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## **NHS Pensions**

**A guide to mergers for Classic APMS Contractors  
and GMS / PMS / sPMS Providers –  
How to remain in the NHS Pension Scheme under  
the correct access**

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## Overview

The purpose of this guide is to advise Classic APMS Contractors and GMS/PMS/sPMS Providers on what actions (if applicable) need to be taken for different merger scenarios. If your merger situation is not listed in this guide, please contact the Scheme Access Team on 01253 774413, for further advice.

If you have decided to merge there are five main scenarios that are available to you.

## Contacting NHS Pensions

There is a dedicated email address that can use to contact NHS Pensions for merger queries

[nhsbsa.schemeaccess@nhs.net](mailto:nhsbsa.schemeaccess@nhs.net)

Also you can call the Scheme Access Team directly on 01253 774413

NHS Pensions address is:

### **NHS Pensions**

Scheme Access Team

PO BOX 2269

Bolton

BL6 9JS

## Scenarios of mergers

### Option 1 – Original contracts terminated and a single new contract issued

**The commissioner of the contracts has or will issue you with a new contract.**

This is where the contracts held by all companies/Practices are terminated and the companies/Practices have been merged into one organisation.

The commissioner (delegated CCG/NHS England) has or will issue you with a new contract that must be in the name of the new organisation as well as listing the relevant surgeries/Practices under the organisation.

Any additional contracts (NHS Standard, NHS Standard sub-contract) held by either party will also need to be changed to reflect the new organisation name.

#### **Actions required**

Apply for a new Employing Authority code (see relevant guide).

Complete the end of year certificate for the old EA codes.

Terminate all employee records under the previous EA codes.

Once approved complete a new estimated pay form and submit a joining or rejoining the NHS Pension Scheme form (SS10GP) for all employees.

#### **For GPs and non GP Providers**

Notify the delegated CCG/PCSE/NHS England that the old practices are no longer running and give them any information requested.

#### **Example**

Current EA A123 The Surgery is merging with EA B456 The Practice on 1 April 2017.

The commissioner has approved the merger and terminated the contracts held by EAs A123 and B456.

All member records under EA A123 and B456 must be terminated at the day before the new contract is issued (31 March 2017).

The new organisation will be called The Group and once applied and approved by NHS Pensions it will be given the EA code of C789.

All employee records and payments from 01/04/2017 will now be under the EA code of C789.

### Option 2 - All contracts have variation contracts issued in the new organisation name

**The previous contracts that have been held by all organisations will be issued variations (amended contracts) in the name of the new organisation.**

This is where the contracts already held will have a variation issued by the commissioner (delegated CCG/NHS England) to amend the name of the contractor to the new organisation.

Any additional contracts (NHS Standard, NHS Standard sub-contract) held by either party will also need to be changed to the new organisation name.

As the contracts are not being terminated and the number of contracts remains the same, and only a name change to the new organisation is happening, you will retain (keep) the existing EA codes held and continue paying over the contributions and update the members' records.

### **Actions required**

Complete the amended contracts form and send it to the Scheme Access Team so that we can update your record.

### **Example**

Current EA A123 The Surgery (one contract) is merging with EA B456 The Practice (one contract) on 1 April 2017.

The commissioner has decided to issue variations of the contracts already held they must include the names of all the relevant surgeries on the varied contract.

The contracts are now all under the names of The Group – The Surgery (A123) (still one contract) or The Group – The Practice (B456) (still one contract).

The Group – The Surgery and The Group – The Practice will need to notify NHS Pensions of the name changes and possible contact changes for the variation contracts by completing the amended contracts form.

The member records and payments will continue under the separate EA codes of A123 and B456.

### **Option 3 – All held contracts are merged into one variation contract**

**The previous contracts that have been held by all organisations are amended into one variation contract.**

This is where the contracts already held will be merged into one variation contract issued by the commissioner (delegated CCG/NHS England) also amending the name of the contractor to the new organisation.

Any additional contracts (NHS Standard, NHS Standard sub-contract) held by either party will also need to be changed to the new organisation name.

As the contracts are not being terminated and just changing to the new organisation name, however the contract number is reducing to one you as the applicant will decide which EA

code you wish to continue using, and which EA code you want NHS Pensions to close down.

### **Actions required**

Complete the merger confirmation form.

Complete the end of year certificate for the old EA code you will no longer be using.

Terminate all employee records under the terminated EA code.

Once confirmed complete a new estimated pay form and submit the joining or rejoining the NHS Pension Scheme form (SS10GP) for all the employees that have been terminated under the terminated EA code and are going to be set up under the retained EA code.

### **For GPs and non GP Providers**

Notify the delegated CCG/PCSE /NHS England that the old practice is no longer running and give them any information requested for the new organisation.

### **Example**

Current EA A123 The Surgery (one contract) is merging with EA B456 The Practice (one contract) on 1 April 2017.

The commissioner has decided to issue a single variation contract amending the contractor name and including the other practice/surgery. It must also include the names of all the relevant surgeries/practices/companies on the varied contract.

The contract is now under the name of The Group you have decided to keep EA code A123 (due to this having more staff on it) and EA code B456 is closed.

Once you have received confirmation from NHS Pensions you will need to terminate all staff under EA code B456 and complete joiner forms for them under EA code A123.

All records and payments will now be completed under EA Code A123.

## **Option 4 – Merging but not coming under one organisation name**

**You are merging but no contractual or name change has occurred.**

This is where you have decided to be linked with another company however are retaining separate contracts. So no variations occur to your contracts or to the name of the companies.

### **Actions required**

No actions are required, as in NHS Pension terms no changes have occurred, so you will continue doing the same as before.

### **Example**

The Surgery (A123) and The Practice (B456) decide to become linked on 1 April 2017 however will keep their individual contracts and retain the names of the surgeries already created.

From 1 April 2017 you will continue to process records and pay employee contributions under the already existing names and EA codes.

## **Option 5 - PMS converted to GMS and then combined with another GMS contract**

This is where a provider decides to merge with another practice but they have different contracts. When a PMS contract is involved the contract holder and the commissioner may agree to convert the PMS contract to a GMS contract.

This then means that the two GMS contracts can be merged into one contract.

### **Actions required**

Complete the merger confirmation form providing copies of the transfer from PMS to GMS and the variation contract to merge the two GMS contracts.

Complete the end of year certificate for the old EA code no longer using.

Terminate all employee records under the terminated EA code.

Once confirmed complete a new estimated pay form and submit a joining or rejoining the NHS Pension Scheme form (SS10GP) for all the employees that have been terminated under the terminated EA code.

### **For GPs and non GP Providers**

Notify the delegated CCG/PCSE/NHS England that the old practice is no longer running and give them any information requested for the new organisation.

### **Example**

The Surgery (A123) and The Practice (B456) decide to merge however, A123 holds a GMS contract and B456 holds a PMS contract.

B456 requests (from the commissioner) for their PMS contract to be changed to a GMS contract so that the contracts can merge into one contract.

The commissioner approves the change to a GMS contract for B456 and then also approves the merger of the now two GMS contracts into one contract.

Only one contract will be used for the services at both A123 and B456. This means that only one EA code will need to be used, and A123 and B456 can choose which EA code they choose to keep.

## **Additional signatories**

If you have added additional signatures to your existing contract you must let NHS Pensions know as soon as possible as we need to ensure the new party to the contract does not affect your existing access to the NHS Pension Scheme.

### **Additional Shareholders/Partners**

If you have additional Shareholders/Partners that join your organisation you must notify NHS Pensions as soon as possible, as we need to ensure that they do not affect your access to the NHS Pension Scheme.