on which that person was so accepted.

(5) The requirement in this paragraph does not apply to—

- (a) any patient of the contractor who is aged 75 or over, or who attains the age of 75, on or after the date on which these Regulations come into force; or
- (b) any other patient of the contractor if the contractor has been informed that the patient does not wish to have an accountable GP.

(6) Where, under sub-paragraph (3)(a), the contractor informs a patient of the assignment to them of an accountable GP, the patient may express a preference as to which general medical practitioner within the contractor's practice the patient would like to have as the patient's accountable GP and, where such a preference has been expressed, the contractor must make reasonable efforts to accommodate the request.

(7) Where, under sub-paragraph (5)(b), the contractor has been informed by or in relation to a patient that the patient does not wish to have an accountable GP, the contractor must record that fact in the patient's record that the contractor is required to keep under regulation 60.

(8) The contractor must, by no later than 31st March 2016, include information about the requirement to assign an accountable GP to each of its new and existing registered patients—

- (a) on the contractor's practice website (if it has one); and
- (b) in the contractor's practice leaflet.

(9) Where the contractor does not have a practice website, the contractor must include the information referred to in sub-paragraph (8) on its profile page on NHS Choices⁽²⁾.

Patients aged 75 years and over: accountable GP

16.—(1) A contractor must ensure that for each of its registered patients aged 75 and over there is assigned an accountable general medical practitioner ("accountable GP").

(2) The accountable GP must—

- (a) take lead responsibility for ensuring that any services which the contractor is required to provide under the agreement are, to the extent that their provision is considered necessary to meet the needs of the patient, delivered to the patient;
- (b) take all reasonable steps to recognise and appropriately respond to the physical and psychological needs of the patient in a timely manner;
- (c) ensure that the patient receives a health check if, and within a reasonable period after, one has been requested; and
- (d) work co-operatively with other health and social care professionals who may become involved in the care and treatment of the patient to ensure the delivery of a multi-disciplinary care package designed to meet the needs of the patient.

(3) The contractor must—

- (a) inform the patient, in such manner as is considered appropriate by the contractor's practice, of the assignment to the patient of an accountable GP;
- (b) provide the patient with the name and contact details of the accountable GP and information regarding the role and responsibilities of the accountable GP in respect of the patient;
- (c) inform the patient as soon as any circumstances arise in which the accountable GP is not able, for any significant period, to carry out the duties of an accountable GP in respect of the patient; and
- (d) where the contractor's practice considers it to be necessary, assign a replacement accountable GP to the patient and inform the patient accordingly.

(4) The contractor must comply with the requirement in sub-paragraph (3)(a)—

- (a) in the case of any person aged 75 or over who is accepted by the contractor as a registered patient on or after the date on which these Regulations come into force, before the end of the period of 21 days beginning with the date on which that person is so accepted; or
- (b) in the case of a person who is included in the contractor's list of patients immediately before the date on which these Regulations come into force and who attains the age of 75 or over on or after that date, before the end of the period of 21 days after the date on which that person attained that age.

(2) NHS Choices is the website available at <http://www.nhs.uk> which provides information from the National Health Service on conditions, treatments and local services including GP services.

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(5) In this paragraph, “health check” means a consultation undertaken by the contractor in the course of which the contractor must make such inquiries and undertake such examinations of the patient as appear to it to be appropriate in all the circumstances.

Application for inclusion in a list of patients

17.—(1) The contractor may, if the contractor’s list of patients is open, accept an application for inclusion in that list made by or on behalf of any person (“the applicant”) whether or not that person is resident in the contractor’s practice area or is included, at the time of the application, in the list of patients of another contractor or provider of primary medical services.

(2) If the contractor’s list of patients is closed, the contractor may only accept an application for inclusion in that list from a person who is an immediate family member of a registered patient whether or not that person is resident in the contractor’s practice area or is included, at the time of the application, in the list of patients of another contractor or provider of primary medical services.

(3) Subject to sub-paragraph (4), an application for inclusion in a contractor’s list of patients must be made by delivering to the contractor’s practice premises a medical card or an application signed (in either case) by the applicant or a person authorised by the applicant to sign on the applicant’s behalf.

(4) An application may be made—

- (a) where the patient is a child, on behalf of the patient by—
 - (i) either parent, or in the absence of both parents, the guardian or other adult who has care of the child,
 - (ii) a person duly authorised by a local authority to whose care the child has been committed under the Children Act 1989⁽³⁾, or
 - (iii) a person duly authorised by a voluntary organisation by which the child is being accommodated under the provisions of the Children Act 1989; or
- (b) where the patient is an adult who lacks the capacity to make such an application, or to authorise such an application to be made on their behalf, by—
 - (i) a relative of that person,
 - (ii) the primary carer of that person,
 - (iii) a donee of a lasting power of attorney granted by that person, or
 - (iv) a deputy appointed for that person by the court under the Mental Capacity Act 2005⁽⁴⁾.

(5) Where a contractor accepts an application for inclusion in the contractor’s list of patients, the contractor must give notice in writing to the Board of that acceptance as soon as possible.

(6) The Board must, on receipt of a notice given under sub-paragraph (5)—

- (a) include the applicant in the contractor’s list of patients from the date on which the notice is received; and
- (b) give notice in writing to the applicant (or, in the case of a child or an adult who lacks capacity, to the person making the application on the applicant’s behalf) of that acceptance.

⁽³⁾ 1989 c.41.

⁽⁴⁾ 2005 c.9.

Inclusion in list of patients: armed forces personnel

18.—(1) The contractor may, if the contractor's list of patients is open, include a person to whom sub-paragraph (2) applies in its list of patients for a period of up to two years and paragraph 28(1)(b) does not apply in respect of any person included in the contractor's by virtue of this paragraph.

(2) This sub-paragraph applies to a person who is—

- (a) a serving member of the armed forces of the Crown who has received written authorisation from Defence Medical Services⁽⁵⁾ to receive primary medical services from the contractor's practice; and
- (b) living or working within the contractor's practice area during the period in respect of which that written authorisation is given.

(3) Where the contractor has accepted a person to whom sub-paragraph (2) applies onto its list of patients, the contractor must—

- (a) obtain a copy of the patient's medical record or a summary of that record from Defence Medical Services; and
- (b) provide regular updates to Defence Medical Services at such intervals as are agreed with Defence Medical Services about any care and treatment which the contractor has provided to the patient.

(4) At the end of the period of two years, or on such earlier date as the contractor's responsibility for the patient comes to an end, the contractor must—

- (a) notify Defence Medical Services in writing that its responsibility for that person has come to an end; and
- (b) update the patient's medical record, or summary of that record, and return it to Defence Medical Services.

Temporary residents

19.—(1) The contractor may, if the contractor's list of patients is open, accept a person as a temporary resident provided the contractor is satisfied that the person is—

- (a) temporarily resident away from the person's normal place of residence and is not being provided with essential services (or their equivalent) under any other arrangement in the locality where that person is temporarily residing; or
- (b) moving from place to place and not for the time being resident in any place.

(2) For the purposes of sub-paragraph (1), a person is to be regarded as temporarily resident in a place if, when that person arrives in that place, they intend to stay there for more than 24 hours but not for more than three months.

(3) Where a contractor wants to terminate its responsibility for a person accepted by it as a temporary resident before the end of—

- (a) the period of three months; or
- (b) such shorter period for which the contractor agreed to accept that person as a temporary resident,

the contractor must give notice of that fact to the person either orally or in writing and the contractor's responsibility for that person is to cease seven days after the date on which such notice is given.

(5) Defence Medical Services is an umbrella organisation within the Ministry of Defence which is responsible for the provision of medical, dental and nursing services in the United Kingdom to members of the armed forces of the Crown.

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(4) Where the contractor's responsibility for a person as a temporary resident comes to an end, the contractor must give notice in writing to the Board of its acceptance of that person as a temporary resident—

- (a) at the end of the period of three months beginning with the date on which the contractor accepted that person as a temporary resident; or
- (b) if the contractor's responsibility for that person as a temporary resident came to an end earlier than the end of the three month period referred to in paragraph (a), at the end of that period.

Refusal of applications for inclusion in list of patients or for acceptance as a temporary resident

20.—(1) The contractor may only refuse an application made under paragraph 17 or 19 if the contractor has reasonable grounds for doing so which do not relate to the applicant's age, appearance, disability or medical condition, gender or gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sexual orientation or social class.

(2) The reasonable grounds referred to in sub-paragraph (1) may, in the case of an application made under paragraph 17, include the ground that the applicant—

- (a) does not live in the contractor's practice area; or
- (b) lives in the outer boundary area (the area referred to in regulation 13(2)).

(3) Where a contractor refuses an application made under paragraph 17 or 19, the contractor must give notice in writing of that refusal and of the reason for it to the applicant (or, in the case of a child or an adult who lacks capacity, the person making the application on the applicant's behalf) before the end of the period of the period of 14 days beginning with the date of the decision to refuse.

(4) The contractor must—

- (a) keep a written record of—
 - (i) the refusal of any application made under paragraph 17,
 - (ii) the reasons for that refusal; and
- (b) make such records available to the Board on request.

Patient preference of a practitioner

21.—(1) Where the contractor has accepted an application made under paragraph 17 of 19, the contractor must—

- (a) give notice in writing to the person (or, in the case of a child or an adult who lacks capacity, to the person who made the application on the applicant's behalf) of that person's right to express a preference to receive services from a particular performer or class of performer either generally or in relation to any particular condition; and
- (b) record in writing any such preference expressed by or on behalf of that person.

(2) The contractor must endeavour to comply with any reasonable preference expressed under sub-paragraph (1) but need not do so if the preferred performer—

- (a) has reasonable grounds for refusing to provide services to the person who expressed the preference; or
- (b) does not routinely perform the service in question within the contractor's practice.

Removal from the list at the request of the patient

22.—(1) The contractor must give notice in writing to the Board of a request made by any person who is a registered patient to be removed from the contractor’s list of patients.

(2) Where the Board—

- (a) receives a notice given by the contractor under sub-paragraph (1); or
- (b) receives directly a request from a person to be removed from the contractor’s list of patients,

the Board must remove that person from the contractor’s list of patients.

(3) The removal of a person from a contractor’s list of patients in accordance with this paragraph takes effect on whichever is the earlier of—

- (a) the date on which the Board is given notice of the registration of that person with another provider of essential services (or their equivalent); or
- (b) 14 days after the date on which the notice given under sub-paragraph (1) or the request made under sub-paragraph (2) is received by the Board

(4) The Board must, as soon as practicable, give notice in writing to—

- (a) the person who requested the removal; and
- (b) the contractor,

that the person’s name is to be or has been removed from the contractor’s list of patients on the date referred to in sub-paragraph (3).

(5) In this paragraph, and in paragraphs 23(1)(b) and (9), 24(6) and (7), 25(1), 28(2) and 29(3), a reference to a request received from, or advice, information or notice required to be given to, a person includes a request received from or advice, information or notice required to be given to—

- (a) in the case of a child, on behalf of the patient—
 - (i) either parent, or in the absence of both parents, the guardian or other adult who has care of the child,
 - (ii) a person duly authorised by a local authority to whose care the child has been committed under the Children Act 1989(6), or
 - (iii) a person duly authorised by a voluntary organisation by whom the child is being accommodated under the Children Act 1989; or
- (b) in the case of an adult patient who lacks capacity to make the relevant request or receive the relevant advice, information or notice—
 - (i) a relative of that person,
 - (ii) the primary carer of that person,
 - (iii) a donee of a lasting power of attorney granted by that person, or
 - (iv) a deputy appointed for that person by the court under the provisions of the Mental Capacity Act 2005(7).

Removal from the list at the request of the contractor

23.—(1) Subject to paragraph 24, where a contractor has reasonable grounds for wanting a person to be removed from its list of patients which do not relate to the person’s age, appearance, disability or medical condition, gender or gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sexual orientation or social class, the contractor must—

(6) 1989 c.41.

(7) 2005 c.9.

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- (a) give notice in writing to the Board that it wants to have that person removed; and
 - (b) subject to paragraph (2), give notice in writing to that person of its specific reasons for requesting the removal of that person.
- (2) Where, in the reasonable opinion of the contractor—
- (a) the circumstances of the person’s removal are such that it is not appropriate for a more specific reason to be given; and
 - (b) there has been an irrevocable breakdown in the relationship between the person and the contractor,
- the reason given under sub-paragraph (1) may consist of a statement that there has been such a breakdown.
- (3) Except in the circumstances specified in sub-paragraph (4), a contractor may only request the removal of a person from its list of patients under sub-paragraph (1) if, before the end of the period of 12 months beginning with the date of the contractor’s request to the Board, the contractor has—
- (a) warned the person of the risk of being removed from that list; and
 - (b) explained to that person the reasons for this.
- (4) The circumstances specified in this sub-paragraph are that—
- (a) the reason for the removal relates to a change of address;
 - (b) the contractor has reasonable grounds for believing that the giving of such a warning would—
 - (i) be harmful to the person’s physical or mental health, or
 - (ii) put at risk the safety of any party to the agreement who is an individual, any member of the contractor’s staff or any other person; or
 - (c) the contractor considers that it is not otherwise reasonable or practical for a warning to be given.
- (5) The contractor must keep a written record of—
- (a) the date of any warning given in accordance with sub-paragraph (3) and the reasons for giving such a warning as explained to the person concerned; or
 - (b) the reason why no such warning was given.
- (6) The contractor must keep a written record of the removal of any person from its list of patients under this paragraph which must include—
- (a) the reason given for the removal;
 - (b) the circumstances of the removal; and
 - (c) in a case where sub-paragraph (2) applies, grounds for a more specific reason not being appropriate,
- and the contractor must make this record available to the Board on request.
- (7) The removal of a person from the contractor’s list of patients in accordance with this paragraph must, subject to sub-paragraph (8), take effect from whichever is the earlier of—
- (a) the date on which the Board is given notice of the registration of that person with another provider of essential services (or their equivalent); or
 - (b) the eighth day after the Board receives the notice referred to in sub-paragraph (1)(a).
- (8) Where, on the date on which the removal of a person would take effect under sub-paragraph (7), the contractor is treating that person at intervals of less than seven days, the contractor must give notice in writing to the Board of that fact and the removal is to take effect on whichever is the earlier of—

- (a) the eighth day after the Board is given notice by the contractor that the person no longer needs such treatment; or
 - (b) the date on which the Board is given notice of the registration of the person with another provider of essential services (or their equivalent).
- (9) The Board must give notice in writing to—
- (a) the person in respect of whom the removal is requested; and
 - (b) the contractor,

that the person's name has been or is to be removed from the contractor's list of patients on the date referred to in sub-paragraph (7) or (8).

Removal from the list of patients who are violent

24.—(1) Where a contractor wants a person to be removed from its list of patients with immediate effect on the grounds that—

- (a) the person has committed an act of violence against any of the persons specified in sub-paragraph (2) or has behaved in such a way that any of those persons has feared for their safety; and
- (b) the contractor has reported the incident to the police,

the contractor must give notice to the Board in accordance with sub-paragraph (3).

- (2) The persons specified in this sub-paragraph are—
- (a) any party to the agreement who is an individual;
 - (b) a member of the contractor's staff;
 - (c) a person engaged by the contractor to perform or assist in the performance of services under the agreement;
 - (d) any other person present—
 - (i) on the contractor's practice premises, or
 - (ii) in the place where services were provided to the patient under the agreement.

(3) Notice under sub-paragraph (1) may be given by any means but, if not in writing, must subsequently be confirmed in writing before the end of a period of seven days beginning with the date on which the notice was given.

(4) The Board must acknowledge in writing receipt of a request from the contractor under sub-paragraph (1).

(5) A removal requested in accordance with sub-paragraph (1) takes effect at the time at which the contractor—

- (a) makes a telephone call to the Board; or
- (b) sends or delivers the notice to the Board.

(6) Where, under this paragraph, the contractor has given notice to the Board that it wants to have a person removed from its list of patients, the contractor must inform that person of that fact unless—

- (a) it is not reasonably practicable for the contractor to do so; or
- (b) the contractor has reasonable grounds for believing that to do so would—
 - (i) be harmful to the person's physical or mental health, or
 - (ii) put the safety of a person specified in sub-paragraph (2) at risk.

(7) Where a person is removed from the contractor's list of patients in accordance with this paragraph, the Board must give that person notice in writing of that removal.

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(8) The contractor must record the removal of any person from its list of patients under this paragraph and the circumstances leading to that removal in the medical records of the person removed.

Removal from the list of patients registered elsewhere

25.—(1) The Board must remove a person from the contractor’s list of patients if—

- (a) the person has subsequently been registered with another provider of essential services (or their equivalent) in England; or
- (b) the Board has been given notice by a Local Health Board, a Health Board or a Health and Social Services Board that the person has subsequently been registered with a provider of essential services (or their equivalent) outside of England.

(2) A removal in accordance with sub-paragraph (1) takes effect—

- (a) on the date on which the Board is given notice of the person’s registration with the new provider; or
- (b) with the consent of the Board, on such other date as has been agreed between the contractor and the new provider.

(3) The Board must give notice in writing to the contractor of any person removed from its list of patients under sub-paragraph (1).

Removal from the list of patients who have moved

26.—(1) Subject to sub-paragraph (2), where the Board is satisfied that a person on the contractor’s list of patients has moved and no longer resides in the contractor’s practice area, the Board must—

- (a) inform both the person and the contractor that the contractor is no longer obliged to visit and treat that person;
- (b) advise the person in writing to either obtain the contractor’s agreement to that person’s continued inclusion in the contractor’s list of patients or to apply for registration with another provider of essential services (or their equivalent); and
- (c) inform the person that if, after the end of the period of 30 days beginning with the date on which the advice mentioned in paragraph (b) was given, that person has not acted in accordance with that advice and informed the Board accordingly, that person will be removed from the contractor’s list of patients.

(2) If, at the end of period of 30 days mentioned in sub-paragraph (1)(c), the Board has not been informed by the person of the action taken, the Board must remove that person from the contractor’s list of patients and inform that person and the contractor of that removal.

Removal from list of patients whose address is unknown

27. Where the address of a person who is on the contractor’s list of patients is no longer known to the Board, the Board must—

- (a) give notice in writing to the contractor that it intends, at the end of the period of six months beginning with the date on which notice was given, to remove the person from the contractor’s list of patients; and
- (b) at the end of the period referred to in sub-paragraph (a), remove the person from the contractor’s list of patients unless, before the end of that period, the contractor satisfies the Board that the person is a patient to whom the contractor is still responsible for providing essential services.

Removal from the list of patients absent from the United Kingdom etc.

28.—(1) The Board must remove a person from a contractor’s list of patients where it is given notice to the effect that the person—

- (a) intends to be away from the United Kingdom for a period of at least three months;
- (b) is in the armed forces of the Crown (except in the case of a patient to whom paragraph 18 applies);
- (c) is serving a term of imprisonment of more than two years or more than one term of imprisonment totalling, in the aggregate, more than two years;
- (d) has been absent from the United Kingdom for a period of more than three months; or
- (e) has died.

(2) The removal of a person from a contractor’s list of patients under this paragraph takes effect from—

- (a) where sub-paragraph (1)(a) to (c) applies—
 - (i) the date of the person’s departure, enlistment or imprisonment, or
 - (ii) the date on which the Board is given notice of the person’s departure, enlistment or imprisonment,whichever is the later; or
- (b) where sub-paragraph (1)(d) and (e) applies, the date on which the Board is given notice of the person’s absence or death.

(3) The Board must give notice in writing to the contractor of the removal of a person from the contractor’s list of patients under this paragraph.

Removal from the list of patients accepted elsewhere as temporary residents

29.—(1) The Board must remove a person from a contractor’s list of patients where the person has been accepted as a temporary resident by another contractor or other provider of essential services (or their equivalent) in any case where the Board is satisfied, after due inquiry, that—

- (a) the person’s stay in the place of temporary residence has exceeded three months; and
- (b) the person has not returned to their normal place of residence or to any other place within the contractor’s practice area.

(2) The Board must give notice in writing of any removal of a person from the contractor’s list of patients under this paragraph—

- (a) to the contractor; and
- (b) where practicable, to that person.

(3) A notice given to a person under sub-paragraph (2)(b) must inform the person to whom it is given of—

- (a) that person’s entitlement to make arrangements for the provision to that person of essential services (or their equivalent), including by the contractor by which that person has been treated as a temporary resident; and
- (b) the name, postal and electronic mail address and telephone number of the Board.

Removal from a list of pupils etc. of a school

30.—(1) Where the contractor provides essential services under the agreement to persons on the grounds that they are pupils at, or staff or residents of, a school, the Board must remove any such

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person from a contractor's list of patients who does not appear on the particulars provided by that school of persons who are pupils at, or staff or residents of, that school.

(2) Where the Board has requested a school to provide the particulars referred to in sub-paragraph (1) and has not received those particulars, the Board must consult the contractor as to whether it should remove from the contractor's list of patients any persons appearing in that list as pupils at, or staff or residents of, that school.

(3) The Board must give notice in writing to the contractor of the removal of any person from the contractor's list of patients under this paragraph.

Termination of responsibility for patients not registered with the contractor

31.—(1) Where the contractor has—

- (a) received an application for the provision of medical services, other than essential services—
 - (i) from a person who is not included in the contractor's list of patients,
 - (ii) from a person that the contractor has not accepted as a temporary resident, or
 - (iii) made on behalf of a person referred to in paragraph (i) or (ii) by a person specified in paragraph 17(4); and
- (b) accepted the person making the application or on whose behalf the application is made as a patient for the provision of the service in question,

the contractor's responsibility for that person terminates in the circumstances described in sub-paragraph (2).

(2) The circumstances described in this sub-paragraph are that—

- (a) the contractor is informed that the person no longer wishes the contractor to be responsible for the provision of the service in question;
- (b) in a case where the contractor has reasonable grounds for terminating its responsibility to provide the service to the person which do not relate to the person's age, appearance, disability or medical condition, gender or gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sexual orientation or social class, the contractor informs the person that it no longer wants to be responsible for providing that person with the service in question; or
- (c) it comes to the contractor's attention that the person—
 - (i) no longer resides in the area for which the contractor has agreed to provide the service in question, or
 - (ii) is no longer included in the list of patients of another contractor to whose registered patients the contractor has agreed to provide that service.

(3) Where a contractor wants to terminate its responsibility for a person under sub-paragraph (2) (b), the contractor must give notice of the termination to that person and the reason for it.

(4) The contractor must keep a written record of any terminations under this paragraph and of the reasons for those terminations and must make this record available to the Board on request.

(5) A termination under sub-paragraph (2)(b) takes effect—

- (a) where the grounds for termination are those specified in paragraph 24(1), from the date on which the notice is given; or
- (b) in any other case, 14 days after the date on which the notice is given.