

**Report from Remuneration Committee:
GP Governing Body Members – Contract Status**

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Governing Body Meeting

4 April 2013

Author(s)/Presenter and title	John Boyington, CBE, Lay Member with responsibility for Governance and Chair of Remuneration Committee
Sponsor	John Boyington, CBE, Lay Member with responsibility for Governance and Chair of Remuneration Committee
Key messages	
<ul style="list-style-type: none"> • Requirement to ensure compliance with HM Treasury and HMRC regulations regarding tax arrangements in relation to Board members and senior officials • Recommendation for GP Governing Body Members to be paid via organisational payroll and be issued with a Contract of Employment. 	
Assurance Framework (AF)	
Not applicable	
Equality/Diversity Impact	
<p><i>Has an equality impact assessment been undertaken?</i> N</p> <p><i>Which of the 9 Protected Characteristics does it have an impact on?</i> Not applicable</p>	
Recommendations	
<p>The Governing Body is asked to approve the recommendation of the shadow Remuneration Committee in relation to the payment and employment status of GP Governing Body Members with effect from 1 April 2013.</p>	

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1.0 INTRODUCTION

The Governing Body will be aware that the GP members of the Governing Body for NHS Sheffield Clinical Commissioning currently receive remuneration for undertaking their role via a payment made by the Finance Department to the individual or their practice.

In August 2012, David Nicholson wrote to Chairs and Chief Executives of Primary Care Trusts to advise them regarding recommendations made by HM Treasury and HMRC regarding tax arrangements in relation to Board members and senior officials being on the organisation's payroll. This recommendation was approved by NHS Sheffield Clinical Commissioning Group's shadow Remuneration Committee at the meeting on 4 January 2013 for action with effect from 1 April 2013.

The Remuneration Committee recommended at the meeting on 13 March 2013 for GP Governing Body Members to become employees of NHS Sheffield Clinical Commissioning Group and be issued with a full contract of employment with effect from 1 April 2013, rather than become statutory office holders. At the current time, there has been no precedence set in other Clinical Commissioning Group areas in relation to whether the GP Governing Body members are considered statutory officer holders or employees.

2.0 GP GOVERNING BODY MEMBERS

The table below presents details of the GP Members of the Governing Body of the CCG:-

Name	Role
Dr Tim Moorhead	Chair
Dr Ted Turner	Elected Member
Dr Marion Sloan	Elected Member
Dr Margaret Ainger	Elected Member
Dr Anil Gill	Elected Member
Dr Amir Afzal	Nominated Member
Dr Andrew McGinty	Nominated Member
Dr Leigh Sorsbie	Nominated Member

3.0 EMPLOYMENT STATUS OF GP GOVERNING BODY MEMBERS

The recommendation for GP Governing Body Members to be directly employed by NHS Sheffield Clinical Commissioning Group would involve payment of the individual via the payroll ensuring the deduction of tax and NI at source to ensure compliance with HM Treasury and HMRC requirements. The member would have employment status and be issued with a contract of employment. This would include entitlement to annual leave, sickness absence pay, maternity leave, redundancy etc and be subject to the policies and procedures of NHS Sheffield Clinical Commissioning Group.

4.0 ISSUES FOR CONSIDERATION

- Term of office / length of contract recommended for a period of three years duration to potentially include staggered end dates
- Succession planning for future GPs of the Governing Body in accordance with Election / Selection Guidance.

5.0 RECOMMENDATION

The Governing Body is asked to approve the recommendation of the shadow Remuneration Committee in relation to the payment and employment status of GP Governing Body Members with effect from 1 April 2013.

Paper prepared by Suzie Paradine, HR and OD Manager

On behalf of John Boyington, CBE, Lay Member with responsibility for Governance and Chair of Remuneration Committee

25 March 2013