

**To all practices Surrey and Sussex**

20<sup>th</sup> December 2021

Dear Colleagues

## **Recent Contractual Changes and Announcements**

### **Changes to Self-Certification Arrangements**

The Government has announced a temporary amendment to the Statutory Sick Pay [Medical Evidence] Regulations covering the period from 17<sup>th</sup> December until 26<sup>th</sup> January 2022.

This means that whilst normally an employee would be required to provide medical information [in the form of a Med 3 certificate] in relation to their fitness to work after 7 days absence, this period is being extended to 28 days, before such certification is required.

This will apply to any period of sickness absence that commenced between 17<sup>th</sup> December 2021 and 26<sup>th</sup> January 2022, or for periods of illness that commenced prior to 17<sup>th</sup> December, but had not on that date lasted more than seven days, and so the requirement to provide medical certification had not yet occurred., that is, from 10<sup>th</sup> December 2021

This change has been announced to assist General Practice teams to free up capacity to deliver the Covid 19 Vaccination programme and concurrently maintain urgent patient care.

### **DVLA requests for medical information**

The DVLA has agreed to temporarily pause requests to GPs for further information to support driving licence applications. Bus and Lorry driving licences are unaffected. The DVLA Website confirms this means there will be a further delay in licence applications. There is no timescale given in relation to this pause, which again is being taken to support the Covid19 vaccination roll-out.

### **Driving whilst a licence application is with the DVLA**

Colleagues will be aware that there have been considerable delays in the DVLA processing licence applications and there is likely to be no early end to this.

Under Section 88 of the Road Traffic Act, drivers may continue to drive when their licence expires if this occurs during the time the DVLA is processing their application.

The DVLA is directing patients to the following advice leaflet [INF188/6] which is available below:

[inf188x6-can-i-drive-while-my-application-is-with-dvla.pdf \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/101111/inf188x6-can-i-drive-while-my-application-is-with-dvla.pdf)

Local Medical Committees for  
Croydon, Kingston & Richmond, Surrey,  
East Sussex and West Sussex

The White House    T: 01372 389270  
18 Church Road    F: 01372 389271  
Leatherhead  
Surrey KT22 8BB    [www.sslmcs.co.uk](http://www.sslmcs.co.uk)

There are various conditions attached to this guidance in terms of whether it is allowable, but the first given by the DVLA is that “*Your doctor must have told you that you are fit to drive*”.

Unfortunately, this has led to many GPs receiving requests for confirmatory letters stating this: the LMC does not support GPs providing such an assurance (unless they feel competent to do so). In normal circumstances, GPs provide a factual report to the DVLA and DVLA expert medical advisers, who have a particular expertise in this area, decide upon a patient’s fitness to drive. DVLA related work is not part of NHS commissioned or contracted services and therefore is not covered for indemnity purposed by the Central Negligence Scheme for General Practice [CNS GP].

If GPs wish to write a letter to confirm they are not aware, from the medical information available to them, of any reason why a patient is not unfit to drive, they may do so at their discretion. This should be based on factually available information, is a non-NHS service, a fee may be charged and this work would not be covered by CNSGP. Colleagues should therefore confirm this work is covered by their Indemnity Organisation [such as the MDU or MPS].

### **Firearms Applications**

Informally, the LMC has been advised that applicants for firearms licences will be asked to wait until January 2022 to submit applications unless these are urgent because of an imminent expiry or are required for work commitments.

Practice colleagues should be aware the Home Office has brought forward the introduction of a national process for firearms licensing. The LMC is awaiting BMA guidance on this process, which will include both the process in which GPs can respond to applicants request for medical information, and also an electronic flagging process that will be linked to an agreed set of diagnostic codes. This software is not yet available.

When the BMA guidance is available the LMC will circulate this and liaise with all Firearms Licensing Offices, so that colleagues can rely on a consistent approach to such licence applications. I hope this information will be available in January 2022.

### **Prescription Charge Exemption Certificates**

The LMC has been advised that the prescription exemption form expiry date if due shortly will be extended for six months, although no information has yet been published on the NHSBSA website to confirm this.

### **CQC Inspections**

All colleagues will be aware of the considerable pressures created on the practice team by a CQC Inspection. Current planned CQC Inspections [based on previous ratings] have been suspended until at least 10<sup>th</sup> January 2022. This includes Inspections related to Access, the LMC has raised concerns with CQC about the potential impact of access related inspections, since there cannot be a GP practice across the LMC area, indeed across England, that is not currently facing challenges in balancing appropriate access, workload demands, and capacity challenges within their practices. The CQC reserves the continuing ability to undertake

Inspections if there is thought to be a significant risk to patients, although this must be authorised by the Chief Inspector.

I hope this additional information is helpful; please contact the LMC office with any queries

I would like to end by wishing all practice colleagues a very Happy Christmas and New Year, and hope that everyone will be able to take some rest during this time, despite the continuing challenges.

With best wishes

A handwritten signature in blue ink, appearing to read 'Julius Parker', written in a cursive style.

Dr Julius Parker  
**Chief Executive**