THE PUBLIC SERVICE WORKFORCE: CONSULTATION ON DRAFT GUIDANCE AND DIRECTIONS WHICH INCLUDE A CODE OF PRACTICE ON WORKFORCE MATTERS

Welsh Government

Response from BMA Cymru Wales

INTRODUCTION

BMA Cymru Wales is pleased to give consideration to the Welsh Government’s consultation on draft guidance and directions which include a code of practice on workforce matters.

The British Medical Association represents doctors from all branches of medicine all over the UK; and has a total membership of over 150,000 including more than 3,000 members overseas and over 19,000 medical student members.

The BMA is the largest voluntary professional association of doctors in the UK, which speaks for doctors at home and abroad. It is also an independent trade union.

BMA Cymru Wales represents some 7,000 members in Wales from every branch of the medical profession.

RESPONSE

BMA Cymru Wales does not seek to submit a substantive response to this consultation, but two of our members have provided comments which we present below. These comments should however be regarded as representing the views of the individuals concerned, rather than the collective views of BMA Cymru Wales.

1. Comment from Chair of the BMA Cymru Wales Retired Members Forum:

“Paragraphs 50–52, and some of the following paragraphs, refer to the need to provide a pension scheme which is at least broadly comparable to the public sector pension scheme when an employee is transferred to a private sector employer – with an appeal process when transferred/new employees feel the new employer has not fulfilled this requirement. A review of the related policy entitled ‘A Fair Deal for Staff Pensions’, and inclusion of this issue in negotiations on the implementation of public sector pension reforms for England and Wales, has recently resulted in new guidance being published by HM Treasury which indicates that, other than in very exceptional circumstances, public sector pension scheme membership will remain available to transferred, new and previously transferred employees rather than the “comparable scheme” provision referred to in this Welsh Government consultation.

“This very significant change should therefore be incorporated into the new Welsh Government guidance.”

2. Comment from a medical academic:

“We have a situation in North Wales where doctors are effectively being outsourced from the NHS to Bangor University. Whilst this might seem beneficial, the consequences of this and the methods used have brought significant problems. The main consequence has been that sessions offered by the University are charged by the NHS to the University without any guarantee that when these sessions end the health board will...
reinstate the doctor’s previous sessions. A number of doctors have been affected by this. In some cases, the doctors do not know the health board is charging for these sessions. In some cases, the University is being charged for Supporting Professional Activities (SPA) time leading to the doctor not getting a full allocation of SPA time.

“Another problem is that if a doctor is being outsourced there is the possibility of being taxed twice as the income could be regarded as private practice even if the doctor does not receive it. This is the case for private practice income donated to a University.”

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