

BARKING & HAVERING LMC NEWSLETTER

DECEMBER 2007



*Merry Christmas
and very best wishes
for 2008*

From

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“Health Minister visits local GP”

On 10 December the Health Minister, Ben Bradshaw, visited Wood Lane Surgery, when Dr Ashok Deshpande gave him a demonstration of the urology and intermediate gynaecology services his surgery offers. Mr Bradshaw was very impressed by the whole concept.

Dr Deshpande's full article on how to use telemedicine to diagnose BPH will soon be available on the LMC website:

www.barkingandhaveringlmc.org.uk or can be downloaded from the Pulse Magazine website under practical commissioning.



Compensation to doctors for work injuries

The BMA has warned that some doctors who have received compensation for work injuries may have been underpaid.

The warning comes after the Department of Health identified shortcomings within the NHS Injury Benefits Scheme in England and Wales. There were more than 9,000 cases in which errors had occurred. The review identified that:

- Since 1972 injury benefits have been incorrectly adjusted.
- Between 1985 and 1988 incorrect eligibility criteria has been used.
- Since 2002 some decisions have been made without appropriate legal authority.

The Chairman of the BMA Pensions Committee advised anyone who may have been underpaid to contact the NHS Pensions Agency immediately.



NHS Pension Scheme changes – withdrawal of added-years option

The current facility to purchase new added years will be replaced by a pension purchase arrangement following the changes to the NHS Pension Scheme. The changes will come into effect on 1 April 2008.

Doctors wishing to start buying added years have a 12-month transitional period to do this. Any existing members will have the opportunity to purchase them from 1 April 2008 to 31 March 2009. However, an application must be made to the NHS Pensions Agency before 31 March 2008. All such new contracts must subsequently commence by the member's next birthday and not later than 31 March 2009.

The pension purchase arrangement means that members will be able to buy extra amounts of pension instead of additional years of membership. Under the new option, doctors will be able to purchase up to £5,000 of additional pension a year.

This option will also be available to doctors currently purchasing added years. Existing contracts will be honoured if they remain in the existing NHS pension scheme.

More details are available at the following address:

www.pensions.nhsbsa.nhs.uk



GP Partnership Agreement

Working in partnership can give rise to complex problems as well as benefits. To avoid potential problems under the current statutory regime, your partnership agreement must be kept up-to-date in order to reflect the changes in law.

Partnership Deeds

We have been asked by some practices whom to approach to draw up partnership deeds. We are aware that both Lockharts Solicitors and the BMA provide this service and are informed of the following:-

BMA

This service is designed solely to meet the business needs of general medical practices throughout the UK. The Partnership Agreement is a formal legal document designed to govern all aspects of inter-partner relations.

Areas covered in the agreement include:

- formation of the partnership
- partnership finances
- provisions surrounding leave, absence and suspension
- details of income and expenses
- profit sharing clauses
- holding of and rights regarding premises
- partnership management and decision making
- termination

The service will advise on the drafting and establishment of a partnership agreement for practices to clarify and set down terms of working between participating partners. Partnership Agreements will bring each practice up to date with the law, reduce both financial and non-financial risk and provide a detailed framework on which the ongoing management and administration of the partnership can be based.

The service is offered for a flat rate of £1500 plus VAT to include a full and final agreement. This will comprise a first draft drawn up on the basis of a completed questionnaire received back from the practice plus another final version dealing with any further points. £500 plus VAT is payable on receipt of a first draft. The remainder to be invoiced on finalisation of the agreement. If requested the BMA will also file and hold an agreed final master copy of the agreement at a nominal charge of £25 plus VAT per annum.

If work arises which is outside the scope of the service as offered, such as further drafts or later amendments/variations, then advice may be given at a discounted rate of £120 per hour plus VAT. Practices may access this service by:

Telephone: 020 7383 6128

E-mail: info.pds@bma.org.uk

Writing to: Neal Hooper, Legal Dept.,
British Medical Association
BMA House,
Tavistock Square,
London WC1H 9JP

Lockharts

Initially a questionnaire is usually carried out by email or post and telephone. Once the questionnaire has been returned to Lockharts they will aim to release the first draft within 10 to 20 working days.

When working by post, email, fax and telephone their current charge for the first draft of the Deed is £1750 plus VAT, split into two parts, the first being £250 plus VAT which is payable as a commencement fee.

In the majority of cases most deeds are completed without the necessity of meeting but some partners prefer a visit at surgery premises, or to visit Lockharts' offices, to talk through matters raised in the questionnaire, which allows partners to raise more general points. Additional work leading to the engrossment of the Partnership Deed is carried out at the hourly rate of £210 plus VAT.

Lockharts' partnership property team is available to advise throughout preparation of the partnership deed on property matters insofar as they interrelate with partnership arrangements. They are able to provide Property Deeds and Property Trust Deeds where, for example, not all the partners are beneficially interested in the ownership of surgery premises.

For more information please contact Rosalind Parkin by e-mail:
rap@lockharts.co.uk



GP Pay

The GP Earnings and Expenses Enquiry (EEQ) 2005/06 was published by the Information Centre on 31 October. You can find the full report on:

www.ic.nhs.uk/statistics-and-data-collections/primary-care/general-Practice/gp-earnings-and-expenses-Enquiry-2005-06--initial-results

**NHS Choices: Practice Profiles**

All practices in England should now have received a pack that details how they can edit their own data on NHS Choices. The new release of NHS Choices is being launched to the public on 19 November and practices may want to update their own details before it goes live. To do so they should visit www.nhs.uk/yourprofile. The GPC would encourage all GPs to go to the site and edit their details as faulty data will cause problems for practices.

However, practices that elect to edit their own data can do so at any time, now or in the future. The current information that is fed by PCIS will remain on NHS Choices until individual practices overwrite them by 'publishing' updated and/or expanded information. NHS Choices has reported a large interest in the editing facility with over 1,200 practices having already registered with the online service. Further information can be obtained from gp@nhschoices.nhs.uk or 0845 4023089

**GP Patient Survey (England only)**

The letter confirming the arrangements for delivery of the 2008 GP Patient Survey to measure GP practices' performance against the standards set out in the "Improved Access Scheme" and "Choice and Booking" Directed Enhanced Services (DESS) has been released. It is available on:

www.dh.gov.uk/en/PublicationsandStatistics/PublishedSurvey/GPpatientsSurvey2007/index.htm



Please keep up to date with GPC Guidelines by logging on to the LMC Website:

www.barkingandhaveringlmc.org.uk



With best wishes

Yours sincerely

A handwritten signature in blue ink that reads "Madhu Pathak".

Madhu Pathak