

# **APPOINTMENT OF HONORARY CONSULTANTS**

## **(MD28)**

If you require a copy of this policy in an alternative format (for example large print, easy read) or would like any assistance in relation to the content of this policy, please contact the Diversity & Inclusion Officer on 01803 656705.

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<b>Date of Issue:</b>	December 2020	<b>Next Review Date:</b>	December 2022
<b>Version:</b>	1	<b>Last Review Date:</b>	
<b>Author:</b>	Medical Workforce		
<b>Directorate:</b>	Workforce and Organisational Development		
<b>Approval Route</b>			
<b>Approved By:</b>		<b>Date Approved:</b>	
JLNC		November 2020	
<b>Links or overlaps with other policies:</b>			
<i>Need to list all policies that are referred to, or have links to this policy. List them in numeric order.</i>			

### Amendment History

Issue	Date	Reason for Change	Authorised
	Aug & Nov 2006 Nov 2009 Jan 2012 Feb 2014 March 2016	Protocol For The Appointment Of Honorary Consultants From Other Trusts Undertaking Duties In Torbay And South Devon Nhs Foundation Trust	
1	November 2020	<b>New Policy Title and Template Reference to Devon System Memorandum of Understanding</b>	

**Rapid (E)quality Impact Assessment (EqIA)** *(for use when writing policies)*

<b>Policy Title</b> (and number)	<b>Appointment of Honorary Consultants</b>	<b>Version and Date</b>	October 2020 v1
<b>Policy Author</b>	Medical Workforce		
An (e)quality impact assessment is a process designed to ensure that policies do not discriminate or disadvantage people whilst advancing equality. Consider the nature and extent of the impact, not the number of people affected.			
<b>Who may be affected by this document?</b>			
Patients/ Service Users <input type="checkbox"/> Staff <input checked="" type="checkbox"/> Other, please state... <input type="checkbox"/>			
<b>Could the policy treat people from protected groups less favorably than the general population?</b> <i>PLEASE NOTE: Any 'Yes' answers may trigger a full EIA and must be referred to the equality leads below</i>			
Age	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Gender Reassignment	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Race	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Disability	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Gender	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Pregnancy/Maternity	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Sexual Orientation			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Religion/Belief (non)			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Marriage/ Civil Partnership			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Is it likely that the policy could affect particular 'Inclusion Health' groups less favorably than the general population?</b> (substance misuse; teenage mums; carers <sup>1</sup> ; travellers <sup>2</sup> ; homeless <sup>3</sup> ; convictions; social isolation <sup>4</sup> ; refugees)			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Please provide details for each protected group where you have indicated 'Yes'.</b>			
<b>VISION AND VALUES:</b> Policies must aim to remove unintentional barriers and promote inclusion			
Is inclusive language <sup>5</sup> used throughout?			Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>
Are the services outlined in the policy fully accessible <sup>6</sup> ?			Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>
Does the policy encourage individualised and person-centered care?			Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>
Could there be an adverse impact on an individual's independence or autonomy <sup>7</sup> ?			Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>
<b>EXTERNAL FACTORS</b>			
<b>Is the policy a result of national legislation which cannot be modified in any way?</b>			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>What is the reason for writing this policy?</b> (Is it a result in a change of legislation/ national research?)			
Describes the arrangements for the appointment of honorary consultants to undertake duties on behalf of the Trust			
<b>Who was consulted when drafting this policy?</b>			
Patients/ Service Users <input type="checkbox"/>	Trade Unions <input checked="" type="checkbox"/>	Protected Groups (including Trust Equality Groups)	<input type="checkbox"/>
Staff <input type="checkbox"/>	General Public <input type="checkbox"/>	Other, please state...	<input type="checkbox"/>
<b>What were the recommendations/suggestions?</b>			
<b>Does this document require a service redesign or substantial amendments to an existing process?</b> <i>PLEASE NOTE: 'Yes' may trigger a full EIA, please refer to the equality leads below</i>			Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>ACTION PLAN:</b> Please list all actions identified to address any impacts			
<b>Action</b>	<b>Person responsible</b>	<b>Completion date</b>	

**Please contact the Equalities team for guidance:** For Torbay and South Devon NHS Trusts, please call 01803 656676 or email [pfd.sdhct@nhs.net](mailto:pfd.sdhct@nhs.net). This form should be published with the policy and a signed copy sent to your relevant organisation.

<sup>1</sup> Consider any additional needs of carers/ parents/ advocates etc, in addition to the service user  
<sup>2</sup> Travelers may not be registered with a GP - consider how they may access/ be aware of services available to them  
<sup>3</sup> Consider any provisions for those with no fixed abode, particularly relating to impact on discharge  
<sup>4</sup> Consider how someone will be aware of (or access) a service if socially or geographically isolated  
<sup>5</sup> Language must be relevant and appropriate, for example referring to partners, not husbands or wives  
<sup>6</sup> Consider both physical access to services and how information/ communication is available in an accessible format  
<sup>7</sup> Example: a telephone-based service may discriminate against people who are d/Deaf. Whilst someone may be able to act on their behalf, this does not promote independence or autonomy

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## **1. Policy Statement**

- 1.1 This document describes the arrangements for the appointment of honorary consultants to undertake duties on behalf of Torbay and South Devon NHS Foundation Trust and the method by which their participation in clinical activities may be confirmed whilst holding substantive employment with another NHS Trust.

## **2 Introduction**

- 2.1 With the increase in collaboration between Trusts including joint working across and between services, the Trust needs to be assured of the status of visiting Consultants with regard to liability for their actions. This Trust has to be certain that all Consultants caring for patients are participating in continuing professional development (CPD), audit, have an annual review of their job plans and have the necessary recruitment and mandatory training checks in place.

- 2.2 The Devon System Memorandum of Understanding 'Agreement for the Management of Shared Resources and Standardised Approach to Resourcing Practice' is designed to ensure smooth transition of workers between Trusts while minimising risk.

- 2.3 The following organisations are part of the Devon agreement:

- Royal Devon & Exeter NHS Foundation Trust
- University Hospital Plymouth NHS Foundation Trust
- Torbay & South Devon NHS Foundation Trust
- North Devon NHS Trust
- NHS Devon Clinical Commissioning Group
- Devon Partnership NHS Foundation Trust
- Livewell South West

- 2.4 Under the above agreement the substantive employer (Provider Trust) will ensure the following checks:

- Identity and Right to Work
- DBS check
- References
- Occupational Health Checks
- Professional Registration and Qualifications and competent to provide the Services required
- Statutory and Mandatory Training
- Have confirmed agreement for the sharing of their personal data between organisations for the purposes of effective management of the workers and delivery of Services
- provide a Certificate of Fitness/Confirmation of Employment Details to the Host

### **3 Scope**

- 3.1 This document applies to Medical Consultant who do not hold a substantive contract of employment with the Trust but who wish to participate in clinical activities or research at Torbay and South Devon NHS Foundation Trust.

### **4 Equality and Diversity Statement**

- 4.1 The Trust is committed to preventing discrimination, valuing diversity and achieving equality of opportunity. No person (staff, patient or public) will receive less favourable treatment on the grounds of the nine protected characteristics (as governed by the Equality Act 2010): sexual orientation; gender; age; gender re-assignment; pregnancy and maternity; disability; religion or belief; race; marriage and civil partnership. In addition to these nine, the Trust will not discriminate on the grounds of domestic circumstances, social-economic status, political affiliation or trade union membership.
- 4.2 The Trust is committed to ensuring all services, policies, projects and strategies undergo equality analysis.

### **5 Definition of Honorary Consultant**

- 5.1 An **Honorary Consultant** is someone who is not directly employed and paid by Torbay & South Devon NHS Foundation Trust.

### **6 Liability**

- 6.1 Under the Devon System Memorandum of Understanding Torbay & South Devon NHS Trust shall indemnify the Provider Trust and keep the Provider Trust indemnified fully at all times against any loss, damage, or costs suffered, sustained or incurred by or to any individual Consultant providing services to Torbay & South Devon NHS Trust
- 6.2 Honorary Consultants undertaking work for their employing Trust, who are not part of the Devon Agreement, on the premises of Torbay and South Devon NHS Foundation Trust should be covered by a Service Agreement which incorporates financial and liability arrangements and provides assurances regarding CPD, audit, GMC registration, job plan reviews and Health status as it is relevant to the role.
- 6.3 In the absence of any agreement to the contrary, it is expected that the employing Trust indemnifies the Consultant's actions.
- 6.4 Consultants with joint or split contracts are acting within their normal duties, the existing contract of employment and job plan will reflect these responsibilities.

## **7 Appointment Process**

- 7.1 The Integrated Service Unit (ISU) should advise Medical Recruitment and Medical Workforce of any Honorary Consultant proposed to undertake any work for the Trust.
- 7.2 The ISU will need to confirm whether an agreement is in place if appropriate, or whether the arrangement is under the Devon System Memorandum of Understanding. Where an agreement is in place a copy should be forwarded to Medical Workforce.
- 7.3 As per the Devon System Memorandum of Understanding Medical Recruitment will request confirmation from the substantive employer (Provider Trust) that the Consultant complies with the appropriate employment checks.
- 7.4 Where the above information is not readily available or out of date, Medical Recruitment will liaise with the employing Trust and the individual Consultant to provide the missing information. The ISU will be advised where the information is not available so they may consider the implications of the Consultant being able to carry out clinical duties.
- 7.5 Under the Devon System Memorandum of Understanding there is not a requirement to issue an Honorary Contract.

## **8 Trust Induction**

- 8.1 When the appointment is confirmed and accepted by the Consultant, the appropriate manager should book the Consultant onto Corporate Induction.
- 8.2 Where the arrangement is to cover a single occasion or procedure, or for a very short clinical attachment, as a minimum, appropriate local induction must be undertaken as determined and evidenced by the appointing manager/ lead clinician.

## **9 Annual Appraisal/Revalidation**

- 9.1 Where the arrangement is for more than 12 months, the Consultant will need to provide evidence of appraisal and revalidation from the employing Host Trust to the appropriate Clinical Lead.

## **10 Training and Awareness**

- 10.1 Advice and support will be provided by the Medical Workforce team to support staff and managers in adhering to this policy.
- 10.2 The Medical HR team will raise awareness of this policy through the publication of information on ICON.

## **11 Contact Details**

11.1 Any queries regarding this policy should be directed to the Medical HR team of the Directorate of Workforce and Organisational Development.

- [sdhct.medicalhr@nhs.net](mailto:sdhct.medicalhr@nhs.net)

## **12 Monitoring, Audit and Review Procedures**

12.1 This policy will be monitored and audited on a regular basis. A full review will take place every two years by the Directorate of Workforce and Organisational Development unless legislative changes determine otherwise.