

FEBRUARY 2000

GPC

General Practitioners
Committee

Non principals and local medical committees in England and Wales

Guidance for non principals

BMA 

Introduction

Local medical committees (LMCs) were formed in 1911 to provide a statutory basis for the representation of GPs, and the NHS Act 1948 saw LMCs become the statutory body representing NHS GP principals. It was not until Parliament passed the 1999 Health Act that this responsibility of LMCs was extended to include all GPs.

In the wording of the Act, non principal GPs (NPs) are referred to as “deputy medical practitioners”, meaning any GP not on the medical list who works for a GP principal.

An LMC covers the same area as the local health authority, and its constitution must be approved by that health authority. Thus approved, the LMC automatically represents GP principals in that area. But all other GPs are required, individually, to ‘opt in’ to be represented by the LMC and the regulations state that individual non principals should inform the health authority of this. However, by mutual consent, the LMC may carry out that function on behalf of the individual non principal.

Why should non principals choose to be represented by an LMC?

All non principals are urged to register with an LMC and participate in the democratic and representative process. The national governing body for GPs, the General Practitioners Committee (GPC) of the BMA, which represents all GPs, has already established a non-principals subcommittee and has made specific provision for non principal membership of the GPC.

The GPC is the national body with sole rights to negotiate with government on behalf of all GPs, and is funded both by the LMCs and the BMA. The government does not recognise any other GP organisation as representative of GPs.

GPC policy is, in large part, determined by LMCs through the conference of LMCs. Membership of the GPC is open to all GPs, whether principals, non-principals or part I GPs, irrespective of BMA membership, (although nominators, candidates and voters in elections to the GPC must make a contribution to a voluntary levy - see later). It is vital that non principals participate in the LMC structure,

so that their voice can be heard locally and nationally and their views represented fairly and adequately when determining and negotiating policy.

The statutory levy

LMCs cost money to run, with their expenses including rental for office accommodation, purchase of office equipment, stationery and postage, payments and honoraria to staff and officers, and reimbursement to committee members for travel and attendance at meetings. The money to pay these expenses is raised from the GPs whom the LMC represents and, as all GP principals are statutorily represented, they all contribute, on the basis of their list size, to a 'statutory levy'.

The statutory levy is deducted at source by the health authority, and is accepted as a business expense. Non principals choosing to be represented by LMCs would be expected to contribute a levy, directly to the LMC. Just as the levy paid by GP principals bears some relation to their income through the link to list size, the GPC believes that non principals' contributions should, similarly, be related to their income and reflect the fact that they often have reduced working hours and lower incomes.

Constituencies

LMCs consist of elected members who meet regularly - usually monthly. The number of committee members is a proportion of the population of GPs the LMC represents, usually between 1:10 and 1:15, and GPs are elected on the basis of geographical 'constituencies', normally for a defined term. This ensures an even spread of GPs from throughout the LMC area.

The new Act does not specify how non principals should be represented by an LMC, and local arrangements will vary. The GPC believes that an appropriate arrangement will often be to have separate constituencies for non principal GPs. Irrespective of the size of that constituency, LMCs will normally wish to have a minimum of one NP member, but otherwise the number should be determined by the number of non principals in the LMC area choosing to be represented by the LMC, in the same proportion that GP principals are represented.

Potential benefits for non principals

Non principals, in all their different guises (retainees, assistants, locums, “salaried partners”) have one common attribute - they are paid by a practice or a principal, rather than by the HA. NPs need little reminding that disputes between themselves and practices can arise, that getting hold of up to date local clinical guidelines and meeting notices can be difficult, and that logistic support for them at practice level may be found wanting. Non principals will also be increasingly aware of rapid change in the organisation of general practice, such as PCGs, PCTs, clinical governance, revalidation and reaccreditation. All are issues with which the LMC will be intimately involved, not least to defend the interests of GPs whatever the contractual arrangements under which they are working.

By choosing to be represented by an LMC, non principals will be assured that their concerns are heard by other local GPs, and that they will receive up to date information and advice about all the current developments in primary care.

How non principals can choose to be represented by an LMC

Non principals are not automatically represented by LMCs and have to express a wish to be so. This can be done by their contacting the LMC, which will then inform the HA on their behalf.

All non principals are encouraged to make their wishes known to their LMCs as soon as possible so that the size of the non principals constituency can be determined. Many LMCs will require constitutional change to enable the full democratic participation of all GPs. Such constitutional change is a formal and time-consuming process requiring widespread consultation, which may not be possible before the forthcoming round of elections that many LMCs will be conducting. The GPC is recommending that LMCs in this position use their powers of co-option to involve non principals as fully as possible and as soon as possible.

Calculating and paying a levy

Those non principals who wish to be represented by their LMC are expected to contribute to a levy. The GPC suggests that the amount contributed should be proportionate to the earnings of the non principal compared to that amount levied from principals. This will obviously require discussion between individual NPs or groups of local non principals' representatives and the LMC secretariat. The GPC and the non principals subcommittee will wish to monitor the amounts contributed with a view to ensuring some consistency throughout the country.

The voluntary levy

All LMCs also operate a voluntary levy. This is an optional payment and is used to fund the political rather than the statutory functions of the LMC. (A few LMCs are funded entirely on this basis). LMCs send a proportion of this money to the GPC to help fund the working of the central committee. The voluntary levy is normally calculated on the same basis as the statutory levy, and in practice, all but a few GP principals elect to pay the voluntary levy as well. It is suggested that non principals should, similarly, elect to pay a voluntary payment, calculated in the same way as the statutory payment and related to their earnings. As mentioned above, participation in GPC elections, whether as nominator, voter or candidate, is dependent on a contribution to the voluntary levy.