



Department of

**Health, Social Services
and Public Safety**

An Roinn

**Sláinte, Seirbhísí Sóisialta
agus Sábháilteachta Poiblí**

www.dhsspsni.gov.uk

Room D.1
Castle Buildings,
Stormont Estate,
BELFAST BT4 3SR
Tel: 028 9052 2344
Fax: 028 9052 2912
eMail: p&e@dhsspsni.gov.uk

**HUMAN RESOURCES DIRECTORATE
PAY AND EMPLOYMENT UNIT**

**Chief Executive of each HSS Board, HSS
Trust and Special Agency**

For information:

Director of Human Resources;
Director of Medical Services,
Director of Public Health,
Director of Dental Services,
of each body

British Medical Association
British Dental Association
NI Medical & Dental Training Agency
NI Regulation & Improvement Authority

Circular HSS(TC8) 6/2005

Our Reference: **BP 117/04**

30 November 2005

Dear Colleague

**Maintaining High Professional Standards in the Modern HPSS - A framework
for the handling of concerns about doctors and dentists employed in the HPSS**

1. The Directions on Disciplinary Procedures 2005 direct HPSS organisations to comply with the framework contained within the attached document "*Maintaining High Professional Standards in the Modern HPSS*". This document introduces a new framework for handling concerns about the conduct, clinical performance and health of medical and dental employees. The new framework is effective from 1 December 2005.
2. As an aid to employing organisations, the document includes two flow charts outlining the main points of both the informal and formal processes described in the framework.
3. HSS Trusts, HSS Boards and Special Agencies are required to notify the Department of the action they have taken to comply with the framework by 31 January 2006.
4. The framework has been agreed with the BMA and BDA.

5. The new disciplinary framework will replace the following guidance:
- HSS (TC8) 3/75 Disciplinary Proceedings in cases relating to hospital medical and dental staff (currently only applies to salaried primary care dental staff);
 - HSS (TC8) 1/84 Health Services Management: Prevention of harm to patients resulting from physical or mental disability of hospital or community medical or dental staff;
 - HSS (TC8) 15/91 Disciplinary Procedures for Hospital and Community Medical and Dental Staff, including the right of certain consultants to appeal to the Department under "Paragraph 190" of the HPSS Terms & Conditions of Service;
 - HSS (TC8) 3/95 Disciplinary Procedures for Hospital and Community Medical and Hospital Dental Staff - Suspensions.

Further Copies

6. Copies of this circular and framework can be obtained from the Department's website at <http://extranet/dhsspsni.gov.uk>.

Enquiries

7. Employees should direct enquiries to their employers. Any enquiries that cannot be resolved locally should be directed to Pay and Employment Unit or by e-mail to p&e@dhsspsni.gov.uk.

Yours faithfully



ALAN PRESTON
Deputy Director

**THE HEALTH AND PERSONAL SOCIAL SERVICES
(NORTHERN IRELAND) ORDER 1972**

**THE HEALTH AND PERSONAL SOCIAL SERVICES
(SPECIAL AGENCIES) (NORTHERN IRELAND) ORDER 1990**

**THE HEALTH AND PERSONAL SOCIAL SERVICES
(NORTHERN IRELAND) ORDER 1991**

**THE HEALTH AND PERSONAL SOCIAL SERVICES ACT
(NORTHERN IRELAND) 2001**

DIRECTIONS ON DISCIPLINARY PROCEDURES 2005

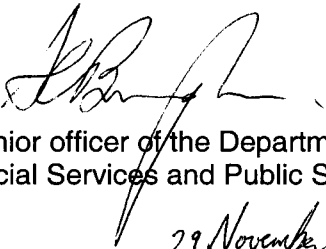
The Department of Health, Social Services and Public Safety^a in exercise of the powers conferred on it by Article 17 of the Health and Personal Social Services (Northern Ireland) Order 1972^b, Article 4(4) of the Health and Personal Social Services (Special Agencies) (Northern Ireland) Order 1990^c, paragraph 6(2) of Part II of Schedule 3 to the Health and Personal Social Services (Northern Ireland) Order 1991^d, and of all other powers enabling it in that behalf, hereby directs as follows:

Citation, commencement, application and interpretation

1. -(1) This direction is given to all HSS bodies.
 - (2) This direction shall come into force on 1 December 2005.
 - (3) This direction shall be referred to as "Directions on Disciplinary Procedures 2005".
 - (4) In this direction "HSS body" means:
 - (i) a Health and Social Services Board;
 - (ii) a Health and Social Services Trust;
 - (iii) a Special Agency.

Compliance with Framework

2. - Each HSS body shall comply with "Maintaining High Professional Standards in the Modern HPSS – A framework for the handling of concerns about doctors and dentists employed in the HPSS"- ("the framework") as set out in the schedule and promulgated in Circular HSS(TC8) 6/2005.
3. – Each HSS body shall notify the Department of the action they have taken to comply with the framework by 31 January 2006.


A senior officer of the Department of
Health, Social Services and Public Safety^e
29 November 2005

^a See Article 3(6) of S.I. 1999/283 (N.I. 1)

^b S.I. 1972/1265 (N.I.14)

^c S.I. 1990/247 (N.I.3)

^d S.I. 1991/194 (N.I.1) as amended by section 44(2) of 2001 c.3 (NI)

^e See Article 4(3)(b) of S.I. 1999/283 (N.I. 1)