



SCOTTISH OFFICE
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The Rt Hon John Moore MP
Secretary of State for Social Services
Department of Health and Social Security
Alexander Fleming House
Elephant and Castle
LONDON
SE1 6BY

28 September 1987

Dear John,

NBM.

COMMUNITY CHARGE EXEMPTIONS

In our preparations for the introduction of the community charge in Scotland in 1989, we have been considering the arrangements for exempting severely mentally handicapped people from the charge as provided for in Section 8 of our Act. We will shortly be consulting the medical profession and other interested parties on the basis that a claim for exemption will normally be supported by a certificate by a general practitioner, usually the family doctor, that a person is severely mentally handicapped in terms of the Act.

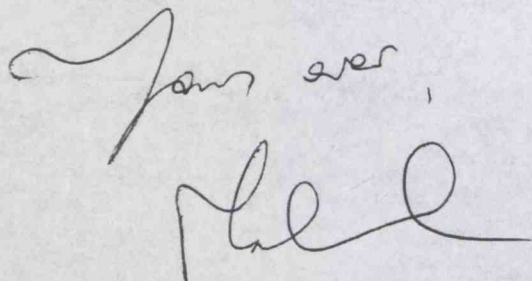
In this connection we have been considering whether or not general practitioners should be paid a fee for issuing such certificates. In your letter of 30 July to Nicholas Ridley you said that the payment of fees to GPs for exemption certificates was not a health function and would therefore be a private transaction between the GP and the individual. I take the view, however, that exemption certificates fall into the same category as, for instance, certificates issued by GPs in relation to social security and housing benefits, statutory sick pay and statutory maternity pay, and to exemption from jury service or to be registered as an absent voter, all of which a GP is obliged under his Terms of Service to issue free to patients. I therefore propose that exemption certificates be added to the list contained in Schedule 4 to the National Health Service (General Medical and Pharmaceutical Services) (Scotland) Regulations 1974.

We reckon that, each GP in Scotland will have on average only about 3 or 4 severely mentally handicapped people on his list and many will have none at all; and if, as we are suggesting in our consultation document, the certificate once issued either remains valid for the life-time of the person or for at least 5 years, the additional work involved will be minimal, the main involvement occurring when registration officers are first setting up their registers.

We have not in the meantime put anything in our consultation document about fees, but the issue is sure to be raised by general practitioners' representatives in their response, and I think it is important that we should reach a conclusion soon about our intentions on this issue. I should therefore be grateful if you would let me know as soon as possible whether you are content that we should proceed on the basis of exemption certificates issued free to patients under the doctors' terms and conditions of service, and attracting no fee for the doctors themselves.

There is one further point. In his letter of 11 August Nicholas Ridley's Private Secretary indicated that he was not prepared to drop the requirement that only those in receipt of Severe Disablement Allowance should be in the field for consideration for exemption on the grounds of severe mental handicap. As Ian Lang indicated in his letter of 3 August we cannot make this a requirement in Scotland - it would require an amendment to primary legislation. We do, however, envisage indicating in the guidance we give to doctors about the provision of certificates for those who claim exemption that receipt of SDA will in general be a relevant factor to take into account.

I am copying this letter to the Prime Minister, the Lord President, members of E(LF) and Sir Robert Armstrong.

A handwritten signature in dark ink, appearing to read 'Malcolm Rifkind', written in a cursive style.

MALCOLM RIFKIND



LOCAL GOVT

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