

**HUMAN RESOURCES DIRECTORATE  
PAY AND EMPLOYMENT UNIT**



Department of

**Health, Social Services  
and Public Safety**

An Roinn

**Sláinte, Seirbhísí Sóisialta  
agus Sábháilteachta Poiblí**

[www.dhsspsni.gov.uk](http://www.dhsspsni.gov.uk)

**Chief Executive of each HSS Board,  
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**Circular HSS(TC8) 6/2006**

7 November 2006

Dear Colleague

**AMENDMENTS TO THE 2004 CONSULTANT CONTRACT**

1. This circular notifies employers of the changes to the 2004 consultant contract and terms and conditions of service. The amendments detailed in this circular have been agreed with the British Medical Association. A summary of the amendments is attached. A revised model contract is also attached.
2. This issue includes all amendments to Terms and Conditions of Service promulgated as at 1<sup>st</sup> November 2006. A summary of the changes is attached.

**Further Copies**

3. Copies of this circular and the full amended terms and conditions of service for the new consultant contract can be obtained from the Department's website at [http://www.dhsspsni.gov.uk/index/hrd/pay\\_and\\_employment.htm](http://www.dhsspsni.gov.uk/index/hrd/pay_and_employment.htm).

**Approval**

4. The Department has determined these changes in accordance with the powers conferred on it by Article 89 and paragraph 12 of Part II of the Health and Personal Social Services (Northern Ireland) Order 1972, by paragraph 6(1) of the Schedule to the Health and Personal Social Services (Special

Agencies) (Northern Ireland) Order 1990 and by paragraph 6 of Schedule 3 to the Health and Personal Social Services (Northern Ireland) Order 1991 (as amended by paragraph 44(3) of the Health and Personal Social Services Act (Northern Ireland) 2001).

## **Enquiries**

5. Employees should direct enquiries to their employing authorities. Any enquiries that cannot be resolved locally should be directed to Pay & Employment Unit on 02890 522 344 or by e-mail to [p&e@dhsspsni.gov.uk](mailto:p&e@dhsspsni.gov.uk).

Yours faithfully

A handwritten signature in blue ink that reads "John Nesbitt". The signature is written in a cursive style with a long horizontal stroke at the end.

**JOHN NESBITT**

Assistant Director of Human Resources

## **Maintaining High Professional Standards in the Modern HPSS**

1. The new suspensions framework was introduced with effect from 1 December 2005, following agreement with the BMA. A recent High Court judgement in England has highlighted the need for employers to take all reasonable steps to ensure that the effects of collective agreements are incorporated in individual contracts of employment.

### **Recommended action**

2. In the case of the new suspensions framework, employers should:
  - where the contract does not include a reference to the new framework, write to individual medical and dental practitioners in order to notify them of the revisions to the procedures under which they would be disciplined (ie the employer's disciplinary procedure as amended to incorporate the Maintaining High Professional Standards framework, following discussion with local staff representatives);
  - place a copy of the notification in each individual's HR record; and
  - issue this version of the procedure to all new medical and dental employees.
3. Employers are not required to reissue an amended contract to those consultants who have transferred, or been appointed to the contract prior to 7 November 2006, providing they have written to the individual as set out above. However, employers are asked to make use of the amended contract document for all appointments from the date of this circular. Employers are also asked to use the amended contract when a consultant undergoes a change of contractual terms, ie moves to or from a part-time contract. The model contract has been amended at paragraph 17 to include reference to the new framework.