

Framework for managing performer concerns:

NHS (Performers Lists) (England) Regulations 2013

Annex 3 – performers lists decision making panel (PLDP) terms of reference



Annex 3: Performers List Decision making Panel (PLDP) terms of reference

Constitution and authority

NHS England has established a sub-group within each area team to be known as the Performers List Decision making Panel (PLDP). The group is authorised by NHS England to undertake any activity within this terms of reference.

Membership and quoracy

The PLDP will take overall responsibility for the management of performance, decide on actions required on individual performance cases in line with statutory regulations and make referrals to other bodies where appropriate. Membership of the PLDP comprises of the following individuals:

1. A lay member who will act as the patient / public advocate;
2. A discipline-specific practitioner;
3. A senior manager / director with responsibility for patient safety / experience
4. The medical director for an area team or their nominated deputy.

NOTE: A decision on the chairperson, voting rights and quoracy will be taken following consultation and will be the same for each PLDP.

Each member of PLDP will be appointed against a role competency. Additional non-voting members and advisors may also be invited by the chair from time to time.

In cases when immediate suspension is required a decision may be taken outside of the PLDP meetings by two of the core members. As soon as is practical, an appropriately convened oral hearing, in line with the NHS (Performers Lists) (England) Regulations 2013 or the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 as appropriate, will be held.

Frequency

The PLDP will meet as frequently as is required, as dictated by caseload.

Purpose

- a) To take overall responsibility for the management of concerns of those on the performers lists.
- b) To consider and take appropriate action on all referrals of a serious nature in relation to concerns of primary care performers or pharmacy contractors
- c) To consider whether action may be required under the NHS (Performers Lists) (England) Regulations 2013 or the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 as appropriate.

Objectives

- a) To agree relevant and appropriate action in the interest of patient safety or the safety of colleagues
- b) To consider information presented to the PLDP in response to concerns of primary care performers or pharmacy contractors from the PAG
- c) To ensure that action is taken in line with NHS England policy and procedure, and in line with NHS regulations
- d) To provide a formal route for the consideration of applications to join the England performers lists when deferral, conditional inclusion or refusal of an application applies.

Duties

To consider the information received, take any action that PAG may take and make one or more of the following decisions:

- a) Take no further action and refer back to the PAG
- b) Refer back to PAG for further investigation or monitoring
- c) Consider referral to the primary care contracts team for consideration under the relevant contract regulations
- d) Refer to the relevant professional regulatory body

- e) Refer to the police
- f) Refer to NHS Protect
- g) Agree an action plan for remediation of the primary care performer or pharmacy contractor when appropriate, including a reporting process for monitoring of the implementation of the action plan
- h) Request the issue of an alert through the agreed NHS England mechanism according to the Healthcare Professionals Alert Notice Direction (2006)
- i) Take action by revoking the NHS (Performers Lists) (England) Regulations 2013 or the NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 as relevant i.e. conditions, suspension and removal.