

STOCKPORT PCT

POLICY FOR PAYMENTS FOR LOCUMS COVERING SICKNESS LEAVE

GMS & PMS Practices

Under nGMS if an employee or partner who takes any sickness leave is a performer under a GMS contract the contractor may need to employ a locum to maintain the level of services that it normally provides. In order to attract reimbursement towards locum costs a locum must be employed and the criteria as set out in the Statement of Finance Entitlement (SFE) must be met. The criteria are set out in this document. There are however areas of discretion where reimbursement may be considered in exceptional circumstances.

Entitlement to Payments for Calculating Sickness Leave (para 10.3 SFE)

In line with SFE (Statement of Financial Entitlement), in any case where a contractor actually and necessarily engages a locum (or more than one such person) to cover for the absence of a GP performer on sickness leave and subject to the following conditions: -

1. The leave of absence is for more than one week.
2. If the performer on leave is employed by the contractor, the contractor must –
 - Be required to pay statutory sick pay to that performer, or
 - Be required to pay the performer on leave his full salary during absences on sick leave under his contract of employment;
3. If the GP performer's absence is as a result of an accident the contractor must be unable to claim any compensation from whoever caused the accident towards meeting the cost of engaging a locum to cover for the GP performer during the performer's absence. But if such compensation is payable, the PCT may loan the contractor the cost of the locum, on the condition that the loan is repaid when the compensation is paid unless: -
 - No part of the compensation paid is referable to the cost of the locum, in which case the loan is to be considered a reimbursement by the PCT of the costs of the locum which is subject to the following provisions of this Section,

Or

 - Only part of the compensation paid is referable to the cost of the locum, in which case the liability to repay shall be proportionate to the extent to which the claim for full reimbursement of the costs of the locum was successful;
4. The locum is not a partner or shareholder in the contractor, or already an employee of the contractor, unless the performer on leave is a jobsharer; and

5. The contractor is not already claiming another payment for locum cover in respect of the performer on leave pursuant to this Part,

Subject to the following provisions, the PCT must provide financial assistance to the contractor under its contract in respect of the cost of engaging that locum. It is for the PCT to determine whether or not it was necessary to engage the locum, but the PCT will have regard to the following principles: (para 10.4 SFE).

- a. It should not normally be considered necessary if the PCT ha offered to provide the locum cover itself and the contractor has refused that offer without good reason;
- b. It should not normally be considered necessary to employ a locum if the performer on leave had a right to return but that right has been extinguished; and
- c. It should not normally be considered necessary to employ a locum if the contractor has engaged a new employee or partner to perform the duties of the performer on leave and it is not carrying a vacancy in respect of another position which the performer on leave will fill on his return.
- d. It should not normally be considered necessary for a contractor with two or more GP performers to engage a locum to replace a GP performer, unless the absence of the performers on leave leaves each of the other GP performers (*not including members of the Doctor's Retainer Scheme*) with average numbers of patients as follows:-

Absences lasting or expected to last	Full-Time GP	Three-quarter-time GP	Half-Time GP
Not more than 2 wks	3600 patients +	2700 + patients	1800 patients +
Not more than 6 wks	3100 patients +	2325 + patients	1550 patients +
Longer than 6 wks	2700 patients +	2025 + patients	1350 patients +

- e. It should normally be considered necessary that a single-handed GP performer or a job-sharer fulfilling the role of a single-handed GP performer will need to be replaced, if they are on sickness leave, by a locum.

In exceptional circumstances where it is not directed in the SFE to pay for such cover, Stockport PCT will consider individual requests. A group including the PCT Medical Director, Director of Modernisation and Information, PEC Chair and LMC representatives will meet to consider these requests. . Such areas of discretion would include: -

- Locum support for performers who are returning from sickness leave.

- Locum support for performers who are at risk of needing to go on sickness leave.
- Locum support where there is an usually high rate of sickness in the area where the performer performs services.

Conditions attached to the amounts payable (para 10.8 SFE)

Payments under the scheme, are only payable if the following conditions are satisfied.

- a) The contractor must obtain the prior agreement of the PCT to the engagement of the locum (but its request to do so must be determined as quickly as possible by the PCT), including agreement as to the amount that is to be paid for the locum cover.
- b) The contractor must, without delay, supply the PCT with medical certificates in respect of each period of absence for which a request for assistance with payment for locum cover is being made.
- c) The contractor must, on request, provide the PCT with written records demonstrating the actual cost to it of the locum cover.
- d) Once the locum arrangements are in place, the contractor must inform the PCT –
 - If there is to be any change to the locum arrangements, or
 - If, for any other reason, there is to be a change to the contractor's arrangements for performing the duties of the performer on leave

At which point the PCT is to determine whether it still considers the locum cover necessary;

- e) If the locum arrangements are in respect of a performer on leave who is or was entitled to statutory sick pay, the contractor must inform the PCT immediately if it stops paying statutory sick pay to that employee;
- f) The performer on leave must not engage in conduct that is prejudicial to his recovery; and
- g) The performer on leave must not be performing clinical services for any other person, unless under medical direction and with the approval of the PCT.

If any of these conditions are breached, the PCT may, in appropriate circumstances, withhold payment of any sum otherwise payable under this Section. (para 10.9 SFE).

Payment Arrangements

The contractor is to submit to the PCT claims for costs actually incurred during a month at the end of that month, and any amount payable is to fall due on the same day of the following month that the contractor's payable GSMP falls due.

Applications for additional payments during sickness must be made on form LOC1 and forwarded to the PCTs Director of Modernisation and Information who will advise the Practice once the claim has been approved.

Claims for payment must be made on form LOC6 on a monthly basis.

The maximum amounts payable under the SFE is £948.33 per week. (para 1.5 SFE).

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