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John Blackwell, BVA President & Neil Blake, BCVA Junior Vice President  
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*Via email*

30<sup>th</sup> April 2015

Dear John and Neil

### **New TB testing contracts**

I write in response to your letter of 27 April 2015, which was sent to the Secretary of State for Environment, Food and Rural Affairs.

Defra's commercial relationship is with the five primary Suppliers to whom we awarded contracts in February, it does not directly extend to the arrangements between the Suppliers and their subcontractors. Therefore it is a matter for the Suppliers, rather than Defra, to decide how much time is reasonable to allow potential subcontractors to consider contracts before signature.

Under the contracts with Defra, the primary Suppliers are obliged to begin service commencement on the 1<sup>st</sup> of May and they have all made undertakings to do so. A great deal of planning and preparative work has been done by both the Suppliers and APHA to ensure that the service can commence on the 1<sup>st</sup> May. At this late stage it was impracticable for us to consider any postponement.

The contracts place an obligation (subject to certain exceptions) on the five primary Suppliers to offer work to eligible veterinary practices within each region. This was a deliberate action taken by Government to encourage the continued participation of veterinary practices in the delivery of TB testing and other veterinary work. The Suppliers have done a great deal to meet this obligation and large numbers of practices have already signed subcontracts in four of the five regions; the exception being South West 1 (i.e. Devon & Cornwall) where fewer have signed thus far. Across England as a whole, almost 200 practices have already signed subcontracts, with others expected to do so very soon.

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We are aware that there have been some particular issues with draft contracts from the Supplier in Devon & Cornwall and we are also aware that the Supplier has made amendments to their original proposals and has been making considerable efforts to provide clarification to prospective subcontractors. Equally, the Supplier has contractual obligations to Defra to deliver TB testing services and other work in this region and needs to establish their supply base quickly (in line with the Suppliers in other regions) so as to understand the actual collective capacity in the region.

Everyone has recognised that prospective subcontractors require more than a few days to decide whether to commit to contracts or not. Equally open ended deliberations by prospective subcontractors present the Supplier with considerable difficulties which could ultimately threaten the delivery of TB testing in this region. All the Suppliers have relaxed their original deadlines to allow a reasonable time for contracts to be considered and either signed or declined. In particular, the Supplier in Devon & Cornwall has decided to extend their deadline to 14<sup>th</sup> May which provides a reasonable period for potential sub-contractors to reach their decisions.

We are pleased that so many practices have already decided to be part of the new regional delivery networks. Other practices, in Devon & Cornwall and elsewhere, continue to have the opportunity to join these delivery networks but each one must now decide whether to do so or not.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Simon Hall', with a long horizontal flourish underneath.

**Simon Hall**

Veterinary Director, APHA

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Cc: Amelia Findon, BVA  
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