

LETTER BY EMAIL TO THE CHAIR OF NORTH CENTRAL LONDON CLINICAL GROUP, 20 FEBRUARY 2021

Centene's take-over of AT Medics Limited: urgent letter to Chair of NCL CCG

Subject:Centene's take-over of AT Medics Limited: urgent letter to Chair of NCL CCG

Date: Sat, 20 Feb 2021 17:01:27 +0000

From: Sue Richards <profrichards@tiscali.co.uk>

To: Sauvageccg Josephine (NHS ISLINGTON CCG) <josephine.sauvageccg@nhs.net>

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[This letter is for the attention of Dr Jo Sauvage, NCL CCG Chair, and Ian Bretman, Chair, NCL CCG PCCC. It is also for the information of the Joint Committee, North West London Collaboration of CCGs; the Joint Commissioning Committee, North East London Commissioning Alliance; the Accountable Officer, South East London CCG; and the Accountable Officer, South West London CCG. As each organisation do not provide obvious email addresses on their website, please forward internally as necessary.]

Dear Dr Sauvage,

Centene's take-over of AT Medics Limited

We are writing to you about this in light of the written response of the North Central London Primary Care Commissioning Committee to a question submitted at its meeting on 18 February 2021 to the effect that the CCG will be requesting Chairs action on the final due diligence check on this matter at an urgent decision meeting to be scheduled in the coming week.

This implies that NCL CCG has not yet authorised the change of control requested. This brings paragraph 63 of the APMS contracts into play (Termination by the Commissioner for a Serious Breach). It entitles the commissioner to serve notice in writing on the contractor forthwith, or with effect from such date as may be specified in the notice, if a change of control has occurred without approval.

The requested change of control of AT Medics Limited has already happened – on 10 February, when two Centene subsidiaries, Operose Health Limited and MH Services International (UK) Limited, became designated members of AT Medics Holdings LLP and the six previously designated members all resigned.

Those six previously designated members were also directors of AT Medics Limited, and they also resigned as directors of AT Medics Limited on the same day. Unfortunately, the meeting on 18 February, and the responses to the questions submitted, skirt around this. The resignation of the AT Medics Limited's Board of Directors directly contradicts what was said at the meeting on 17

December, and what was set out in the draft minutes - which, remarkably, appear to have been approved unchanged at the PCCC meeting on 18 February.

In addition, receipt of further advice is outstanding in relation to the change of control in September 2019, when the shares in AT Medics Limited were transferred to AT Medics Holdings LLP which had been incorporated by the directors of AT Medics Limited in July 2019. This was the change of control that was the precursor to, and facilitated, the Centene take-over. Yet there is no public information on whether prior authorisation for that change was sought, or received; nor on whether it was considered as part of the due diligence process. This also engages paragraph 63 of the APMS contracts.

There are therefore potentially two changes of control which have happened without NCL CCG's prior authorisation. **We therefore find it inconceivable that you would authorise the change requested. Instead, we ask for your confirmation that you will not do so but instead will exercise the CCG's right to terminate the APMS contracts with AT Medics Limited and, to ensure that patients are not left without GPs, to specify a date in the termination notice by when the procurement process for alternative contractors will have been completed.**

We also consider termination to be justified in the light of total exclusion of local representatives, patients and local people from the CCG's decision-making process on this matter (until 18 February in the former respect), and the lack of transparency and even misrepresentation that has resulted, and still seems to be continuing, despite challenges.

We noted the PCCC Chair's evident embarrassment in the recording of the meeting, and his appreciation that damage has been done, but it is not enough to say that going forward lessons must be learned. As important as that is, if trust is to be re-established, the contracts must be terminated now; full disclosure made of the advice received by the PCCC; and a straightforward admission by the CCG that it deliberately made those decisions to exclude and not to be open and transparent about mentioning Centene before or at the 17 December meeting. Simply acknowledging that Centene was not mentioned is far from enough. It happened for a reason.

At the same time, we appreciate that the influence of NHS England and its solicitors may have pushed the PCCC in a direction it may not have wished to go. But it is quite wrong to hide behind 'the rules', as the PCCC Chair did at the 18 February meeting, when it is NHSE and NHSE's solicitors' interpretation of the rules that are the problem. Re-establishing trust requires a commitment to the community served by the CCG, and continued defensiveness will not achieve that.

Finally, we understand that the five council lead members on health and social care have expressed their extreme disquiet about this take-over of the APMS contracts by the Centene subsidiary. You obviously know that since they were, belatedly, invited to the PCCC meeting on 18 February, several spoke and two formally asked questions. The new White Paper calls for more partnership working between the NHS and local government. To be a worthy partner, you need to take the views of other partners fully into account in planning your actions, and not just to assume that the only relationship that matters is within the NHS hierarchy.

We believe the scope for action exists, as set out above, and that this would strengthen your local partnership capacity. We look forward to receiving your confirmation that the contracts will be terminated and that NCL CCG will proceed as recommended.

Yours sincerely,

Sue Richards, Islington Keep Our NHS Public (KONP)

John Lipetz, Camden KONP

Brenda Allan, Haringey KONP

Martin Blanchard, Defend Enfield NHS- KONP

Phil Cohen NCL NHS watch (Barnet)

Alan Morton, NCL NHS Watch

Vivien Giladi, member of Enfield Health and Wellbeing Board (in a personal capacity)

Gary Marlow, Chair of BMA London Regional Council (in a personal capacity)

Jackie Applebee, Chair, Doctors in Unite

Tony O'Sullivan, co-chair, KONP

John Puntis, co-chair, KONP

Wendy Savage, president, KONP

Louise Irvine, chair, Save Lewisham Hospital

Steve Lancashire, Southwark KONP

Jenny Shepherd, Chair of Calderdale & Kirklees 999 Call for the NHS

Steve Carne, 999 Call for the NHS

Johnbosco Nwogbo, We Own It

Allyson Pollock

Peter Roderick