



Department of  
**Health, Social Services  
and Public Safety**

An Roinn

**Sláinte, Seirbhísí Sóisialta  
agus Sábháilteachta Poiblí**

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**CONSULTANT CONTRACT 2004**  
**FREQUENTLY ASKED QUESTIONS**

**Contents**

<b>Seniority</b>	<b>2</b>
<b>Locum Service</b>	<b>3</b>
<b>Programmed Activities</b>	<b>4</b>
<b>Teaching - undergraduate</b>	<b>5</b>
<b>Multi-site Working</b>	<b>5</b>

## Seniority

**Q. How is a consultant's seniority calculated?**

A. Full details are set out in the Consultant Terms and Conditions of Service (NI) 2004. In summary, it is the number of completed whole years worked for the HPSS as a consultant, plus the position on the salary scale when appointed, plus the current year, plus any additional credited seniority for consultant level service outside the HPSS.

**Q. How is service in the NHS taken into account?**

***Eg, a consultant has 5 years service in NI but had 10 years service in the NHS before coming to NI. He was appointed to point 5 of the consultant salary scale in NI. What credit is given for his NHS service?***

A. Full credit should be given for consultant level service in the NHS. If five years credit was given on first appointment in NI, then a further 5 years should be credited for the purposes of calculating seniority (consultant level service in the NHS is equivalent to consultant level service in NI)

**Q. What is the effect of a consultant taking seniority credit back to 1 April 2003? Eg, if a consultant has 15 years seniority at 31 March 2004 and takes seniority credit back to 1 April 2003.**

A. The consultant will transfer to the new contract with 15 years seniority. If credit is backdated to 1 April 2003, the consultant will be treated as having transferred to the new contract on 1 April 2003 with 15 years seniority. The effect of this is that on 1 April 2004, he will be treated as having served 1 year at the first threshold and therefore move onto the next threshold 1 year earlier.

**Q. Does being a Maximum Part Time consultant for a number of years affect the way in which seniority is calculated?**

A. No. The fact that a consultant was MPT does not affect the method of calculation.

**Q. How does overseas experience count towards seniority?**

A. This is a matter for local determination in association with advice from Royal College Advisers or Specialty Advisers. Central guidance is not appropriate as the decision depends on the content of the work programme of each individual whilst overseas. When assessing overseas experience towards seniority, trusts must be careful of double counting for consultants transferring to the new contract as their overseas experience may have been taken into consideration in setting their original starting salary.

**Q. Do both paid and unpaid leave for maternity or sickness count towards seniority?**

A. Yes.

## **Locums**

**Q. Are locum consultants included in backdating arrangements for the new contract?**

A. This depends on the circumstances but generally yes. Where a locum gives a formal commitment to the new contract during a period of continuous locum employment then s/he should be entitled to back pay if s/he so chooses. This principle would also apply where a locum moves to another post without a break in service. Where a consultant has been working as a locum but moves to a substantive post s/he should be entitled to back pay.

**Q. Does locum service count towards seniority?**

A. This is a matter for employers to decide at local level. However, the expectation is that locum service would only count if it was equivalent to a substantive post, ie, the locum had carried out the full range of duties and responsibilities. It is unlikely that a short-term locum (ie less than 3 months and probably less than 6 months) would count. Also, it can only count once, so if it has been taken into account when deciding where the consultant starts on the salary scale, it cannot count again for seniority.

## Programmed Activities

- Q. How much time may be allowed for work undertaken at home which could be indirectly considered to be of managerial nature, such as reading or participating in Royal College business, or supporting clinical activity such as reading on new research or techniques for patient care?**
- A. It should be agreed at the job plan interview if any duties can be undertaken at home. An assessment should be made in each individual case of the likely time required.
- Q. Currently some medical managers are paid additional sessions in lieu of additional duties associated with medical management. How will this be addressed in the new contract?**
- A. Trusts are able to make additional payments to clinical/medical directors – see Schedule 16, para 10 of the TCS. However, while these payments may be based on the value of one or two PAs, they should not be classed as PAs but as a management/responsibility allowance.

## Teaching - undergraduate

- Q. *Within current job plans many consultants have time allocated to teaching undergraduate medical students. This time can be either during what would be Direct Clinical Care or Supporting Professional Activities under the new contract. How should this be reflected in new job plans.***
- A. Depending on when/how teaching is delivered will dictate how it is accounted for in job plans: eg, teaching in a classroom setting, where teaching is the main purpose of the session, will count as an SPA PA, while teaching during a operation or ward round will count as a DCC PA.

## Multi-site working

- Q. *Many consultants currently have work commitments that entail working for two or more employing authorities. What will the arrangements be for the management of the job planning process?***
- A. A lead employer should be identified who will draw up the job plan with input from other employers as necessary. If necessary, representatives from all employing authorities should be present at the job planning interview.