

# Newsletter

April 2020

Sheffield  
LMC



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## **COVID-19 RESOURCES: SHEFFIELD LMC WEBSITE**

On Friday 20 March all represented Sheffield GPs and Practice Managers were sent a brief update (email from Mark Durling, LMC Vice Chair) on the urgent areas the LMC is working on. This was then followed up with emailed updates on 2 April and 9 April. We continue regular communication with key organisations to assist practices with the help, support and guidance they need, whilst avoiding filling GP and Practice Manager in boxes with information circulated by others. Therefore, as noted in our 20 March update, we have created a dedicated page on our website where we can provide updates and suitable links to relevant guidance: <https://www.sheffield-lmc.org.uk/page1.aspx?p=25&t=1>

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## **CARE QUALITY COMMISSION (CQC) REGISTRATION: HOT HUBS** *Update from the General Practitioners Committee (GPC)*

A few days ago a concern was raised that areas where hot hubs are being set up were being contacted by CQC staff saying that all practices were going to have to inform CQC of changes to their operating model. We have been in discussions with CQC about this and have agreed a solution to the problem. They are statutorily required to maintain up to date information on service delivery and so did not feel they were able to waive the requirement completely. However, we have agreed that where a group of practices in a locality have worked together to set up a "hot hub" (ie a facility where patients of all practices can be seen FTF if they may be at higher risk of having coronavirus) then only the provider running the hot hub site need contact CQC. They would need to submit a change to their Statement of Purpose (Part 3). Below is a link to a proforma which would satisfy the criteria: <https://www.sheffield-lmc.org.uk/website/IGP217/files/Proforma%20Statement%20of%20Purpose.doc>

Ultimately it is for the provider of the hot hub site to ensure that the suggested wording is appropriate and actually fits their circumstances, but I hope you will find this useful. This should now be a 90 second job for 1 person in the locality.

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## **CARE QUALITY COMMISSION (CQC) MYTH BUSTERS**

Professor Nigel Sparrow, Senior National GP Advisor at the CQC issues guidance to clear up some common myths about CQC inspections, as well as sharing guidance on best practice, which practices may wish to be aware of: <https://www.cqc.org.uk/guidance-providers/gps/nigels-surgery-full-list-tips-mythbusters-latest-update>

The following Myth Busters have been added or updated recently:

- Responding to coronavirus (COVID-19)  
<https://www.cqc.org.uk/guidance-providers/gps/nigels-surgery-97-responding-coronavirus-covid-19>
- Statutory notifications to CQC  
<https://www.cqc.org.uk/guidance-providers/gps/nigels-surgery-21-statutory-notifications-cqc>

In addition, the CQC has recently issued *COVID-19: interim guidance on DBS and other recruitment checks* in response to temporary changes being made by the Disclosure and Barring Service (DBS) to DBS applications and processes, which will be in operation for the period the Coronavirus Act 2020 remains in force, to be reviewed regularly by CQC:

<https://www.cqc.org.uk/guidance-providers/all-services/covid-19-interim-guidance-dbs-other-recruitment-checks>

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### **REMOTE WORKING: GP LOCUMS**

Concerns have been raised with the LMC that GP Locums may have difficulty getting remote access if they are self-isolating or do not have a regular practice they are associated with. Sheffield Clinical Commissioning Group (CCG) has been issuing guidance and the LMC is aware of various sources of help and expertise. If any GP Locums have been unable to get set up for remote working please contact Duncan Couch, LMC Executive Officer via [excofficer@sheffieldlmc.org.uk](mailto:excofficer@sheffieldlmc.org.uk) for an update on how best to proceed.

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### **CARRYING OVER ANNUAL LEAVE**

Government has announced that rules on carrying over annual leave are to be relaxed to support key industries during COVID-19, which appears to suggest that practices as employers do have an obligation to follow it:

<https://www.gov.uk/government/news/rules-on-carrying-over-annual-leave-to-be-relaxed-to-support-key-industries-during-covid-19>

The British Medical Association (BMA) legal department has confirmed that the annual leave entitlements through the Working Time (Coronavirus) (Amendment) Regulations 2020 (SI 2020/365) do indeed apply to GP practices. Therefore, annual leave should be allowed to carry over into future years. However, the wording of the regulations is quite broad. At present the law does not say that people are unable to take holiday because of the impact of coronavirus, therefore employees will be expected to take annual leave in the normal way unless it is not reasonably practicable for them to do so, for example because of COVID-related obligations.

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### **GP TRAINEES' TIER 2 VISAS EXTENDED**

The Government has announced that doctors, nurses and paramedics with visas due to expire before 1 October 2020 will have them automatically extended for one year. This is particularly relevant for GP Trainees with Tier 2 visas which will expire at the end of their training. Further information can be found at:

[https://www.gov.uk/government/news/nhs-frontline-workers-visas-extended-so-they-can-focus-on-fighting-coronavirus?utm\\_source=The%20British%20Medical%20Association&utm\\_medium=email&utm\\_campaign=11451481\\_GP%20ENEWSLETTER%202020420%20-%20COVID19%20-%20ENGLAND&utm\\_content=Trainees%20on%20visas&dm\\_t=0,0,0,0](https://www.gov.uk/government/news/nhs-frontline-workers-visas-extended-so-they-can-focus-on-fighting-coronavirus?utm_source=The%20British%20Medical%20Association&utm_medium=email&utm_campaign=11451481_GP%20ENEWSLETTER%202020420%20-%20COVID19%20-%20ENGLAND&utm_content=Trainees%20on%20visas&dm_t=0,0,0,0)

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### **LMC REPRESENTATION OF SHEFFIELD GPs**

As many of you will be aware, the LMC maintains a database of represented Sheffield GPs and periodically makes contact to ensure that this is kept up-to-date, taking into account change of contractual type, practice etc.

In view of the unprecedented pressure and workload on practices at the moment we have suspended contacting GPs directly asking for an update on working status and location in relation to LMC representation. If any GPs wish to update us on their changed circumstances, or any Practice Managers wish to update us on doctors leaving or joining the practice, please forward this information to [adminassistant@sheffieldlmc.org.uk](mailto:adminassistant@sheffieldlmc.org.uk).

We will keep you update on when we aim to resume or usual checks and communications.

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## ***DISTRIBUTION OF MONTHLY LMC NEWSLETTERS***

After careful consideration about the measures that need to be put in place to ensure safe distancing of LMC staff and reduced handling of documentation between organisations, it has been agreed that the LMC Newsletters will only be sent out electronically for the foreseeable future.

All represented Sheffield GPs we hold an email address for and Practice Managers receive the Newsletter electronically, but those practices that have requested the continuation of hard copies will no longer receive these. We will review this situation with those practices still requesting hard copies in due course.

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## ***TEMPORARY SUSPENSION OF GP-S MENTORING SERVICES***

Sheffield LMC's GP-S Mentoring Service has temporarily suspended access to new mentees while the implications of COVID-19 and the welfare of all mentors and mentees are assessed.

Mentors will be assessing the practicalities and appropriateness of arranging virtual mentoring sessions with existing mentees who wish to continue with their sessions.

Please accept our apologies for this disruption in service.

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## ***USING ENCRYPTED "SECURE" EMAILS***

The current COVID-19 pandemic has created many challenges for working in the health care setting. The use of technology has become more important than ever to enable work to continue. There may be situations where sensitive patient data needs to be sent via email from a secure nhs.net account to a non-secure email server.

Guidance on how to send a secure encrypted email from an nhs.net account to a different email provider can be accessed via:  
[https://www.sheffield-lmc.org.uk/website/IGP217/files/Using%20Encrypted%20Secure%20Emails%20\(Apr20\).pdf](https://www.sheffield-lmc.org.uk/website/IGP217/files/Using%20Encrypted%20Secure%20Emails%20(Apr20).pdf)

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## ***SPECIAL CONFERENCE OF ENGLAND LMC REPRESENTATIVES***

A Special Conference of England LMC representatives was held on Wednesday 11 March 2020 to discuss the outcome of negotiations and the contract agreement. The motions at the Conference focused on a wide range of contract related issues, including pay transparency, partnership incentives, fellowships, premises, vaccination payments, continuity of care, out of hours care, care home premiums and the future development of Primary Care Networks (PCNs). There was also a themed debate on the Additional Roles Reimbursement Scheme (ARRS). An emergency motion was also agreed on the response required to support practices during the developing covid-19 pandemic. The General Practitioners Committee (GPC) will now consider how to take the resolutions forward.

Sheffield LMC's report of the Conference can be accessed via:  
<https://www.sheffield-lmc.org.uk/website/IGP217/files/Special%20Conference%20of%20England%20LMCs%2011Mar20.pdf>

Further information can be found at:

Agenda: <https://www.bma.org.uk/media/2121/bma-special-conference-of-english-lmcs-march-2020.pdf>

Resolutions: <https://www.bma.org.uk/media/2154/bma-special-conference-of-england-lmcs-resolutions-march-2020.pdf>

Webcast: <https://bma.streameventlive.com/archive/204>

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## ***PENSIONS UPDATE***

For over 18 months the British Medical Association (BMA) has been raising significant concerns over the impact of punitive annual allowance tax charges facing senior doctors across the NHS. The announcement from the Chancellor in the Budget Statement of an increase in the threshold income of all workers to £200k (or £240k adjusted income) demonstrates that the Government has listened to the BMA's compelling evidence.

However, it is not everything that the BMA asked for – they fundamentally believe that the annual allowance is unsuited to defined benefit schemes such as the NHS and many doctors with incomes far below the new threshold income will face tax bills as a result of exceeding the standard annual allowance, which remains set at £40k.

Separately NHS England and NHS Improvement (NHSE/I) have, after persistent pressure from the General Practitioners Committee (GPC), written to all GP contract holders and performers of primary medical services under GMS, PMS and APMS contracts (including Type 1 and Type 2 Medical Practitioners and Freelance GP Locums). The letter gives eligible clinicians assurance that they can undertake any combination of clinical roles for the NHS during the 2019/20 tax year without suffering any financial loss as a result of the annual allowance pensions tax, subject to using the Scheme Pays mechanism. This includes any additional work related to the response to coronavirus. The letter can be accessed via:

<https://www.england.nhs.uk/wp-content/uploads/2020/03/pension-tax-impact-on-general-practice-letter-11-march-2020.pdf>

It is important that GPs understand how pension taxation affects them - information and guidance can be found on the BMA's website:

[https://beta.bma.org.uk/pay-and-contracts/pensions/tax/nhs-pension-annual-allowance?utm\\_source=The%20British%20Medical%20Association&utm\\_medium=email&utm\\_campaign=11389470\\_POE49Z1%20Budget%20announcement&dm\\_i=JVX,6S466,36IQY5,R4OW3,1](https://beta.bma.org.uk/pay-and-contracts/pensions/tax/nhs-pension-annual-allowance?utm_source=The%20British%20Medical%20Association&utm_medium=email&utm_campaign=11389470_POE49Z1%20Budget%20announcement&dm_i=JVX,6S466,36IQY5,R4OW3,1)

NHSE/I have advised that a proportion of practices have still to submit the mandatory 'NHS Pensions - Estimate of GP and non-GP Provider NHS Pensionable Profits/Pay: 2020/21' forms. As the 1 March 2020 deadline for submission has passed, practices are advised to complete this as soon as possible. Primary Care Support England (PCSE) has been advised by NHS Pensions from April 2020 to deduct the contributions at the 14.5% maximum tiered rate regardless of previous contribution rates if they do not have the estimate. This will impact on practices resulting in the higher deductions being made. Forms are available from the NHS Business Services Authority (NHSBSA) website:

<https://www.nhsbsa.nhs.uk/member-hub/information-practitioner-locum-and-non-gp>

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### ***GP TRAINERS AND EMPLOYMENT TRIBUNALS***

Following issues raised by LMCs regarding possible GP trainer exposure to Employment tribunal risk, the General Practitioners Committee (GPC) has worked with Health Education England (HEE) to address the issue. HEE has written to all GP trainers to provide reassurance. The letter states:

“HEE has considered the question of GP trainers who may face claims relating to employment and equality actions in an Employment Tribunal. Recognising that such claims are not within normal insurance cover, HEE has determined that it will manage and meet the legal costs and any settlement or damages arising on the basis that it is vicariously liable for the actions of GPs and their staff. This means that it will bear the liability in the same way as it does for its employees and officers, acting in accordance with its guidance and in fulfilment of their obligations to HEE. HEE will therefore decide the conduct of such cases liaising with the employer and GPs involved.”

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### ***PRIMARY CARE NETWORK (PCN) HANDBOOK***

An updated version of the PCN Handbook has been published, taking into account the 2020/21 contract agreement:

<https://www.bma.org.uk/media/2144/bma-pcn-handbook-march-2020.pdf>

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**Please forward any articles for inclusion in the LMC newsletter to**  
[manager@sheffieldlmc.org.uk](mailto:manager@sheffieldlmc.org.uk)

**Submission deadlines can be found at**  
<http://www.sheffield-lmc.org.uk/website/IGP217/files/Newsletter%20&%20VB%20Deadlines%202020%20.pdf>

**Contact details for Sheffield LMC can be found at:**  
**Executive Officers:** <http://www.sheffield-lmc.org.uk/page1.aspx?p=13&t=1>  
**Secretariat:** <http://www.sheffield-lmc.org.uk/page1.aspx?p=13&t=2>