

## FREQUENTLY ASKED GENERAL QUESTIONS – COMPLETING THE 2007/08 CERTIFICATE

**Q. What is the deadline for completing the 2006/07 Certificate?**

A. The deadline for completing the 2007/08 Certificate and sending it to Central Services Agency (CSA) is the 28th of February 2009.

**Q. Where should the Certificate be sent?**

A. To CSA, 2 Franklin Street, Belfast BT2 8DQ.

**Q. What is a host HSS Board/Trust?**

A. The host Board/Trust in respect of a GP Provider is the Board/Trust on whose Performers List the GP Provider is registered with. However, if the GP Provider is contracted to provide GMS/APMS with another Board/Trust that Board/Trust is the host. Therefore a GP provider may have more than one host Board/Trust. In respect of a Non-GP provider the host Board/Trust is always the one they hold a GMS/APMS contract with.

**Q. Is the deadline a strict deadline?**

A. Yes, the statutory HPSS Superannuation Scheme Regulations state that the Certificate must be sent to CSA within one calendar month of the tax return deadline.

**Q. Why do I have to complete the Certificate on an annual basis?**

A. A Provider's superannuable pay is based on their HPSS income, less expenses. Therefore the only way to measure a Provider's superannuable pay is for them to complete an individual Certificate.

**Q. I have retired from my Provider post; do I still have to complete the Certificate?**

A. Yes, although you may no longer be an active Scheme member you must complete the Certificate in respect of the year(s) that you were a 'superannuable' Provider

You should also complete the Certificate for the purposes of establishing the seniority allowance even if you were not an active Scheme member in 2007/08.

**Q. What happens if I don't complete the Certificate?**

A. It is a mandatory requirement of the HPSS Superannuation Scheme membership that Providers must complete the Certificate. Those who do not are in breach of the Scheme Regulations and the SFE (Statement of Financial Entitlement) both of which are statutory legislation. Not completing the Certificate may have a detrimental effect on your (and your dependents) HPSS Superannuation Scheme benefits and seniority allowance. The SFE also states that the monthly global sum payments may be withheld if a Provider fails to complete the Certificate.

**Q. I am a fixed share Partner; do I still complete the Certificate?**

A. Yes. The Scheme Regulations state that every Provider must complete the Certificate; there are no exceptions. Remember that any 'fixed salary' is in effect a share of the Practice profits. Whatever figure is agreed must take into account that the Practice will have to pay the employer contributions which are an expense.

Fixed share Partners should not be deemed just to be allocated either superannuable or non-superannuable income. They should calculate their percentage share of the overall Practice profit based upon their fixed share and, for the purposes of the Certificate, use this percentage to allocate themselves HPSS income, non-HPSS income, and expenses from the Practice.

**Q. I am a non-GP Provider; do I still complete the Certificate?**

A. Yes. Every non-GP Provider must complete the Certificate annually. As non-GP Providers are classed by the Scheme as 'whole time Officers' (regardless of the hours they work) they can only be 'superannuable' in one post and therefore may only be required to complete one Certificate.

By virtue that non-GP Providers are classed as WT they must decide, after seeking expert advice, which of their HPSS posts should be superannuable.

**Q. I am a GP Provider (i.e. Partner) in two or more separate Practices; do I need to complete two Certificates?**

A. Yes, even if the Practices are located within the same HSS Board/Trust boundary.

**Q. I am a GP Provider in both APMS and GMS; do I need to complete two certificates?**

A. Yes, even if the organisations are located within the same Board/Trust boundary

**Q. I am a GP Provider; do I have to complete more than one Certificate if I had more than one Host Board/Trust in the same year?**

A. If you relocated during the year then you must complete a Certificate in respect of each Practice. However, if your host Board/Trust changed due to a Board/Trust merger (but you did not change Practices) only one Certificate is required. If you moved from Northern Ireland to England/Wales or Scotland you will need to complete one Certificate in respect of Northern Ireland and another in respect of Scotland or England/Wales.

**Q. I am a salaried GP (i.e. a Performer) directly employed (i.e. schedule E) by a Practice, HSS Board or Trust; do I have to complete the Certificate?**

A. No, your HPSS superannuable pay is based on your basic salary however you must also 'pension' any HPSS fringe (i.e. OOHs and PEC) by completing form SOLO.

**Q. What does 'pensioned separately' on the main Certificate mean?**

A. This will be income that has already been pensioned elsewhere, i.e. contributions will have already been deducted. For example if a GP works for a hospital and is paid a salary, the GP will have already paid superannuation contributions on this income at source. GP SOLO income is not

regarded as 'pensioned separately' income for the purposes of this Certificate and must be declared in the relevant boxes in the Certificate.

**Q. Why is there the calculation of profits x 100/107?**

A. It is important that in the calculation of superannuable pay the employer's pension contributions that are included in the GMS global sum are excluded. Otherwise, the Provider would illegally be getting pension benefits based on HPSS Superannuation Scheme employer contributions.

**Q. What about the SOLO income as declared on the Certificate when the Practice year end is not the 31 March?**

A. Please refer to the guidance contained in the 'FAQ's – Guidance for Employers'.

**Q. What do I do if I am subject to 'pensions overlap'?**

A. You should seek assistance from an accountant; please refer to separate 'overlap' guidance.

**Q. I understand that the profits to be declared are based on the accounting year, and my Practice makes accounts up to 30 June each year. I have two objections to this, firstly, the profits will be lower than that for the following year ending 31 March, and it seems so much more complicated. Why can't I just prorate the profits by taking three months of the year ended 30 June 2006 and nine months of the next year to give me twelve months covering the 31 March?**

A. The reasoning behind using the accounting year profits (adjusted for tax purposes) is to facilitate some objectivity and ratification by comparing the figures from the GPs tax return to the Certificate of superannuable profits. Yes, while profits are rising the profits declared for a year to 30 June will be less than 31 March, but if profits fall, the converse will be true. Over a long period, the effect on a GPs pension is unlikely to be significant.

**Q. Why are seniority payments declared in the Certificate and what if seniority payments are pooled?**

A. The SFE stipulates that the seniority allowance must be declared on the Certificate however it is accepted that the figure stated may be provisional; the guidance note (box 38a) provide more information.

**Q. Should seniority payments be grossed up for the employer's pension contributions?**

A. No. The purpose of including the figure is just to enable the HSS Board/Trust to establish whether the appropriate level of seniority has been paid, after taking into account the earnings criteria.

**Q. What is a HPSS Superannuation Scheme Employing Authority (EA)?**

A. A Scheme Employing Authority, for the purposes of 'pensioning' GPs HPSS income, is a HPSS Board/Trust, NHS Foundation Trust, Primary Care Trust (England), Local Health Board (Wales), APMS practice, GP Practice or Out of Hours Providers with EA status.