BMA Law “Bespoke PCN” package – what’s included

We offer a package price that covers legal and accountancy issues for individual PCNs. This package will be bespoke in the sense that we will provide support for your individual PCN, looking and covering (amongst other things) at its specific objectives, requirements, concerns and operating / legal structures. The specific cover is:

(i) **Fact finding.** Issuing and providing reasonable support in answering a questionnaire to draw out:

a. the operating and legal model that the PCN is looking to adopt (particularly around workforce and finance arrangements);
b. the existing structures and operating models already in place as between the constituent practices (in order to consider whether any are appropriate to deliver the PCN functions); and
c. answers to enable us to draw up the locally determined parts of the Network Agreement. This will cover:

   i. Service split (who does what)
   ii. Decision making and meetings (this includes how decisions are taking, whether there is a board type structure etc.)
   iii. Financial arrangements (including, for instance, the split of liabilities, indemnities, accounts etc.)
   iv. Workforce arrangements
   v. Dispute resolution
   vi. Data sharing
   vii. Exit routes
   viii. Appointment method for clinical directors

*Note: the Network Agreement as a document is split in two. The front end contains those terms that are nationally set which aren’t capable of being changed (albeit many can be supplemented) whilst the back end contains various schedules that will be locally determined.*

(ii) **Legal review.** Considering your proposed operating model from a legal perspective – we will identify any issues it creates (such as sub-contracting issues) and, where appropriate, suggest changes that you may wish to implement having regard to your current operating models/structures.

(iii) **Tax review.** (via accountants we will work with) Considering the proposed operating model from an accounting, VAT and tax perspective and, where appropriate, suggesting changes. In addition, rubber stamping the Network Agreement from an accounting, tax and VAT perspective.

(iv) **Drafting.** Drawing up the first draft of the locally determined Network Agreement with a succinct report for circulation to all. Up to 1 hour additional time to address required changes to the Network Agreement. Any additional work on the Network Agreement thereafter will be hourly rated.

(v) **Data handling support.** Up to 1 hour telephone support in terms of data handling with one of our DP specialist lawyers. There will be national pro forma data sharing agreements released but PCNs will want to discuss the practical handling of data between one another.

(vi) **Employment support.** Access to the BMA’s employers advisory service to assist on employment related matters.
The package price we will offer is **10 pence per patient** (enabling us to scale up and down depending on size of the network which is generally an indication of the number of practices and the level of work that will be involved). If you want to remove item (iii) the package price is **7 pence per patient**.

*Please note:* (i) all prices quoted are BMA member rates (assume at least one member exists within the constituent practices), (ii) all prices are exclusive of VAT and any disbursements, (iii) all prices assume that the service will be handled remotely, and no physical meetings will be required (an additional charge will be applied if any such meetings are required), (iv) we reserve the right to set appropriate limits on the amount of support offered in answering the questionnaire in the fact finding element of the service and/or on other elements, (v) the prices quoted assume that we liaise with, and take instructions from, a central contact acting on behalf of all practices involved in the PCN, and (vi) any support over and above that identified will be hourly rated unless otherwise agreed.