Armed Forces Committee
Report to ARM 2021

**Mark Weir -Acting chair BMA armed forces committee**

It has been a busy year for the AFC (armed forces committee). The committee has been working on a detailed workplan consisting of 21 objectives, however 7 key areas have been prioritised and an update on each of these areas has been provided below.

Collective bargaining agreement for civilian doctors employed by the MoD

Last year, one of our key achievements for our members was the AFC’s successful application to the CAC (Central Arbitration Committee) for formal recognition for collective bargaining rights for civilian doctors employed by the MoD (Ministry of Defence). Since securing this important victory for the AFC and our members, we have worked with the MoD to negotiate a collective bargaining agreement for civilian doctors to ensure the protection and representation of this group. The AFC hopes to finalise the collective bargaining agreement over the coming months and looks forward to continuing to represent our civilian doctors in the armed forces and working with the MoD in the future.

Pensions

Armed Forces doctors have been excluded from the various NHS schemes to pay the 2020/21 annual allowance tax bill or provide flexibility to retain the value of lost pension for those who choose to leave their schemes in order to avoid the charge. Members regard this as a breach of the Armed Forces Covenant, which is the Government’s undertaking to ensure that military personnel are not adversely treated by reason of their service. AFC has called on the MOD to grant pension flexibility to doctors in line with that enjoyed by their NHS peers and ARM is invited to endorse this in a motion.

The BMA’s response to the McCloud consultation included issues specific to the Armed Forces Pension Scheme and we look forward to details of how the changes will be implemented. This will be a crucial moment for the Defence Medical Services, since returning to legacy pension schemes will incentivise early retirement for many.

The BMA is pursuing a legal action in support of a doctor who suffered a massive annual allowance charge bill when they moved from being a GP to become an occupational medicine consultant, despite no overall increase in his pension. The rules that caused this have implications for many doctors, not just in the armed forces. We anticipate a positive outcome later this year.

MODO retention bonus overpayments

Last year it came to light that there had been an overpayment of the MODO (medical and dental officer) retention bonus, ranging from £860 to £51,427. The impact of these overpayments is being experienced by those MODOs who were moved from the AFPS 05 to the AFPS 15 pension scheme. A large number of our members were contacted by the DBS (Defence Business Services) notifying them of action to recover these overpayments from their pay with less than 28 days’ notice. These actions would have placed undue and unnecessary pressure on our affected members. We also took legal advice and wrote to the MoD advising that we would be prepared to take legal action on behalf of any of our members that saw pay deducted as a result of the recovery of the overpayments and asked for the MoD to halt recovery efforts.

After continued correspondence with the MoD, we are very pleased that the MoD has indicated that recovery of the overpayments will not be pursued during the COVID-19 crisis. We await the confirmation from the MoD that there is no intention to recover these overpayments.

AFRPB (armed forces pay review body)

The AFC and BDA (British Dental Association) submitted a joint written memorandum of evidence to the AFPRB in October 2020 and participated in an oral evidence session in June 2021.

In these submissions the AFC highlighted that as part of its remit, the AFPRB must ensure that the pay of the Armed Forces is broadly comparable with pay levels in civilian life. Like their NHS colleagues, the burden of COVID-19 has fallen equally on many doctors and dentists within the Defence Medical Services (DMS) and the AFC believe that the contributions of medical officers throughout the pandemic should be recognised in the same way as they have been with their NHS counterparts, with our members having parity of esteem with NHS colleagues.

The recommendations from AFC to the AFPRB included:

* The AFPRB must start addressing the long-term decline in doctors’ pay through its recommendations.
* Future pay uplifts should mirror RPI plus a mechanism to address the real term pay cuts. We requested that a 5% uplift is awarded this year plus a mechanism to address historic pay cuts in future years.
* We were disappointed that there was no increase in the value of military Clinical Excellence Awards and legacy Distinction Awards and ask that these should be uplifted in line with the pay uplift.
* The MoD should undertake an intensive recruitment strategy that factors in improved pay and non-remuneration issues to address the severe shortages in the DMS medical workforce.
* No comparison between the AFPS and NHSPS should be made until the McCloud case has been resolved and the terms of the schemes and the taxes to which they are subjected have achieved long-term stability.
* The AFPRB should call upon the Government to ensure that members of the Armed Forces enjoy the same flexibility to avoid pension taxation without loss of remuneration as their civilian colleagues in the public and private sectors. Failure to do so is a breach of the Armed Forces Covenant and should be labelled as such.
* The AFPRB should endorses our proposal of revising the way the daily rate of reservists is calculated by dividing the annual salary by 220 days rather than 365 days.

We await the AFPRB’s report and hope that its recommendations include recognition of the significant contribution of our members during the Covid-19 pandemic.

MoD media policy update

At last year’s ARM, we reported that the MoD had expressed concern that the AFC had engaged with the national media and it had written to the AFC chair emphasising its opinion that no reservist officer, even in the exercise of his/her civilian duties could ‘engage with the press’ or with any ‘persons associated with the press’ nor could s/he express ‘any opinion on any government or military matters’.

It is understood that the MoD is now reviewing their media policy and that it will pay due regard to the rights of trade unionists within that policy, which is expected to be promulgated in January 2022.

Conferences

*Civilian doctors conference*

In September, we hosted the civilian doctors conference for our civilian members. Attendees heard from Peter Homa CBE, Director General of the DMS on the current priorities of the DMS and also received an update on the work of the BMA armed forces committee. Breakout sessions provided the opportunity for attendees to influence the AFC’s work for next session and there was also some informal networking.

*Armed forces doctors conference*

In June, we hosted the annual armed forces doctors conference. Attendees heard a talk on Defence Medical Services: today and the future, and a strategic perspective from the new Surgeon General, from Peter Homa CBE, Director General DMS and Major General Timothy Hodgetts, Surgeon General respectively. The armed forces committee gave an update on its work over the past session and were held to account through a question and answer session.

Looking ahead

The armed forces committee will be holding its annual civilian doctors conference on 29September 2021 and this will be virtual. The annual armed forces conference will take place on 30 March 2022 and this will be physical, restrictions permitting. There are also plans to hold three webinars for our members in October, February and April. This information will be posted on the BMA website.

We encourage all armed forces members to correctly identify themselves on the BMA membership system. Armed forces doctors (including military reservists) except those within seven years of qualification are able to receive a concession rate for BMA membership. Those within seven years of membership are able to receive the BMA wide concessionary rate. You can update your details [here](https://www.bma.org.uk/join/membership-faqs).

Our achievements would not have been possible without the continued hard work of the committee members, and in particular I wish to thank Glynn Evans and Sarah Hollis for their endeavours over the years, and for their tenure as chair and our representative on council and deputy chair respectively.

It would be remiss of me not to mention all the support and guidance provided by our secretariat, Hope Mears and Anne-Marie Ola who are central to our work. Hope leaves us on promotion, and we wish her all the very best in her new role.

**Mark Weir**

**Acting chair BMA armed forces committee**