By 31 October, NHSBSA inform commissioners of, and send letters and action plans to all contractors delivering <30% contracted activity at the mid-year point

By 31 October, NHSBSA send letters informing contractors that delivered >30% at the mid-year point and who also delivered contracted activity at year-end in 2022/23 and 2023/24 that they will not be required to undertake a mid-year review – no further action will be required

By 31 October, NHSBSA inform commissioners of, and send letters seeking assurance around delivery to all contractors that delivered >30% at the mid-year point but did not deliver within contracted activity tolerance at year-end 2022/23 and 2023/24

Action plans to be completed by contractors and returned to NHSBSA within 14 days. NHSBSA forward fully completed action plans to commissioners within 7 working days for triaging. (Dates returned by contractors and forwarded to commissioners logged by NHSBSA)

Shall I tell them to pull their finger out?

If commissioners **are assured** by action plans/formal review meetings that the contractor is on target to deliver contracted activity**, no further action is taken and no contractual sanctions will be levied**

A formal review meeting will be requested if commissioners are **not assured** by action plans that the contractor is on target to deliver contracted activity.

At the meeting, commissioners will seek further clarity and a potential for assurance that action plans submitted are feasible, and will have discussions with contractors to explore and agree a variation to the contract.

Contractors may be asked to consider a voluntary, non-recurrent in-year contract variation by reducing the annual activity requirement allowing the opportunity for other practices to use these resources to treat more patients.

Regulations that came into force from 1 April 2024 provide the commissioner with the ability to rebase a contract because of persistent underperformance.

If contractors fail to engage in the formal review meeting, fail to provide an action plan, and/or commissioners fail to agree to in-year contract variation, contract sanctions will be levied and commissioners will be required to withhold monies or make adjustments to the payment system.

Following the mid-year process, commissioners will be required to complete the final section on the action plan and return to NHSBSA within 28 days of its receipt

On completion of the mid-year review process, NHSBSA will collate action plans and provide a summary to NHS England and ICBs. The summary will outline the outcomes of meetings, main reasons for under-performance, the proportion of contractors providing assurance/failing to provide assurance and what sanctions may have been levied. This information will be shared with NHS England and ICBs within 28 days of receipt