

## Primary care networks and NHS Pension Scheme access

The table below outlines the NHS Pension Scheme access rules for the most common types of primary care network (PCN) / Additional Role Reimbursement Scheme (ARRS) scenarios. For illustration purposes only the (hypothetical) PCN in the table below comprises of four GP (GMS/PMS/APMS) practices (A, B, C and D) and possibly another organisation. For example, 'Company W' or 'Federation W'. In total eight new staff are being employed. The commissioner is NHS England or the local Clinical Commissioning Group (CCG).

Table 1: Access rules for the most common types of primary care networks

Scenario	PCN/ARRS Model	NHS Pension Scheme Access	Notes
1	<p>Practice A is the fund holder and employs all the eight new staff.</p> <p>Practice A allocates the funding amongst the four practices that form the PCN.</p> <p>The practice A staff may work across all the practices.</p>	<p>All eight employees have NHS Pension Scheme access.</p> <p>The non-GP salaried employees are practice staff in NHS Pension Scheme terms.</p> <p>Any salaried GPs are type 2 medical Practitioners and must complete their pension forms every year.</p> <p>Where a freelance GP locum is deputising for an absent GP (or engaged on a temporary basis) they may pension their income.</p>	<p>Practice A is the NHS Pension Scheme employing authority for the practice staff.</p> <p>NHS England (NHSE)/ Primary Care Support England (PCSE) is the employing authority for the salaried GPs. Practice A must submit a revised estimate of pensionable income form listing any new GPs.</p> <p>The practice partners at all four practices must pension the profitable element of the additional PCN/ARRS funding.</p> <p>If practice A is reimbursed by practices B, C, and D, in respect of the eight staff practice A cannot pension the reimbursed income because it would mean it has been pensioned twice.</p>

2	<p>Practice A is the fund holder and allocates the funding across the PCN.</p> <p>Each of the four practices employs two new staff. The staff may work across the PCN or work within their own practices.</p>	<p>All eight staff have NHS Pension Scheme access.</p> <p>The non-GP salaried employees are practice staff in NHS Pension Scheme terms.</p> <p>Any salaried GPs are type 2 medical Practitioners and must complete their pension forms every year.</p> <p>Where a freelance GP locum is deputising for an absent GP (or engaged on a temporary basis) they may pension their income.</p>	<p>Practice A is the employing authority for its practice staff.</p> <p>The same applies for practices B, C, &amp; D.</p> <p>NHSE/PCSE is the Employing Authority for the practice based salaried GPs. The practices must submit a revised estimate of pensionable income form listing any new GPs.</p> <p>The practice partners must pension any profitable element of the additional funding.</p> <p>Any reimbursement between the practices is not pensionable.</p>
3	<p>Company W/Federation W is created to oversee the PCN and may also be the fund holder/disclosed agent but is not an employing authority. It directly employs the eight new staff.</p> <p>Company W/Federation W retains some or all the PCN funding to cover their overheads including the eight new staff.</p> <p>The eight Company W/Federation W staff work across the PCN.</p>	<p>The eight Company W/Federation W employees do not have automatic access to the NHS Pension Scheme because the Company/Federation is not an employing authority.</p> <p>The employed staff may have temporary access to the NHS Pension Scheme until 31 March 2023 under a Direction/Determination order however only if they are directly assisting in the performance of GMS/PMS/APMS/PCN/ARRS.</p> <p>Any self-employed individuals (including GPs) working for the Company W /Federation W do not have NHS Pension Scheme access.</p>	<p>If Company W/Federation W wants the eight staff to have access to the NHS Pension Scheme it must apply to the NHSBSA's Scheme Access Team for temporary Direction/Determination status until 31 March 2023</p> <p>The (A, B, C, &amp; D) practice partners must pension any profitable element of the PCN funding.</p>

<p>4</p>	<p>Company X/Federation X is overseeing the PCN and may also be the nominated fund holder/disclosed agent and is already a classic APMS/ employing authority because it holds an APMS contract and all the shareholders are GPs. It directly employs the eight new staff.</p> <p>Company X/Federation X retains some or all of the PCN funding to cover their overheads including the new staff.</p> <p>The eight employees work across the PCN.</p>	<p>All eight employees have NHS Pension Scheme access.</p> <p>The non-GP salaried employees are practice staff with Company X/Federation X as their employing authority. The employing authority for the t GPs is NHSE/PCSE.</p> <p>Salaried GPs are type 2 medical Practitioners and must complete their pension forms every year.</p> <p>Where a freelance GP locum is deputising for an absent GP (or engaged on a temporary basis) they may pension their income.</p>	<p>NHS Pension Scheme access is allowed because there has been a variation to the existing APMS contract held by Company X/Federation X.</p> <p>Company X/Federation X must submit a revised estimate of pensionable income form listing any new GPs.</p> <p>Company X/Federation X and the four practices must pension any PCN/ARRS profits.</p> <p>If Company X/Federation X is reimbursed by the any of the four practices in respect of the eight staff, it cannot pension the reimbursed income because it would mean it has been pensioned twice.</p>
<p>5</p>	<p>Company Y/Federation Y is overseeing the PCN and may also be the nominated fund holder/disclosed agent. It is an independent provider/ employing authority as it holds an APMS contract but not all the shareholders are GPs.</p> <p>Company Y/Federation Y directly employs the eight new staff who all work across the PCN. Company Y/GP Federation Y retains some or all of the PCN funding to cover its overheads including the eight new employed staff.</p>	<p>All eight staff have NHS Pension Scheme access assuming that their PCN/ARRS work falls within Company Y's/ Federation Y's APMS remit.</p> <p>All eight staff are officers including any salaried GPs.</p> <p>Company Y/Federation Y is the employing authority for all the employees including salaried GPs.</p> <p>Self-employed individuals (including GPs) do not have NHS Pension Scheme access.</p>	<p>NHS Pension Scheme access is allowed because there has been a variation to the APMS contract.</p> <p>Company Y/Federation Y must comply with Independent Provider pension legislation.</p> <p>The four practices must pension any PCN/ARRS profits.</p>

<p>6</p>	<p>Company Z/Federation Z is overseeing the PCN and may also be the nominated fund holder/disclosed agent and is an Independent Provider/ Employing Authority as it holds an NHS Standard contract.</p> <p>Company Z/Federation Z employs the eight new staff who work across the PCN.</p> <p>Company Z/Federation Z retains some or all of the PCN funding to cover their overheads including the eight new staff.</p>	<p>There is no automatic NHS Pension Scheme access because the staff are not spending more than 50% of their time on the Standard contract.</p> <p>They may be afforded temporary access to the NHS Pension Scheme until 31 March 2023 under a Direction/Determination order if they are assisting in the performance of PMS/APMS/PCN/ARRS.</p> <p>All eight staff would be officers including salaried GPs.</p> <p>Self-employed individuals, including GPs do not have NHS Pension Scheme access.</p>	<p>If Company Z/Federation Z wants the eight staff to have access to the NHS Pension Scheme it must apply to the NHSBSA's Scheme Access Team for temporary Direction/Determination status until 31 March 2023.</p> <p>The practices must pension any profitable element of the PCN/ARRS funding.</p>
<p>7</p>	<p>An NHS trust/foundation trust is overseeing the PCN and may also be the nominated fund holder/disclosed agent and directly employs the eight new staff who work across the PCN.</p> <p>The trust/foundation trust retains some or all of the funding to cover their overheads.</p>	<p>All eight trust employees, including any salaried (employed) GPs, are officers in NHS Pension Scheme terms.</p> <p>Any self-employed individuals (including GPs) working for the trust do not have NHS Pensions Scheme access.</p>	<p>All eight employees are officers regardless of their duties or location.</p> <p>The practices must pension any profitable element of the PCN/ARRS funding.</p>

8	<p>All four practices (A, B, C, and D) receive the additional funding either individually or via one PCN fund holder bank account.</p> <p>The eight new staff are jointly employed by all four practices and work across the network.</p>	<p>Because a PCN is not a legal entity and therefore not an employing authority the non-GP staff only have access to the NHS Pension Scheme (as practice staff) if they have four individual concurrent part-time contracts of employment with each of the four practices.</p> <p>Any salaried GPs may only have NHS Pension Scheme access if they have individual contracts of employment with each of the four practices. As type 2 medical practitioners they must complete their pension forms every year.</p>	<p>If there are four individual part-time practice staff contracts of employment any (aggregated) hours in excess of whole-time are not pensionable.</p> <p>A salaried GP's pensionable pay is not restricted to whole-time.</p> <p>The employing authority in respect of the GPs is NHSE/PCSE.</p> <p>The practices must submit a revised estimate of pensionable income form listing any new GPs.</p> <p>The practice partners must pension any profitable element of the additional funding.</p> <p>Any reimbursement amongst the four practices is not pensionable otherwise it would mean it has been pensioned twice.</p>
---	---	--	---

NOTES: Where a GP provider in one of the four practices is appointed as the PCN Clinical Director they declare any additional income on their Certificate of Pensionable Income.