Focus on the new tax brackets and other financial considerations July 2010

This note has been produced by the General Practitioners Committee (GPC), a branch of practice committee of the British Medical Association (BMA), to highlight the effects of the tax changes which will affect doctors earning over £100,000, and other financial considerations arising as a result. It should be noted that this note is not comprehensive; members should consider their own case in the light of their personal circumstances and **take advice where necessary from an accountant**.

In particular, the reader's attention is drawn to the Mazars LLP letter report of 28 June 2010 and the General Practitioners Defence Fund Limited (GPDF) disclaimer of 12 July 2010, both of which are integral to a proper understanding of this paper and of its accompanying schedules identified as A to D, which are presented for illustrative purposes only.

For the avoidance of doubt, Mazars LLP and the GPDF in its own right, and on behalf of the GPC and BMA, disclaim all liability including costs that might arise as a result of the reader relying upon or acting upon information set out in this paper and in its accompanying schedules or as a result of a failure on the part of the reader to take appropriate independent financial advice in relation to his or her specific circumstances.

Background

The Finance Act 2009 introduced significant changes affecting those earning over £100,000, which came into effect on 6 April 2010. Changes include:

- a new additional rate of income tax of 50% on total income (including all income, not just wages, salaries and profits) over £150,000;
- the gradual withdrawal of the personal allowance for those whose adjusted net income exceeds £100,000. The personal allowance will be reduced by £1 for every £2 of income in excess of the £100,000 threshold. No personal allowance will be available where taxable income exceeds £112,950 (see Table 1 below).

Table 1

Taxable income	Effective average rate of income tax on taxable income above £100k
£112,950	60.00%
£120,000	52.95%
£130,000	48.63%
£140,000	46.47%

Further changes will come into effect in 2011/12:

- National Insurance contributions will be increased (confirmed in the November 2009 pre-budget report);
- tax relief will be restricted on pension contributions for individuals with a taxable income in excess of £130k –
 - o the relief will be tapered from 50% to 20% for those with a taxable income of >£180k;
 - o the basis of such tapering is awaiting Treasury consultations;
 - o transitional legislation has been introduced to restrict tax relief for those with taxable income (net adjusted pay) of >£130k to the 2009/10 and 2010/11 tax years. The purpose of this legislation is to prevent individuals making increased payments in advance of 2011/12 in order to avoid the restrictions on tax relief.

Advice on the effects of the taxation changes

The loss of personal allowance means that those earning around £100-110k will be hit particularly badly by the changes. An alternative to paying such high marginal rates of tax could be for partners to improve their work-life balance by reshaping their commitment to their practice by reducing their income and time commitment to their practices. Taking on a new GP partner is one way in which this could be achieved, and may well prove to be more cost effective than employing a salaried GP. As a rough rule of thumb, the true cost of taking on a salaried GP could be up to 40% on top of the actual salary (including items such as employers National Insurance, employers pension contributions, subscriptions and other items as illustrated in the attached **schedule A**, although this will vary from practice to practice).

The effect of tax changes makes it more worthwhile not working full-time, allowing more time for family commitments, training or taking on additional professional roles such as Practice Based Commissioning and areas of special interest (GPwSI). In part time posts, there is a balance between the amount of time spent on core patient contact and working within the practice, and the ability to carry out additional activities. However, this must of course not be detrimental to the patients and must be balanced by the need to maintain someone in the surgery for the sake of continuity.

How recent tax proposals could affect income

Also attached are four spreadsheets (identified as **schedules B to D**) which illustrate how the recent tax proposals could affect income over the years 2010-2012. Headline increases in tax rates have been avoided by a rise in National Insurance, which could hit the self employed, including GPs, very badly indeed.

These spreadsheets do not include the impact of the withdrawal of tax relief on pensions. If the worst case scenario comes to pass it is quite possible that take home pay for practices earning above £130K could drop by £1-2k per month as the result of tax relief withdrawal.

Impact of changes to tax relief on pension contributions

There is considerable uncertainty about tax relief on pension contributions. An overview of pensions issues following the emergency budget of 22 June 2010 is available on the BMA website and further details will be available from the BMA pensions department as and when they become available:

http://www.bma.org.uk/employmentandcontracts/pensions/general_pensions_information/penemrbudg0_610.jsp

Advice on the effects of the National Insurance alterations

Deferment of Class 1 NI contributions – Where the doctor is both employed and self-employed

Where a doctor is both employed and self-employed, HMRC may make special arrangements to avoid excessive contributions being paid in the tax year. HMRC must be satisfied that the total amount of Class 1 NI contributions which are likely to be paid by the doctor, together with any Class 4 NI, will exceed the maximum Class 1 and Class 2 amounts payable for that year.

The doctor will need to apply for the deferment certificate and will be responsible for paying across to HMRC any shortfall, should insufficient NI be paid during the year concerned. It will be in doctors' own best interests to seek appropriate advice in relation to this and other matters described in this note.

Further information on tax and national insurance is available to BMA members on the BMA website:

www.bma.org.uk/employmentandcontracts/tax/index.jsp

Schedule A

Illustration of true cost for a practice of taking on a salaried GP

Gross annual Salary	Employer NI Threshold	Employer NIC able	Employer NI Cont rate*	Employer NI	Employer Pension contribution rate*	Employer Pension contribution	GMC subs**	MDO subs**	Locum costs for sickness @ £500/day***	TOTAL Employment costs	Gross costs as % of salary
£40,000	£5,715	£34,285	12.8%	£4,388	14.0%	£5,600	£410	£4,925	£3,500	£58,823	147.1
£42,000	£5,715	£36,285	12.8%	£4,644	14.0%	£5,880	£410	£4,925	£3,500	£61,359	146.1
£44,000	£5,715	£38,285	12.8%	£4,900	14.0%	£6,160	£410	£4,925	£3,500	£63,895	145.2
£46,000	£5,715	£40,285	12.8%	£5,156	14.0%	£6,440	£410	£4,925	£3,500	£66,431	144.4
£48,000	£5,715	£42,285	12.8%	£5,412	14.0%	£6,720	£410	£4,925	£3,500	£68,967	143.7
£50,000	£5,715	£44,285	12.8%	£5,668	14.0%	£7,000	£410	£4,925	£3,500	£71,503	143.0
£52,000	£5,715	£46,285	12.8%	£5,924	14.0%	£7,280	£410	£4,925	£3,500	£74,039	142.4
£54,000	£5,715	£48,285	12.8%	£6,180	14.0%	£7,560	£410	£4,925	£3,500	£76,575	141.8
£56,000	£5,715	£50,285	12.8%	£6,436	14.0%	£7,840	£410	£4,925	£3,500	£79,111	141.3
£58,000	£5,715	£52,285	12.8%	£6,692	14.0%	£8,120	£410	£4,925	£3,500	£81,647	140.8
£60,000	£5,715	£54,285	12.8%	£6,948	14.0%	£8,400	£410	£4,925	£3,500	£84,183	140.3
£62,000	£5,715	£56,285	12.8%	£ 7,204	14.0%	£8,680	£410	£4,925	£3,500	£86,719	139.9
£64,000	£5,715	£58,285	12.8%	£7,460	14.0%	£8,960	£410	£4,925	£3,500	£89,255	139.5
£66,000	£5,715	£60,285	12.8%	£7,716	14.0%	£9,240	£410	£4,925	£3,500	£91,791	139.1
£68,000	£5,715	£62,285	12.8%	£7,972	14.0%	£9,520	£410	£4,925	£3,500	£94,327	138.7
£70,000	£5,715	£64,285	12.8%	£8,228	14.0%	£9,800	£410	£4,925	£3,500	£96,863	138.4
£72,000	£5,715	£66,285	12.8%	£8,484	14.0%	£10,920	£410	£4,925	£3,500	£100,239	139.2
£74,000	£5,715	£68,285	12.8%	£8,740	14.0%	£10,360	£410	£4,925	£3,500	£101,935	137.7
£76,000	£5,715	£70,285	12.8%	£8,996	14.0%	£10,640	£410	£4,925	£3,500	£104,471	137.5
£78,000	£5,715	£72,285	12.8%	£9,252	14.0%	£10,920	£410	£4,925	£3,500	£107,007	137.2
£80,000	£5,715	£74,285	12.8%	£9,508	14.0%	£11,200	£410	£4,925	£3,500	£109,543	136.9
£82,000	£5,715	£76,285	12.8%	£9,764	14.0%	£11,480	£410	£4,925	£3,500	£112,079	136.7
£84,000	£5,715	£78,285	12.8%	£10,020	14.0%	£11,760	£410	£4,925	£3,500	£114,615	136.4
£86,000	£5,715	£80,285	12.8%	£10,276	14.0%	£12,040	£410	£4,925	£3,500	£117,151	136.2
£88,000	£5,715	£82,285	12.8%	£10,532	14.0%	£12,320	£410	£4,925	£3,500	£119,687	136.0
£90,000	£5,715	£84,285	12.8%	£10,788	14.0%	£12,600	£410	£4,925	£3,500	£122,223	135.8
£100,000	£5,715	£94,285	12.8%	£12,068	14.0%	£14,000	£410	£4,925	£3,500	£134,903	134.9
£110,000	£5,715	£104,285	12.8%	£13,348	14.0%	£15,400	£410	£4,925	£3,500	£147,583	134.2
£120,000	£5,715	£114,285	12.8%	£14,628	14.0%	£16,800	£410	£4,925	£3,500	£160,263	133.6

Notes

^{*}These figures were correct in April 2010.

**Not all practices pay GMC or MDO (Medical Defence Organisation) subscriptions. The MDO figure is an average between the larger MDOs in April 2010.

***Based on average sick leave ~7 days/year – CBI/AXA Annual Absence Survey (2008) https://www.cbi.org.uk/ndbs/press.nsf/0363c1f07c6ca12a8025671c00381cc7/90ab71d2f4d981da8025744200523b87?OpenDocument

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Schedule B

Share	2010-2011	2011-2012
£65,000.00	£39,494.11	£38,986.06
£70,000.00	£41,958.58	£41,400.53
£75,000.00	£44,423.06	£43,459.74
£80,000.00	£46,887.53	£45,850.53
£85,000.00	£49,352.00	£48,241.32
£90,000.00	£51,390.16	£50,632.11
£95,000.00	£53,830.95	£53,022.90
£100,000.00	£56,271.74	£55,413.69
£105,000.00	£58,712.53	£57,804.48
£110,000.00	£61,153.32	£60,195.27
£115,000.00	£63,594.11	£62,586.06
£120,000.00	£66,034.90	£64,976.85
£125,000.00	£67,719.11	£67,367.64
£130,000.00	£69,329.63	£68,171.58
£135,000.00	£70,940.16	£69,732.11
£140,000.00	£72,544.90	£70,886.85
£145,000.00	£74,962.00	£73,253.95
£150,000.00	£77,379.11	£75,621.06
£155,000.00	£79,796.21	£77,988.16
£160,000.00	£82,213.32	£80,355.27
£165,000.00	£84,630.42	£82,722.37
£170,000.00	£87,047.53	£85,089.48
£175,000.00	£89,464.63	£87,456.58
£180,000.00	£91,881.74	£89,823.69
£185,000.00	£94,298.84	£92,190.79
£190,000.00	£96,090.95	£94,557.90
£195,000.00	£98,096.87	£96,925.01
£200,000.00	£100,102.79	£99,292.11

Annual Take home Annual Take home

Practice profit

The calculations are based on the standard personal tax allowance. Members may be entitled to higher allowances or have allowance restrictions depending on their personal circumstances.

All calculations are based on profits earned for the tax year in question. Different loss reliefs for prior years may be available for tax and National Insurance purposes.

All rates, allowances and thresholds are based on the currently available information. Rates are subject to change resulting from budgets and changes in legislation.

GPDF cannot be held responsible for any losses arising as a result of any actions taken based on the information contained within this spreadsheet and we recommend that you seek professional guidance when considering your tax affairs.

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Schedule C

			NHS																
			Pensionable					_											
	NHS Superar	nnauble	income	NHS pension contribution	ons	Tota	I	Superann	NI Class 2	NI class 4 @ 8%		Total NI deductions	Gross taxable income	Personal allowance	Net taxable incom			Monthly take home	% take home to gross
Share	discount	quantum				Supe	erann %	Deductions	£2.40 pw	8% between	1%		A minus H	£6,475 to £100,000	M minus N	20% to £37,400	A-H- P-L		
										£5,715 and £43,8	75over £43.875			After £100,000 reduces		40% to £149.999			
										,				By £1 for £2 earned		50% over 150,000			
														•		Total tax to £37,400 is £7,480			
														above £112,950					
2010-2011														NO personal allowance		total tax at 40% is £45,040			
				"Employee"															
				to £68,392		6.50%													
				£68.392 to £107.846		7.50%													
				,,,,,,,,															
				£107,846		8.50%								personal allowance					
				"Employers" 14%															
£65,000.0					14.00%	6.50%	20.50%	£10,519.7											
£70,000.0					14.00%	6.50%	20.50%	£11,328.9											
£75,000.0					14.00%	6.50%	20.50%	£12,138.1											
£80,000.0					14.00%	6.50%	20.50%	£12,947.3											
£85,000.0					14.00%	6.50%	20.50%	£13,756.5											
£90,000.0					14.00%	7.50%	21.50%	£15,276.3											
£95,000.0					14.00%	7.50%	21.50%	£16,125.0											
£100,000.0 £105,000.0					14.00% 14.00%	7.50% 7.50%	21.50% 21.50%	£16,973.6 £17,822.3											
£105,000.0					14.00%	7.50% 7.50%	21.50%	£17,822.3 £18.671.0											
£115,000.0					14.00%	7.50%	21.50%	£19,519.7											
£120,000.0					14.00%	7.50%	21.50%												
£125,000.0					14.00%	7.50%	21.50%	£21,217.1											
£130,000.0					14.00%	7.50%	21.50%												
£135,000.0					14.00%	7.50%	21.50%	£22,914.4											
£140,000.0	0 10.00	0% £14,000	.00 £110,526.	.32	14.00%	8.50%	22.50%	£24,868.4	12 £124	.80 £3,052.	80 £961.2	25 £4,014.0	05 £115,131			.58 £38,572.	53 £72,544.90	£6,045.41	
£145,000.0	0 10.00				14.00%	8.50%	22.50%	£25,756.5											
£150,000.0					14.00%	8.50%	22.50%	£26,644.7											
£155,000.0					14.00%	8.50%	22.50%	£27,532.8											
£160,000.0					14.00%	8.50%	22.50%	£28,421.0											
£165,000.0					14.00%	8.50%	22.50%	£29,309.2											
£170,000.0					14.00%	8.50%	22.50%	£30,197.3											
£175,000.0					14.00%	8.50%	22.50%	£31,085.5											
£180,000.0 £185,000.0					14.00%	8.50% 8.50%	22.50% 22.50%	£31,973.6 £32,861.8											
£185,000.0 £190,000.0					14.00% 14.00%	8.50% 8.50%	22.50%	£32,861.8 £33,750.0											
£195,000.0					14.00%	8.50% 8.50%	22.50%	£33,750.0 £34.638.1											
£200.000.0					14.00%	8.50%	22.50%	£35,526.3											
2200,000.0	10.00	2,0 220,000	2101,004.			0.0070	_2.0070	200,020.0		.00 20,002.	21,001.2	LT,017.0		.00		200,700.	2. 2.100,102.11	20,041.00	. 30.0370

Notes:

The calculations are based on the standard personal tax allowance. Members may be entitled to higher allowances or have allowance restrictions depending on their personal circumstances.

All calculations are based on profits earned for the tax year in question. Different loss reliefs for prior years may be available for tax and National Insurance purposes.

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Practice profit NHS Superannauble			Pensionable		able NHS pension contributions		Superann	NI Class 2	NI class 4 @ 9%		NI Class 4	Total NI deductions	Gross taxable income	Personal allowance £7.475 to £100.000		Net taxable income	Tax 20% to £34,900	Annual take home Monthly take home		e take home to gross	
Share	discount	quantum					Superann %	Deductions	2.40 pw	9% between £6,485 and £4	12.225	2% over £42,225		A minus H	After £100.000 re		M minus N	40% to £34,900 40% to £149.999	A-H- P-L		
2011-2012	2011-2012	2011-2012	2011-	2012	2011-2012	2011-2012	2011-2012	2011-2012	2011-2012	2011-2012	•	2011-2012	2011-2012	2011-2012	By £1 for £2 earr above £114,950 NO personal allo			50% over £150,000 Total tax to £34,900 is £6,980 total tax at 40% is £46,040	2011-2012	2011-2012	
					"Employee" to £68,392 £68,392 to £10 £107.846	6.50 7,8 7.50 8.50	%								personal allowan						
					"Employers" 14		/6								personal allowan	ice					
£65,000.0			500.00	£51,315.79	14.00	0% 6.50					£3,216.60	£455.			180.26	£7,475.0					248.84 60.0%
£70,000.0			00.00	£55,263.16	14.00						£3,216.60	£555.			71.05	£7,475.0					450.04 59.1%
£75,000.00 £80.000.00			500.00 000.00	£59,210.53 £63,157.89	14.00 14.00						£3,216.60 £3,216.60	£655. £755.			269.74 121.05	£7,475.0 £7,475.0					621.65 57.9% 820.88 57.3%
£85,000.0			500.00	£67,105.26	14.00						£3,216.60	£855.				£7,475.0					020.11 56.8%
£90.000.0			00.00	£71.052.63	14.00						£3.216.60	£955.				£7,475.0					219.34 56.3%
£95,000.0			500.00	£75,000.00	14.00						£3,216.60	£1,055.				£7,475.0					418.58 55.8%
£100,000.0			00.00	£78,947.37	14.00						£3,216.60	£1,155.				£7,475.0					617.81 55.4%
£105,000.0			500.00	£82,894.74	14.00						£3,216.60	£1,255.			77.63	£7,475.0					817.04 55.1%
£110,000.0			00.00	£86,842.11	14.00						£3,216.60	£1,355.				£7,475.0					016.27 54.7%
£115,000.0			500.00	£90,789.47	14.00						£3,216.60	£1,455.				£7,475.0					215.50 54.4%
£120,000.00 £125,000.00			000.00 500.00	£94,736.84 £98.684.21	14.00 14.00						£3,216.60 £3,216.60	£1,555.5 £1,655.5				£7,475.0 £7,475.0					.414.74 54.1% .613.97 53.9%
£125,000.00 £130.000.00			000.00	£98,684.21 £102.631.58	14.00						£3,216.60	£1,655.				£7,475.00 £3,507.8					,613.97 53.9% ,680.97 52.4%
£135,000.0			500.00	£106,578.95	14.00						£3,216.60	£1,755.				£1,432.2					811.01 51.7%
£140,000.0			00.00	£110,526.32	14.00						£3,216.60	£1,955.				£0.0					907.24 50.6%
£145,000.0			500.00	£114,473.68	14.00						£3,216.60	£2,055.				£0.0					104.50 50.5%
£150,000.0			00.00	£118,421.05	14.00						£3,216.60	£2,155.				£0.0					301.75 50.4%
£155,000.0			500.00	£122,368.42	14.00						£3,216.60	£2,255.				£0.0					499.01 50.3%
£160,000.0			00.00	£126,315.79	14.00						£3,216.60	£2,355.				£0.0					696.27 50.2%
£165,000.0			500.00	£130,263.16	14.00						£3,216.60	£2,455.				£0.0					893.53 50.1%
£170,000.0			000.00	£134,210.53	14.00						£3,216.60	£2,555.				£0.0					.090.79 50.1%
£175,000.00			500.00	£138,157.89	14.00						£3,216.60	£2,655.				£0.0					288.05 50.0%
£180,000.00 £185,000.00			000.00 500.00	£142,105.26 £146,052.63	14.00 14.00						£3,216.60 £3,216.60	£2,755.5 £2,855.5				£0.00 £0.00					.485.31 49.9% .682.57 49.8%
£190,000.0			000.00	£146,052.63 £150,000.00	14.00						£3,216.60 £3.216.60	£2,855.				£0.0					.682.57 49.8% .879.83 49.8%
£195,000.0			500.00	£153,947.37	14.00						£3,216.60	£3.055.				£0.0					077.08 49.7%
£200,000.0			00.00	£157,894.74	14.00					4.80	£3,216.60	£3,155.				£0.0					274.34 49.6%

Notes:
The calculations are based on the standard personal tax allowance. Members may be entitled to higher allowances or have allowance restrictions depending on their personal circumstances.
All calculations are based on profits earned for the tax year in question. Different loss reliefs for prior years may be available for tax and National Insurance purposes.
All rates, allowances and thresholds are based on the currently available information. Rates are subject to change resulting from the Emergency Budget and changes in legislation.

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The Directors
General Practitioners Defence Fund Limited
3rd Floor
BMA House
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London
WC1H 9JP

Our ref

CB/GT/NB/GENE15521

28 June 2010

Dear Sirs

Comparison of gross pay to take home pay

We have examined schedules prepared by GPDF to help members (General Practitioners) understand the amount of take home pay from specified levels of gross pay for the 2010/11 & 2011/12 tax years. The changes which are clearly of concern to members will include, for example:-

- The impact of the 50% additional tax rate, effective from 6 April 2010.
- Changes in the rules as they relate to pension contributions and the tax relief available to members.
- Changes introduced following the Emergency Budget of 22 June 2010.

The information is mainly set out in spreadsheets B - D.

Our review consisted of confirming that:

- the rates and thresholds used for the calculation of tax and National Insurance were correct;
- the formulae used in the construction of the spreadsheets were correct/and
- a sample of the calculations used for each year were correct.

The rates, thresholds and allowances are based on the information available at present, including changes announced in the Emergency Budget held on 22 June 2010.

The tax calculations have been based on the current level of personal allowance and neither we nor GPDF have considered the effects on take home pay levels of allowances that may be enhanced or reduced as a result of members' personal circumstances.

The calculations have been calculated based on assumed profits for the tax years concerned. They do not take into account any potential loss relief claims, or any other reliefs or allowances which may be tax deductable and available to members.

An additional schedule (Schedule A) has also been prepared to help demonstrate the position for a salaried GP. We have been unable to verify the level of subscription rates payable to the General

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Medical Council or Medical Defence Unions, and assume these represent the current (2010) rates; we offer no comment on the rates for future years either. Furthermore, we are unable to comment further in respect of the locum costs included in the schedules.

The calculations have been prepared for illustrative purposes only and Mazars LLP is unable to enter into any correspondence relating to members' personal circumstances. Members are strongly advised to seek professional guidance should they have any queries relating to how any changes to tax and National Insurance will affect them.

Members are also advised to review their affairs on a regular basis, as legislation relating to, for example, tax, National Insurance and pensions, is constantly the subject of review and possible change.

Yours faithfully

Mazars LLP

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Our Ref: Tax Guidance July 2010

12 July 2010

GPDF DISCLAIMER

The attached information, including the Note titled 'Focus on the new tax brackets and other financial considerations' produced by the General Practitioners Committee (GPC), a branch of practice committee of the British Medical Association (BMA) together with the accompanying schedules identified as A to D, is for illustrative purposes only and should not be relied upon to represent the specific circumstances of the reader or anyone else.

The reader's attention is drawn to the fact that the assumptions used in preparing the illustrations may no longer be applicable and may change over time. More specifically, the reader's attention is drawn to the Mazars LLP report dated 28 June 2010.

Furthermore, the General Practitioners Defence Fund Limited (GPDF) and the GPDF on behalf of the General Practitioners Committee (GPC) of the British Medical Association (BMA) and the BMA do not provide financial or fiscal advice and the GPDF and the GPDF on behalf of the GPC and the BMA exclude all liability, damages, costs, and expenses howsoever arising out of the use made by a reader of such illustrations and the information described in the Note produced by the GPC.

All three bodies strongly advise any GP who may have concerns relating to taxation or other financial matters, including but not limited to National Insurance Contributions, pension payments and other matters, to seek advice from a suitably qualified, specialist financial adviser.

Dr Brian D Keighley

Sum Keighley,

Treasurer

"Representing all NHS GPs"