

Raising a concern to PCSE and claiming owed money

Escalation process

If a GP wishes to raise an enquiry, concern or complaint, they should in the first instance contact PCSE directly.

They can either:

- complete the [online enquiries form](#); to submit their query or concern, or
- if they wish to raise a complaint they can email PCSE directly at <mailto:pcse.complaints@nhs.net>

Once this form or complaint has been submitted the GP will receive an acknowledgement email confirming the submission, along with a case reference number which they can use to follow-up on the request.

A case handler will be assigned to the enquiry or complaint who will update the GP on progress and contact them if they need any further information. PCSE aim to respond to complaints in writing within 40 working days, in line with NHS England's complaints process.

If your enquiry relates to a pension issue and it remains unresolved following the steps outlined above then the case can be escalated using the case reference number provided by PCSE, the date they submitted their original complaint, the GP's full name and SD number. This information should then be sent to england.pensionescalations@nhs.net.

If you are remain unsatisfied with the progress of your enquiry, then please contact GPC England (info.gpc@bma.org.uk) and we can escalate the issue on your behalf. Please include the previous correspondence and a clear outline of the issue and the desired outcome.

Claims guidance

We are aware that practices and individual GPs continue to experience unacceptable incidents relating to PCSE (primary care support services in England), commissioned by NHS England and provided by Capita. The issues have been ongoing for some time and we are aware of cases where practices have not received payments or have received incorrect payments.

It is never acceptable for payments to be delayed and we advise practices to follow the below process to ensure incorrect payments are corrected.

Similarly, we are aware that practices or individual doctors may have suffered losses due to the failing of these services and again we advise to follow the below process.

1. If a practice or individual has any issue due to the service provided by PCSE, such as delays or errors in payment, they should [contact PCSE](#) in the first instance to resolve



the issues, putting appropriate details in the header to ensure PCSE can pass details onto the relevant back office team.

2. If the issue is not resolved by PCSE in a timely manner, then you should contact NHS England to make a claim at their designated email address pcse.ppinfo@nhs.net.

We suggest that you include the following details in your email:

- Your name and address (or the name of the practice and its address)
- The reason for your claim
- A clear explanation of the facts
- What losses are you are claiming (these may be direct losses such as your contractual payments, or indirect losses such as costs incurred because of having to take out a loan to pay for practice expenses)
- Attach any supporting documents which verify the facts in the letter and the amount claimed
- A date by which you want a full response, we recommend 28 days
- Any other relevant information

NHS England should then be in contact about your claim. You should note that by accepting an offer of compensation it could mean you forego the right to seek any further redress, so please consider fully all losses that you suffered because of failings by PCSE.

You may also wish to consider taking up your claim via the small claims court, however not all claims are suitable for this route.

See guidance on bringing a small claim to the court below.

If you cannot reach agreement with NHS England over your claim, please contact GPC England (info.gpc@bma.org.uk) and we can escalate the issue on your behalf. Please include the previous correspondence and a clear outline of the issue and the desired outcome.

If you are unsure about the terms of any offer or your legal rights you may wish to seek independent legal advice, however, depending on the financial loss you have suffered, this may not be financially prudent. BMA Law offers expert legal advice at preferential rates for BMA members. They can be contacted on info@bmalaw.co.uk or 0300 123 2014.

Statutory demands

PCSE is responsible for processing NHS England's payments to practices for the services they have provided. We know that these are not being processed properly and therefore, practices are often owed money and the process to recoup money owed is burdensome.

As NHS England is the commissioner of services by Capita, and the funding originates with NHS England, it is NHS England who is responsible for ensuring practices and doctors receive the money they are owed.

We have provided the following resources to assist practices in making a legal written request to have an undisputed debt paid within 40 days, including: a template covering letter which you can amend, the template form you should complete and enclose along with your letter to NHS England.

- [Guide to making statutory demands \(PDF\)](#)
- [Covering letter \(Word\)](#) - amend and personalise as needed

- [Statutory demand form \(Word\)](#) - amend and personalise as needed

Small claims court

You may also wish to consider taking up your claim via the small claims court, however not all claims are suitable for this route.

[Guidance on bringing a small claim to the court](#)

If you are unsure about the terms of any offer or your legal rights you may wish to seek independent legal advice, however, depending on the financial loss you have suffered, this may not be financially prudent.

BMA Law services

BMA Law offers expert legal advice at preferential rates for BMA members.

They can be contacted on info@bmalaw.co.uk or 0300 123 2014.

SAR (subject access request) email template

We have received an increasing number of reports from practices and practitioners that there are issues with the processing of pension contributions, which is the responsibility of PCSE (contracted by NHS England). This is leading to cases of incorrect or incomplete pension records. We have also received feedback that it is proving difficult for practitioners to access their pension records.

We have produced a template subject access request email that practitioners can complete and send to NHS England, to access this important information. This puts a duty on NHS England to respond to your request within 40 days.

If you have any difficulty with this process or have any feedback, then please email info.gpc@bma.org.uk.

You should email the following along with your scanned evidence to england.pensionrecords@nhs.net.

Copy and paste the following into your email client and amend as appropriate:

Dear NHS England

Subject access request – pension data

I request access to personal data of which I am the data subject, in accordance with my right under the General Data Protection Regulation (GDPR).

I enclose one certified copy of my proof of identity [[insert description of proof of identify, e.g. passport, driving licence](#)] and one proof of address in the form of [[insert description of proof of address, e.g. utility bill, bank statement, council tax statement](#)].

My full name is [insert name] [as shown on my passport OR but I am also known as [insert name(s)] and [my pension SD number is [insert] OR my NI number is [insert]

The data I wish to access is as follows:

1. My Pensionable Practitioner earnings since qualifying as a GP
2. My Added Years contributions since qualifying as a GP (if applicable)
3. The total number of days of additional years purchased to the date of the statement (if applicable)
4. A statement of all my contributions for my Practitioner pay

Where the processing of personal data of which I am the data subject has been carried out by automatic means and has constituted or is likely to constitute the sole basis for any decision significantly affecting me, please inform me of the logic of that decision-making.

I look forward to your reply without undue delay and in any event within 30 days of receiving my request enclosing [paper OR electronic] copies and a description of all data requested together with information as to the source(s) of the data.

Yours sincerely.

[signature]
[insert name]