NHSBSA Provider Assurance Dental 2021/22 Year-end reconciliation operational plan

**Period 1 (H1) – 1 April to 30 September 2021**

Holding contract arrangements were in place that facilitated monthly payments in 2021/22 to all practices, equal to 1/12th of their total contract value (TCV).

In recognition of the ongoing constraints to practice capacity due to COVID-19 it was communicated there will be ongoing contractual protection for practices unable to deliver normal contracted activity for the first six months of 2021/22. During this period performance adjustment will not be applied to practices delivering at least 60% of contracted Units of Dental Activity (UDAs) and 80% of contracted Units of Orthodontic Activity (UOAs). The rate of clawback will then reduce linearly down to the existing lower threshold of 36% for UDAs and 56% for UOAs. Below these levels normal performance adjustment will apply. The payment for activity not delivered, exempt from clawback by these arrangements, will continue to be adjusted by 16.75% to take account of variable costs not incurred.

The conditions of income protection remain as previously communicated, including that practices ensure that face-to-face urgent dental care is available for all attenders via direct contact or referral via 111, that efforts are directed towards patients at highest clinical risk, and to addressing health inequalities. Regional commissioners will also maintain arrangements for Urgent Dental Centres (UDCs).

April to September 2021

**Period 2 (Q3) – 1 October to 31 December 2021**

Ongoing contractual protection remained for practices unable to deliver their full contractual activity between October and December 2021. During this period performance adjustment will not be applied to practices delivering at least 65% of contracted UDAs and 85% of contracted UOAs.

The rate of performance adjustment will then reduce linearly down to a lower threshold of 52% of UDAs and 60% of UOAs. Below these levels normal performance adjustment will apply. The payment for activity not delivered in this period, exempt from clawback by these arrangements, is now to adjusted by 12.75% to take account of variable costs not incurred.

Conditions of income protection remain as previously described, including that practices ensure that face-to-face urgent dental care is available for all attenders via direct contact or referral via 111, that efforts are directed towards patients at highest clinical risk and to addressing health inequalities.

**Mid-year 2021/22 review**

NHSBSA Provider Assurance Dental were instructed on behalf of NHS England & Improvement Regional Teams to deliver a mid-year review for 2021/22. Expectations regarding activity for 2021/22 are set out within the [NHS England and NHS Improvement Preparedness letters for primary dental care](https://www.england.nhs.uk/coronavirus/publication/preparedness-letters-for-dental-care/) dated 29 March 2021 and the [supporting guidance](https://www.nhsbsa.nhs.uk/sites/default/files/2021-03/2122%20CM%20guidance%20FINAL%20v1.1.pdf).

As stated, GDS contracts and PDS agreements at mid-year are required to deliver a minimum of 30% of 60% (UDA) and 30% of 80% (UOA) of contracted activity between the period 1 April to 30 September 2021. Where contracts fell below this delivery requirement, contractors were asked to complete a mid-year action plan.

October to December 2021

**Exceptional Circumstances Arrangements from 1 December 2021 to 31 March 2022**

Due to the ongoing challenges being faced by the dental profession in relation to COVID-19, a specific temporary exceptional circumstance arrangement has been implemented to assist those contracts for the 21/22 financial year.

These arrangements are in addition to the usual adverse events (force majeure) process and are designed to provide a further safety net for practices.

The exceptional circumstances arrangements will specifically offer protection for individual members of practice staff who are advised to self-isolate or are unable to work as a direct result of Covid-19 illness, resulting in loss of patient care. From 1 December 2021 to 31 March 2022 only.

NHSBSA Provider Assurance Dental to support commissioners and contractors in the management of the exceptional circumstance claims, working with contractors to obtain all required information and evidence to enable claims to be considered by commissioners. Following commissioner decisions being made, these will be communicated by Provider Assurance Dental, and awarded activity will be included in the year-end 21/22 reconciliation.

Information can be found in [NHS England and NHS Improvement's COVID-19 Exceptional Circumstance arrangements Policy Statement](https://createsend.com/t/d-B829D4628D2BA4882540EF23F30FEDED).

Claims following the 14 January 2022 must be notified within five working days of the event and supporting evidence must be submitted within a period of no longer than 28 days.

These arrangements will end on 31 March 2022 and therefore the final date to notify of an absence is the 7 April 2022. Claims received after this ate will not be considered by the Commissioner.

**Period 3 - (Q4) 1 January to 31 March 2021**

Following requirements set out for quarter 4 in[NHS England and Improvement (NHSEI) Preparedness letters for primary dental care](https://www.england.nhs.uk/coronavirus/publication/preparedness-letters-for-dental-care/) communicated on 22 December 2021, a review of the arrangements was later communicated on 5 April 2022.

It was advised that at the time when agreeing performance thresholds for 1 January to 31 March 2022 (Q4) we were starting to see the emergence of the Omicron COVID-19 variant. Due to the uncertainty of any impact this may have had on delivery, NHSEI committed in their letter of the 22 December 2021 they would revisit Q4 contractual requirements in response to the emergent situation.

Following a review of transmitted data to date within Q4 a minimum threshold of 75% was reintroduced for units of dental activity (UDA) contractors only.

Arrangements for Units of Orthodontic activity (UOA) contractors remain unchanged.

The payment for activity not delivered, exempt from clawback by these arrangements, will continue to be adjusted by 12.75% to take account of variable costs not incurred.

January to March 2022

April and May 2022

**Force Majeure/Exceptional Events –**

In accordance with the Policy Book for Primary Dental Services, occasionally there are unforeseen circumstances that a contractor may experience which may have a detrimental effect on the delivery of contract activity.

Where a contractor has notified their Regional Dental Commissioning Teams that a Force Majeure/Exceptional Event has occurred within the financial year, this will be noted on the categorisation return as a Category 2 contract.

PAD to send full application form to contractor and request supporting evidence be supplied. Once received, application and supporting evidence to be sent to RT for consideration.

**Year-end declaration**

From the 6 May 2022, the year-end declaration form will be available in Compass. As part of the year end reconciliation process, contractors will be required to complete and submit an annual declaration form in Compass. In order to fully meet the year end reconciliation obligations, the declaration and associated documentation **must** be submitted in full. Contractors will have until **30 June 2022** to complete the declaration.

For more information please visit :

<https://www.nhsbsa.nhs.uk/compass/coronavirus-covid-19-information-dental-contracts>

**Categorisation of contracts**

Throughout April and May work with Regional Dental Commissioning Teams is undertaken to categorise each contract that requires a year-end reconciliation. Whilst categories are for internal use only, this exercise is key part of the reconciliation process, as it gives commissioners the opportunity to highlight contracts that need a manual reconciliation and to provide all the required information to complete this.

Contracts will be categorised as either 1, 2, 3 or 4 considering the quality of the data held in Compass about the contract’s (and any subcontracts, if appropriate) delivery targets. Also, any commissioning considerations relating to previous year-end delivery of the contract or on-going considerations.

***Category 1*** *– details recorded in Compass are up to date and accurate and the year-end reconciliation can be completed based on these. Within NHSBSA Provider Assurance Dental responsibility to reconcile.*

***Category 2*** *- require additional information to complete the year-end reconciliation. Within NHSBSA Provider Assurance Dental responsibility to reconcile.*

***Category 3*** *- will normally be those paid by NHSBSA Dental Services via Compass that are not GDS and PDS (for example, but not limited to, PDS+, CDS, EDS) and/or year-end activities are not stipulated under the regulation or the standard contract. These contracts remain with the Regional dental commissioning teams*

***Category 4*** *– these contracts are participating in the dental contract reform programme. They are highlighted for information purposes only as NHSBSA PAD do not manage the reconciliation of these contracts, this is carried out by the NHSBSA dental contract reform team (**[nhsbsa.dentalcontractreform@nhs.net](mailto:nhsbsa.dentalcontractreform@nhs.net))*

Regional dental commissioning teams can apply discretion/local decision making through the categorising of contracts. Where a commissioner retains a contract in category 3 for local resolution, it remains the responsibility of the commissioner to complete any actions required to reconcile the contract.

April and May 2022 continued

June 2021

**Force Majeure/Exceptional Events application form deadline**

**This only applies where a contractor has notified their Regional Dental Commissioning Teams that a Force Majeure/Exceptional Event has occurred within the financial year and an application form for dental relief has been issued by the Provider Assurance team.**

The final deadline for contractors returning all supporting evidence in relation to applications for dental relief is **Wednesday 15th June 2022**. Following this date your Regional Dental Commissioning Team will review the completed applications to consider.

In order to identify if an application for dental relief is still required, PAD will review the contracts delivery for the time period the force majeure relates to, if the performance threshold in that period has been met then then full income protection has been applied and the force majeure consideration is not required.

Where performance thresholds have not been met the returned application will be supplied to Regional Dental Commissioning Teams in time for a decision prior to YE letter publication and if accepted, dental relief for affected activity applied. The final decision of the request for dental relief will be communicated in the YE letter.

The commissioner will have regard to the circumstances listed in Annex 49 of the Policy Book for Primary Dental Services: Appendices.

**Year-end letters published in Compass**

Week commencing 25 July 2022, all year-end letters (except for prototype contracts and those being managed by Regional dental commissioning teams) are published in Compass. When letters are ready to view, a communication will be sent out to all business owner email addresses held in Compass with instructions detailing how to view the year end letter.

**Please make sure all business owner email addresses in Compass are up to date to ensure you receive your communication. Please contact the** Provider Assurance Dental **team on** [**nhsbsa.dentalcases@nhs.net**](mailto:nhsbsa.dentalcases@nhs.net) **if your email address needs updating.**

**Year-end data available- reconciliation of contracts**

Year-end data will be available from 1 July 2022. Between 1 July and 20 July 2022, NHSBSA Provider Assurance Dental will manually reconcile any contracts highlighted during the categorisation process where further information was required to complete the year-end reconciliation.

All automated and manual calculations undergo rigorous quality assurance checks by NHSBSA Provider Assurance Dental data analysts before being authorised for inclusion in the year-end letter. Regional dental commissioning teams will confirm final sign off prior to the year-end letters being published.

July 2022

August 2022

**Query management**

All queries from category 1 and 2 contracts form part of the NHSBSA Provider Assurance Dental remit. Regional dental commissioning teams are advised to signpost enquires/queries to NHSBSA Provider Assurance Dental unless they relate to a category 3 or prototype contracts. All queries from a contractor will be acknowledged within 3 working days of receipt.

All queries should be submitted by email within 28 days of letter publication to [nhsbsa.dentalcases@nhs.net](mailto:nhsbsa.dentalcases@nhs.net) and [nhsbsa.dentalcontractreform@nhs.net](mailto:nhsbsa.dentalcontractreform@nhs.net) for prototypes.

**Year-end outcomes in Compass**

All year-end outcomes (i.e. underperformance adjustments and the 16.75% (H1) / 12.75% (Q3 & Q4 adjustment to reflect variable costs not incurred for any undelivered activity, will be entered on Compass by **Wednesday 21 September 2022** (the Compass cut-off date).

The value of undelivered activity will be recovered in three monthly instalments unless indicated otherwise by the commissioner. The contracts year-end recovery commences on the Compass payment on 1 October 2022 (September schedule*)*.

All financial recovery must be completed by the March 2023 Compass cut-off. Requests to extend this beyond March will need local/regional governance (commissioning and finance) sign off by the Regional dental commissioning team.

**Year-end underperformance breach notices**

NHSBSA Provider Assurance Dental on behalf of NHS England and NHS Improvement regional commissioning teams will issue breach notices where contracts have fallen below the 96% threshold on combined total delivered activity over all three time periods.

Where contracts are issued with a breach notice, communication will be sent to the business owner email address held in Compass to advise when the letters are available to view.

September & October 2022

**KEY DATES FOR CONTRACTORS AND COMMISSIONERS**

* Exceptional Circumstances Arrangements from 1st December 2021 to 31st March 2022, final deadline to report an absence – **7 April 2022**
* Year-end declaration completion in full- **30 June 2022**
* Final year- end data available – **1July 2022**
* Year-end letters available in Compass - **week commencing 25 July 2022**
* Remedial notices issued in Compass for non-completion of Year-end Declarations and Workforce returns - **week commencing 25 July 2022**
* 1st instalment for value of undelivered activity - **1 October 2022 (September schedule*)***
* Issue of year-end underperformance breach notices - **October 2022**
* Final instalment for 3 monthly instalmentsfor value of undelivered activity- **1 December 2022 (November schedule)**
* Final instalment for 6 monthly instalmentsfor value of undelivered activity as agreed by the commissioner - **1 March 2023 (February schedule)**