

Operose Health takeover of GP surgery contracts: Next step judicial review

Campaigners are supporting a legal case against the takeover of NHS GP surgery contracts by Operose Health, a UK subsidiary of the Centene Corporation.

Anjna Khuran is a patient at Hanley Primary Care Centre and Councillor of Tollington ward in Islington. In a claim filed by Leigh Day on Monday 17 May, she is asking the court to grant permission to take North Central London Clinical Commissioning Group (NCL CCG) and NHS Commissioning Board to judicial review over their decision to allow a change of control of GP contracts in favour of Operose Health.

Her case is being backed by Keep Our NHS Public, 999 Call for the NHS and We Own It.

Meanwhile, a CrowdJustice appeal hit its initial target of £25,000 in less than 24 hours and is already well on the way to raise a stretch target of £40,000.

About the case

In North Central London, the CCG gave permission for eight GP contracts to pass from AT Medics to Operose Health.

Anjna's case points to significant public concerns because:

- equivalent decisions were made by 12 other CCGs – in all, 49 GP practices have been affected, covering 375,000 patients
- there are “legitimate concerns” about the ultimate owner of the contracts – the Centene Corporation
- Operose Health is a loss-making company, which relies on cash injections from Centene, and
- there was no public engagement or transparency – despite the risk to patient care if Operose Health later ceases to provide services.

The key grounds for challenging NCL CCG's decision are that:

- NCL CCG was legally wrong to assume it had very limited grounds on which to refuse to allow a change of control
- it failed to get substantive information on the financial viability of the companies involved, or information about the suitability of the Centene Corporation
- it failed to consult affected patients or stakeholders, including councillors, as it should have, and
- it failed to protect patient data adequately.

Claims for judicial review normally have to be mounted within three months of a decision. However, in this case, it was not until May that Anjna was able to establish that the decision had been finalised in January. Leigh Day believe there are good grounds for applying to extend the time limit.

Providing permission is granted for the case to go ahead, Anjna's lawyers will then go to court to prove the decision was unlawful and should be quashed.

A successful outcome in North Central London is expected to have an impact in all the areas in London where similar decisions were taken.

You can support this case at: <https://www.crowdjustice.com/case/stop-our-gp-practices-being-sold-off-to-centene/>