



Department of Health scraps October PCT provider arm deadline

The decision was revealed in a letter to PCT and SHA chief executives from David Nicholson, NHS Chief Executive.

PCTs were originally under an obligation to finalise plans for the separation of their provider arms by October 2009 as set out in the *Transforming Community Services: Enabling New Patterns of Provision* document published in January this year.

This has now been replaced with an SHA-led process, where they will 'determine the timetable for the development and assurance of the proposals for the future organisational form(s) of their PCT provider services.' The scrapping of the deadline has come following concerns that PCTs were focusing too much on 'issues of future organisational structure, at the expense of delivering service transformation.'

The letter was, however, clear about the obligation on PCTs to meet the other requirements set out in *Enabling New Patterns of Provision*:

- To have developed commissioning plans for priority community services by October this year, identifying priorities for quality improvement and new service development;
- For provider services to be ready to be in by the same time;
- Estates strategies by April next year;
- To give the 'Right to Request' to set up a social enterprise proper consideration, including SHAs ensuring that right to request applications are properly considered.

TPP Law has considerable experience in the health and social enterprise sectors, including holding workshops for frontline NHS clinicians on the legal issues and options under the Right to Request across the North West and North East.

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