

voting Dr I G Bogle, Dr P F Kiely, Dr J B Lynch, and Dr A J Stanton from a slate of seven candidates.

### Consultations not negotiations

The negotiators have already received requests to enter into consultations on draft amendments to the regulations and to the statement of fees and allowances. As the secretary of state is determined to introduce changes to general practitioners' terms and conditions of service by April 1990 the committee agreed that consultations should go ahead on the advice of the statutes and regulations subcommittee in order to achieve the best possible arrangements.

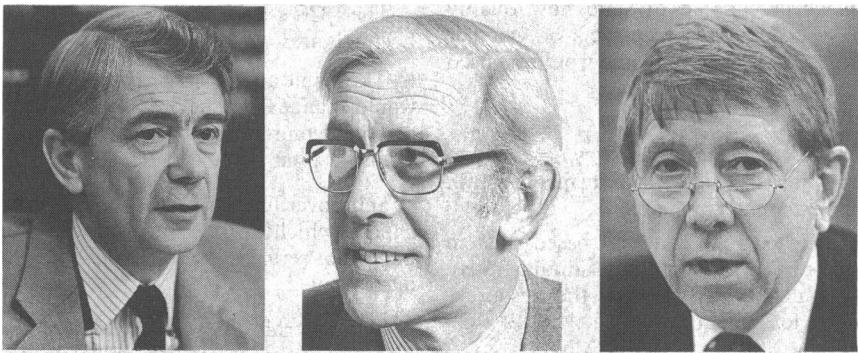
Mr Andrew Lockhart-Mirams, the committee's solicitor, emphasised that provided the secretary of state undertook proper consultations with representatives of the profession he could unilaterally alter general practitioners' contracts. The secretary of state had to tell the profession what he was planning to do and to give it an opportunity to tender helpful advice. The profession had no legal right to negotiations. The department had told the negotiators that it was working to a timetable that would enable regulations to be prepared by the end of September so that advice could be given in October, six months before the April 1990 implementation date. The department had allowed five weeks' consultation on each set of draft documents. Mr Lockhart-Mirams advised the GMSC that this was reasonable and should be regarded as proper consultation.

What would happen if the committee did not respond? In the solicitor's view it would be regarded as a rejection of the offer of consultation and the committee would not be able to complain subsequently when it was not consulted on issues in the future. Furthermore, the secretary of state might take the view that he could consult with other people whom he thought represented the profession and who might be prepared to respond.

### Contract to provide services

Would acceptance of the offer of consultation be regarded as an acceptance of the package on the government's terms? Mr Lockhart-Mirams did not think so. To respond to a request for consultation was to give advice. If the advice was that the proposals were unacceptable there was no reason why the committee should not say that although it did not like the proposed regulations it could look at them so as to ensure that they were clear and understandable and accorded as far as possible with the view that the committee would hold.

In reply to Dr D L Williams, who thought that a contract was something freely entered into by both parties and that now doctors would be required to work their contract under duress, Mr Lockhart-Mirams reminded the GMSC that general practitioners had a contract to provide services which was based on their application to go on the medical list of a family practitioner committee. They worked on that basis with



Dr M A Wilson (left), and his two deputy chairmen, Dr P F Kiely (centre) and Dr J B Lynch

amendments made from time to time until they gave notice that they intended to stop working.

### Resounding message from profession

Debating the ballot result, Dr Arnold Elliott believed that the troops had given the committee a resounding message and it should not be fainthearted. The conference and now the committee had urged that discussions should be reopened. At the same time there was a request to enter discussions on the changes to the statement of fees and allowances.

Dr J W Chisholm hoped that the negotiators would indicate their abhorrence of the proposals the committee disagreed with and try to ameliorate them.

One of the new members of the committee, Dr E L Rose, pointed out that it was the whole package that had been rejected by the profession. It was not just the higher proportion of income from capitation fees, the targets for immunisation and cytology, and the night visit fees. It was the erosion of the independent contractor status, the loss of clinical freedom, and the loss of status for part time doctors, particularly women. If the negotiators did not take all these on board there was a risk that the proposals would be rejected again.

Another newly elected member, Dr J C Tiarks, thought that the craft had voted on a matter of principle—that is, about patient care. This had put general practice in a good position to win the propaganda war that had only just started. Doctors had been seen to be on the side of patients. They must now show that they were prepared to be accountable.

There was applause for Dr Mervyn Goodman's plea for the negotiators to keep the committee informed step by step so that members could report to their constituents in the light of informed debate.

### Steaming government will steam on

Dr J B Lynch had been re-elected as one of the negotiators, and he emphasised that the committee should do nothing that would prejudice its right to be the body that the secretary of state consulted. The government would, he said, like to destroy national negotiating bodies. The profession's greatest strength was that it provided a high quality service that depended not on political diktat

but on high morale and the resolve of those with a privilege of caring.

But the committee must not leave the five negotiators to bargain on the motions passed at the special conference. The time for table thumping had gone and the GMSC was now in the driving seat. Everyone realised that the special conference motions were unachievable.

Dr S O Fradd disagreed and believed that the message should go out that the committee stood by many of the motions, but it needed the backing of the profession.

Other speakers hoped that the negotiators would get as much from the consultations as possible, that the committee would be kept fully informed, and that any future outcome would not be commended.

### Secretary of state refuses further talks on GPs' contract

Four days after the announcement of the ballot in which general practitioners overwhelmingly rejected the government's proposed new contract representatives of the profession met the Secretary of State for Health on 24 July. After the meeting the chairman of the General Medical Services Committee, Dr M A Wilson, made the following statement:

I am now forced to tell doctors and the public that the secretary of state has ignored this overwhelming message from general practitioners and refused to understand that his proposals will damage the existing services to NHS patients and will do nothing to improve the range of services to patients in the future. I am at a loss to understand why the secretary of state called today's meeting and yet refused to agree to talks on doctors' main areas of concern. In particular general practitioners are worried that the proposed contract will mean that they will have less time to spend with their patients as list sizes go up.

### Correction

#### The Week in Swansea

The second sentence in the third paragraph of the report of the special representative meeting (15 July, p 193) should read: "An important advance was that to an approved motion reaffirming the decisions of the May SRM but regretting that no real progress had been made the meeting added some positive suggestions to meet the aims of the NHS review, with which the BMA agrees." Scrutator apologises for this error.