GP Locum factsheet

Introduction

GP locums may ‘pension’ their temporary or deputising GMS/PMS practice based locum earnings and also earnings in respect of work undertaken for a ‘classic’ (i.e. GP led) APMS practice/centre that qualifies as a NHSPS Employing Authority. From 1 April 2014 GP locums may ‘pension’ appraisal work carried out for NHS England/NHSCB or a Local Health Board via forms A and B.

Freelance GP locums cannot ‘pension’ income in respect of work undertaken for an Independent Provider (IP) even if that IP holds an APMS contract.

A freelance GP locum who trades as a limited company cannot ‘pension’ their income.

Long term practice fee based work is type 2 Practitioner work, not GP Locum work, in NHS pension terms.

In order to superannuate their income a GP locum:

- Must be on a Medical Performers List and working as an individual.
- Must be deputising, or providing additional cover, in a GP practice on a temporary basis.
- Must be performing appraisal work under a contract for services; i.e. fee based.
- Must send forms A and B and all Scheme contributions to their LAT or LHB within the 10 week window.

Out of Hours work must not be recorded on forms A or B. The form GP SOLO must be used and this work is recorded as either a type 1 or 2 Practitioner. All GP pension forms can be found in the Practitioner section of NHS Pensions website.

The Employing Authority for all GPs is NHSCB/NHS England or LHB (Wales). To find out whom the cheque should be made payable to and where to send it along with the forms a GP locum should contact their area team or LHB directly, not NHS Pensions.
Annex A provides some GP locum frequently asked questions (FAQs).

Annex B provides information on GP locum related pension Newsletters.

**Pensionable work**

A GP locum may ‘pension’ practice based work and (wef 01/04/2014) appraisal work however there has to be a clear and direct transaction between the GP locum (as an individual) and the GP practice, LAT (i.e. NHS England), or LHB (Wales).

The pensionable element is 90% of the fee.

Where a GP locum chambers is involved the locum may still ‘pension’ their income so long as they are paid directly by a practice.

**Non Pensionable work**

A GP locum who trades as a limited company or who does not submit their forms/contributions on time cannot ‘pension’ their income. Fee based work undertaken for an Independent Provider or Direction body cannot be superannuated.

A GP locum **must** return the employer contributions if they originally intend to pension their income but then they do not.

**GP Locum forms and contributions**

A GP locum who wants to ‘pension’ their NHS income must take the following steps:

1. Obtain forms GP Locum A and B and read the guidance notes carefully.
2. Ensure the commissioner completes their part of form A.
3. Ensure that they collect the employer contributions from the commissioner.
4. Forward forms (A and B) and all contributions to their NHSPS Employing Authority on time; i.e. no later than the 7th day of the month following the end of the month covered by the form GP Locum B

GP locums are subject to the same tiered employee contribution rules as other GPs. They must ensure at year end that they have paid the correct tiered rate ‘across the board’. The commissioner (i.e. GP practice) **must, in law**, pay the employer contributions.
A GP locum must inform the practice, LAT, or LHB from the outset if they intend to superannuate their income.

There is no liability on a practice, LAT, or LHB to pay over the employer contributions if a GP locum is not superannuating their income.

If a GP locum informs a practice, LAT, or LHB that they are going to superannuate their income however it transpires that they do not, they **must** return the employer contributions. It is illegal to keep the employer contributions.

**NHSPS membership**

GP locums are afforded ‘Locum Practitioner’ NHSPS status. GP locums who continue to make claims on forms GP Locum A and B will have continuous NHSPS membership until their GP locum work ceases for more than three months. GP locums are not afforded the same rights in respect of pensionable sick pay, maternity/paternity pay as other GPs.

**Contacting NHS Pensions**

Any GP related pension enquiries should be sent to:

nhsbsa.practitioners@nhs.net

**Annex A - FAQs**

**Q. I am a GP locum and I have no other Practitioner NHSPS membership but I also do regular appraisal work, can I pension my appraisal work?**

A. With effect from 1 April 2014 locum GPs can pension their appraisal work. You should pension this via Locum Forms A and B. You must remember to advise the LAT/LHB that you wish to pension your appraisal work so they can account for the employer contributions.

**Q. As a GP locum Scheme member am I subject to tiered employee contributions?**

A. Yes. As a general guide your employee contributions will be based on your aggregated GP pensionable pay. There is more information on NHS Pensions website.

**Q. How do I pay my contributions and how much will that be?**

A. Form GP Locum B is the record of GP practice based GP locum and appraisal earnings you have received in a particular month and relates to form GP Locum A that you have been completing. GP Locum form B includes full instructions on how to calculate the
amount of pension contributions due. The amount will depend on your pensionable earnings. Your pensionable earnings are your gross earnings less 10% deduction for expenses, i.e. 90% of your gross pay. Don't forget you will have to forward the 14% employer contributions onto your Employing Authority.

Q. Who is responsible for paying the 14% employer contributions?

A. With effect from 1 April 2013 the commissioner (i.e. GP practice) must, in law, pay the NHS Pension Scheme (NHSPS) employer contributions in respect of freelance GP locums. Where a freelance GP locum is practising in England and wishes to superannuate their income they must send their GP locum forms A and B (and all contributions) to the relevant Local Area Team of NHS England/NHS Commissioning Board. The Local Area Teams in effect took on the former Primary Care Trust’s role in respect of processing the forms and contributions.

In some cases this will be to the same location as prior to April 2013. However where it is not same location the freelance GP locum must identify where to send their forms and contributions within the 10 week deadline. In Wales the LHB continues to act as the Employing Authority.

Q. I am an existing GP Scheme member. Can I backdate Scheme membership for GP locum work I have undertaken?

A. Yes, but you can only backdate your GP locum Scheme membership by up to 10 weeks.

Q. I am an existing GP partner and also perform GP locum work elsewhere. Can I ‘opt out’ of pensioning GP Locum work?

A. You cannot opt out per se. However if you do not record your locum work within the 10 week window you are in effect out of time.

Q. I am an existing GP partner (or single hander). Can I work as a locum in my own practice?

A. Any pensionable income generated in your own practice must be recorded on the GP Provider Certificate of Pensionable Income even if you and your colleagues may regard it as locum work. You must not use locum forms A & B.

Q. I am a practice based salaried GP. Can I work as a locum in my own practice?

A. Yes and this should be recorded on forms A and B. If, however this work lasts for more than six months it should also be regarded as type 2 Practitioner work.
Q. I am currently buying Added Years/Additional Pension do I have to pay additional contributions on my GP locum/appraisal earnings?

A. Yes.

Q. I work occasionally for an OOHs Provider. Can I 'pension' this OOHs work?

A. If you regularly work for an OOH this is not regarded as pensionable GP locum work. You must record this work on the form GP SOLO.

Q. I am currently a freelance GP locum paying into the NHSPS. However I am planning to become a permanent GP in a GMS/PMS practice, can I continue paying into the Scheme as a GP locum?

A. Yes, but your pensionable earnings, as a GP locum must continue to be recorded separately on forms GP Locum A and B.

Q. Does form GP Locum B relate to work carried out in that month or to the pay received in that month?

A. Form GP Locum B is a record of the pay you have received in that month; not the locum work you have done in that month.

Q. If I am paid late for work previously done, am I to record the pay in the month worked or in the month paid?

A. Always record the pay you have received in that month.

Q. Are travel expenses, i.e. motor mileage allowance pensionable?

A. No. To take account of this you must always record the total amount of earnings you receive. You will be instructed to deduct 10% of your gross pay first. This is to take account of an element of expenses, which may be included in your gross pay.
Q. Do I have to send a cheque for the pension contributions with my forms GP Locum A and B?

A. Yes. You send your cheques to your LAT/LHB along with the forms. Your host LAT/LHB is the one you are registered with and will advise on where to send the cheque and who to make it payable to.

Q. When do I have to send the completed forms GP Locum A and B?

A. Normally, depending on your work pattern and when you choose to invoice for payment, it will be at the end of each month. You should aim to complete the forms in good time so that you can send them, and a cheque(s) for the relevant pension contributions, by the 7th of the following month.

Q. What is the 'Employing Authority Code' number?

A. Each GP practice/LAT/LHB is allocated a unique Employing Authority code.

Q. Can I claim backdated Scheme membership?

A. You cannot apply for NHSPS membership for any GP locum work that ended more than 10 weeks before your LAT/LHB received forms GP Locum A and B.

Q. I used to be a GP member of the Scheme and have deferred benefits. Will my freelance GP locum NHSPS membership link to my previous membership?

A. Yes.

Q. I am working as a freelance GP locum in both England and Wales. Do I have to register on two Performers lists?

A. Yes.

Q. I am working as a freelance GP locum in both England and Scotland. Do I have to register on two Performers lists?

A. Yes. If you work as a GP locum in Scotland, or Northern Ireland, you cannot record this work on forms GP Locum A and B as these refer solely to pensionable GP locum work in England and Wales. Contact the relevant NHSPS administrators for further advice.
Q. I am a freelance GP locum Scheme member, would my family receive any benefits if I died?

A. Death in service cover is available to all members of the NHSPS as long as they are in pensionable employment (i.e. contributing to this NHSPS at the time of death. The death gratuity for GPs is twice the average uprated (dynamised) Practitioner pensionable pay. The death gratuity is normally paid to a surviving spouse (or your estate if you are single) though you can elect to have it paid to others if you wish.

The surviving spouse would also receive an annual pension. Any dependent children would receive an allowance for a limited time period. The value of the pension and allowance would be dependent upon your circumstances at the time of your death. If you are scheduled to work as a locum at a Practice for example from Monday through to the following Friday and you died on Wednesday, you would be covered by ‘death in service’ benefits.

Once contributing membership ceases death in service cover ceases too, however, it is replaced by another type of cover. The NHSPS will normally pay a death gratuity of three times your annual pension at the date of death. As with death in service, there is provision to pay a pension to a surviving spouse and any dependent children would receive an allowance.

Annex B – GP Locum related Newsletters

2013

TN11/2013 – reminder regarding Employers contributions for Locum GP’s
TN07/2013 – reminder regarding Employers contributions for Locum GP’s
TN04/2013 – reminder regarding Employers contributions for Locum GP’s

2012

TN03/2012 – Locum forms and tiered contributions
TN02/2012 – Definition of a Locum

2010

TN02/2010 – information regarding the 10 week window for pensioning Locum work

2009

TN08/2009 – Life assurance for Locums and Definition of a Locum
2007
TN13/2007 – guidance and completion notes

2006
TN14/2006 – NHS Pension benefits and retirement

2005
TN03/2005 – GP Locums’ pensionable pay and contributions.

2004
TN15/2004 – GP Locum Forms C & D (no Longer in use)
Annex 4 & 5 – Pension contributions and collection arrangement for GP locum work for and OOHP.

2003
TN07/2003 – information about GP Locum work undertaken by GMS/PMS GP’s
TN02/2003 – Information about NHS GP Locum work undertaken by GMS/PMS GP’s

2002
TN06/2002 – membership criteria
TN04/2002 – admission of GP Locums work to the NHS Pension Scheme for Pension Officers on processing Scheme membership for GP Locum

2001
TN03/2001 – Admission of freelance GP Locums to the NHS Pension Scheme as practitioners.