

Career Options in General Practice

BMA

and how the BMA can support you

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NHS GP Structure

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- Clinical Commissioning Group
- NHS England - Local Area Team (LAT)
- Confederations/Federations
- Mergers



Types of GP Practices

NHS England can contract with GPs in 3 contracts:

- General Medical Services (GMS)
- Personal Medical Services (PMS)
- Alternative Personal Medical Services (APMS)



GMS: General Medical Services Practices



NHS Employers negotiate with the General Practitioners Committee (GPC), (BMA) regarding payments for

- Global sum
 - Running costs for a general practice, and essential GP services.
- Quality and Outcomes Framework (QOF)
 - Practices choose to provide two areas of clinical and public health.
- Enhanced Services (ES)
 - Locally and national additional services that practices can choose to provide to meet the populations healthcare needs.



PMS: Personal Medical Services



APMS: Alternative Personal Medical Services

- Private contracts between NHS England
 - Independent private organisations e.g. Virgin
 - Voluntary sector
 - Groups of professionals
 - GMS/PMS (through a separate contract)
- Contracts of employment must reflect Statutory Minimums or better



Types of GP contracts

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- Locums – self employed contractor
- Salaried GP - an employee of the business
 - GMS
 - PMS
 - APMS
- Partnership – a profit sharing Partner in the business
 - Fixed Share/Salaried –query status?
 - Partnerships At Will
 - Limited Liability Companies
 - Partnership Agreements



GP Locums



- Contract for services
- No holiday, sick, maternity, paternity benefits etc.
- Pension Contributions paid by Practice from Day 1
 - 14% of 90% of locum fee
 - Not full death in service benefits
- HMRC give guidance on self employment status



GP Locums: BMA Support



BMA GP Locum Handbook

- Template for locum inductions
- How to calculate locum fees
- Tips for CPD, how to avoid isolation

Self Employment Advice

- Self Employed Contract check
- Representation
- Long term locums = are you an employee?
- Chase agencies for payment
- Referral to solicitors to merits assessment – county court
- Advice on Pension contributions



Terms and conditions



There was a change to the PMS Regulations in 2015 which now requires PMS practices to only appoint a salaried general practitioner on terms and conditions which are no less favourable than those contained in the "Model terms and conditions of service for a salaried general practitioner employed by a GMS practice".

NHS England Standard Personal Medical Services Agreement
2015/16 Superseded



Salaried GP: GMS & PMS



Terms and Conditions	Minimum Terms as per the model contract
Model contract – download a copy https://www.bma.org.uk/advice/employment/contracts/sessional-and-locum-gp-contracts/salaried-gp-model-contract	Terms and conditions which are no less favourable than those contained in the "Model terms and conditions of service for a salaried general practitioner employed by a GMS practice".
Salary	Negotiable within range – DDRB 2018/19 £57,655 - £87,003
Hours	37.5 hours p/w 9 sessions at 4hrs 10 mins



Salaried GPs: GMS & PMS



CPD	4hrs p/w protected time
Study leave	Contractual time paid or unpaid
Job Planning	Unstructured (see BMA model)



Salaried GP: GMS & PMS



	Minimum Terms as per the model contract
Leave	30 days + 10 B/H.
Appraisal	Prep and interview may be in normal working hours
Previous NHS Service Credited	Contractual



Salaried GPs: GMS & PMS



Absence	Minimum Terms as per the model contract
Sick Pay entitlement	<p>Increases for each completed year of NHS service:</p> <p>1st year of service: 1 month full pay and 2 months ½ pay (after 4 months service)</p> <p>Up to a maximum of : 6 months full pay and 6 months ½ pay after completing 5 years of service</p>



Salaried GPs: GMS & PMS



Redundancy	Minimum Terms as per the model contract
Reckonable service	All NHS service
Advise must be sought on this as eligibility to continuity would need to be determined	Varies from between ½ week's pay for each year of Reck NHS Service to max of 4 week's pay for each year of R.NHS.S as per section 45 of GWC. Important to seek advice from BMA as GWC pre-dates age-discrim legislation. Max pay is 66 weeks pay



Salaried GPs: GMS & PMS



Maternity Entitlements	Minimum Terms as per the model contract
Maternity Leave (day1)	52 weeks (26 ord + 26 additional)
Mat Pay (after 12m service) 39 weeks paid leave	8 wks @ full pay 14 wks @ ½ pay 17 weeks @SMP
SMP £148.68 per week/90% for 39wks MA £148.68 for 39 weeks/£30 for 14 wks (2019/20)	



Salaried GPs: GMS & PMS



Contract termination	Minimum Terms as per the model contract
Worked or paid in lieu	3 months notice (minimum)



BMA Support for Salaried GPs



- GPC negotiates national terms and conditions (GMS)
- Local Negotiating Committees
- Local Medical Committees
- Employment helpline
- Local Employment Adviser
- Representation at meetings
- Collective representation
- Salaried GP Handbook
- Online learning etc.



Partnerships



A relationship which subsists
between persons carrying on a business
in common with a view of profit

Partnerships Act 1890



Types of Partnership:

Fixed Share/Salaried Partnerships

- No employee protection
- No partnership benefits
- Fixed salary
- Responsible for own tax, NI, insurances
- Read the small print as liabilities and responsibilities vary
- Ask for written details



Types of Partnership:

Partnership at Will

- No written agreement
- Governed by the Partnership Act 1890.
- Can be dissolved on notice by any partner.
- All partners are deemed to have equal profit shares
- Most decisions are made by simple majority.



Types of Partnership:

Limited Liability Company

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- Limited by shares
- May hold a GMS contract
- Not generally recognised for the NHS Pension Scheme



Types of Partnership:

Partnership Agreement

- Legally binding
- Joint and several liability (may continue after end of partnership)
- Employer/entrepreneur
- Business details
- Assets
- Income and expenses
- Accounting
- Profit sharing



Types of Partnership:

Partnership Agreement

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- Taxation
- Superannuation
- Retirement/expulsion
- Leave
- Decision making processes
- Disputes resolution
- Revalidation
- Care Quality Commission



BMA Support to Partnerships



- Partnership Drafting Service – BMA Law - fee
- Partnership Agreement Check
- Unlimited advice by phone and email regarding employment matters for clinical and non-clinical staff
- Initial advice in NHS disputes and support & representation when it is within the remit of the EAS
- Mediation – interpersonal mediation via EAS; commercial mediation via professional mediator or BMA Law - fee
- Referral to Arbitration – Please note that the BMA no longer provides this service



Any questions?