

Short date letter merged

Standard Letter (GP to Specialist / Community team)

Rejecting “Advice and Guidance” received in response to Referral

Re Title Given Name Surname Date of Birth: Date of Birth

Home Full Address (single line)

Tel No Patient Home Telephone Mob: Patient Mobile Telephone NHS No NHS Number

In relation to our recent referral to your Service;

**We did not request Advice and Guidance.
Please proceed with the patient’s referral, and do not assume we will act on your
unsolicited Advice and Guidance.**

Advice and Guidance cannot be mandated instead of a Referral.

This is covered in the [NHS Standard contract](#) (SC6) which requires that referrals are accepted when made via eRS, (and also requires that eRS referral routes must be kept open).

There is provision in SC7 for “Withholding and/or Discontinuation of Service”; for instance where (the patient “*in the Provider’s reasonable professional opinion is unsuitable to receive the relevant Service*”

That would be a clinical decision; if you are refusing to accept this referral, **we require the name and professional registration details of the clinician that has decided this, and the reasons why.**

You would also need to follow SC7.3:

7.3 If the Provider proposes not to provide or to stop providing a Service to any Service User under SC7.2:

7.3.1 where reasonably possible, the Provider must explain to the Service User, Carer or Legal Guardian (as appropriate), taking into account any communication or language needs, the action that it is taking, when that action takes effect, and the reasons for it (confirming that explanation in writing within 2 Operational Days);

7.3.2 the Provider must tell the Service User, Carer or Legal Guardian (as appropriate) that they have the right to challenge the Provider’s decision through the Provider’s complaints procedure and how to do so;

7.3.3 wherever possible, the Provider must inform the relevant Referrer (and if the Service User’s GP is not the relevant Referrer, subject to obtaining consent in accordance with Law and Guidance, the Service User’s GP) in writing without delay before taking the relevant action; and

7.3.4 the Provider must liaise with the Responsible Commissioner and the relevant Referrer to seek to maintain or restore the provision of the relevant care to the Service User in a way that minimises any disruption to the Service User’s care and risk to the Service User.

Additionally if you do not accept the referral, you will be responsible for notifying the commissioner of your withholding and/or discontinuation of service, under SC7.4.

See also, SC8, which covers patients’ Unmet Needs. This is further underpinned by the NHS constitution provisions around patient choice.

Yours,

Current User, Organisation Name

Additional contractual guidance on the primary/secondary care interface is available at: www.bbolmc.co.uk/interface
And <https://www.bma.org.uk/advice-and-support/nhs-delivery-and-workforce/primary-and-secondary-care/primary-and-secondary-care-working-together>