

Injury Benefit

The NHS Injury Benefit Scheme, which currently provides for the payment of either a Temporary Injury Allowance (TIA) or a Permanent Injury Benefit (PIB), is being removed on 31 March 2013.

NHS staff covered by the current Injury Benefit scheme will still be able to claim either TIA or PIB in respect of an injury or illness which is wholly or mainly attributable to NHS employment and that occurs on or before 30 March 2013. You can find more information about this on the BMA website –

<http://bma.org.uk/practical-support-at-work/pensions/faq-nhs-injury-benefit-scheme/changes-to-nhs-injury-benefit-scheme>

The Injury Benefit Regulations are being amended to prevent future claims in respect of injury or illness which occurs on or after 31 March 2013. A new Injury Allowance scheme is being introduced as a contractual entitlement under the NHS Terms and Conditions of Service Handbook. This will cover hospital doctors and other NHS staff.

GP contractors will not be covered by these new arrangements in their current form.

Whilst the BMA participated in the review discussions it did not agree with the radical changes that have been made and we have responded to the consultation to this effect. Historically very few GPs have claimed injury benefit but the GPC believes that they should be eligible for IA following injury at work in line with hospital doctors' entitlements.

We understand that salaried GPs employed on the model contract will be eligible for Injury Allowance as the model contract is linked to the NHS Terms and Conditions of Service Handbook. It would however be the employing practice's responsibility to pay this benefit for successful claimants.

IA will be paid as an income top up to eligible staff. The allowance will top up NHS sick pay (or earnings when on a phased return on reduced pay) and certain other income i.e. contributory state benefits, to 85% of pay. The allowance will be limited to the period of the employment contract only and restricted to a period of up to 12 months per episode. The amount a salaried GP would be able to claim under this scheme would be determined by their length of service and consequent levels of sickness benefit. The model contract gives salaried GPs the following sick leave allowances:

- during the first year of NHS service: one month's full pay and (after completing four months' service) two months' half pay
- during the second year of NHS service: two months' full pay and two months' half pay
- during the third year of NHS service: four months' full pay and four months' half pay
- during the fourth and fifth years of NHS service: five months' full pay and five months' half pay
- after completing five years of NHS service: six months' full pay and six months' half pay.

All previous continuous NHS service, including locum service, is aggregated for the purposes of sick leave. It is possible for the model contract to be improved upon, and thus for a salaried GP to be provided with more enhanced sick pay arrangements.

Practices need to be aware of these changes to injury benefit. In line with normal practice, contractors should ensure that they make financial provision for their own unplanned absence and that of their staff. These changes to the injury scheme are unlikely to have a significant impact on practices because so few GPs have historically claimed injury benefit. Practices will however need to make their own assessment as to whether additional insurance should be purchased.