

**PRIVATE & CONFIDENTIAL**

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Our Ref: AMP/WH/JB/ss

4 August 2015

**CHAIRMAN'S OFFICE**  
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Dear Tim

**Cancer Target Contract Penalties**

Achievement of the National Cancer Target is a goal my Board and the CCG Governing Body share and the importance of doing so for the benefit of our patients is not disputed. At our meeting on 29<sup>th</sup> July 2015, the Board spent considerable time discussing the Trust's performance against the cancer targets, the actions already taken and the Recovery Action Plan (RAP) that has been submitted. Clearly, there are differing views between our organisations about the robustness of the RAP and these will be resolved via the continuing discussions, but this does not change our commitment to acting in the best interest of patients.

The Board noted that during Quarter 1 penalties to the value of £161,000 have been withheld from the contract payment to the RD&E. We understand the application of these penalty sums are not at the discretion of the CCG, but given the CCG would have budgeted to spend these sums on cancer care for your population, we believe, as recommended in national guidance, a sum equivalent to the value of the penalty should be invested in a manner which ensures cancer patients are not disadvantaged. As you will appreciate from the RAP the RD&E recovery programme is heavily dependent on building the additional physical capacity required to respond the non-commissioned 28% growth in patients following the 62 day pathway during 2014/15. The RD&E is not in a position to undertake additional work outside the programme submitted but we would expect the sums withheld as penalties to be used by the CCG to commission the treatment to improve access times, if necessary from alternative providers.

We are unsighted on how the CCG is using the withheld sum for the benefit of the cancer patients in the eastern locality. Please could you confirm how the CCG will spend the penalties withheld for the benefit of patients, within the eastern locality, on a cancer pathway?

Yours sincerely



**James Brent**  
**CHAIRMAN**

cc: Angela Pedder  
Rebecca Harriott