

Blackpool, Fylde and  
Wyre Hospitals  
NHS Foundation Trust



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<b>Title:</b> <b>Honorary Contracts for Medical Staff:</b> <b>Defining Responsibility</b>							<b>Version Number:</b> 2			
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<b>Author/Originator and Title:</b> Debbie Ellis – Medical Recruitment Manager							<b>Responsibility:</b> Human Resources and Organisational Development Directorate			
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<b>Review Dates:</b> Review dates may alter if any significant changes are made	<b>2007</b> <input type="checkbox"/>	<b>2008</b> <input type="checkbox"/>	<b>2009</b> <input type="checkbox"/>	<b>2010</b> <input type="checkbox"/>	<b>2011</b> <input type="checkbox"/>	<b>2012</b> <input checked="" type="checkbox"/>	<b>2013</b> <input type="checkbox"/>	<b>2014</b> <input type="checkbox"/>	<b>2015</b> <input type="checkbox"/>	<b>2016</b> <input type="checkbox"/>
<b>Does this document meet with the Race Relation Amendment Act (2000) Religious Discrimination Act, Age Discrimination Act, Disability Discrimination Act and Gender Equality Regulations?</b> Not Applicable										

## 1 PURPOSE.

The purpose of this policy is to define the lines of responsibility and accountability for the development of Medical Staff Honorary Contracts.

## 2 SCOPE.

The scope of the policy is two fold: -

- To define clear responsibilities for who has liability for the quality, and provision of care.
- To clarify responsibilities for the Health and Safety of employees. Whilst the employing organisation retains a responsibility for the safety of their employee, the host organisation will be responsible for providing a safe working environment.

The following circumstances are covered within the scope of this policy

- A Trust employee providing 'care' to patients of the Trust within the premises of another organisation.
- A Trust employee providing 'care' to patients of another organisation within the premises of that organisation
- Individuals who are not employees of the Trust undertaking care of patients of the Trust and/or undertaking work within the premises of the Trust on a paid/unpaid basis; e.g. volunteers, research students, regional trainees
- Individuals/organisations using Trust premises for the treatment of patients and/or provision of services, *which may include those who are self employed*

For employees to come within the scope of this policy and to be indemnified for their actions the work they undertake must form part of their contract of employment and/or Honorary Contract.

Individuals not covered within the scope of this policy include;-

- Students or trainees working on clinical placements within the Trust under predetermined arrangements between the Trust and the relevant training establishment, e.g. medical students.
- Individuals undertaking 'private practice' which is outside of their contract of employment with the Trust.
- Individuals undertaking 'clinical attachment' placements agreed with the Trust who participate in observing only.

## 3 POLICY

### 3.1 RESPONSIBILITIES

Directorates/ Divisions are responsible for informing the Medical Staffing Department of any agreements for placements /contract arrangements in advance of the placement/contract commencing. This information must indicate the potential start date, details of the times/duties expected and to whom the individual will be responsible.

All doctors who require an Honorary Contract must undergo the same pre-employment checks as directly employed medical staff and medical staffing are responsible for carrying out these checks prior to the commencement of the placement.

All Medical Staff Honorary Contracts will be prepared by the Medical Staffing Department must keep a log of all individuals in the Trust at any point in time who hold Honorary Contracts. Medical Staffing must arrange for a temporary ID badge for the Honorary Contract holder.

Individuals are obliged to adhere to the policies and procedures of the organisation providing indemnity. Any exclusion will be identified in the Honorary Contract.

The receiving Directorate/Division must ensure that local induction is provided to involved staff prior to commencement of duties and must include information regarding fire safety, requirements of Health and Safety at Work Act, risk management, incident reporting arrangements, infection prevention and control and that the Trust is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects all staff and volunteers to share its commitment.

### 3.2 HONORARY CONTRACTS

Occasions arise when individuals from other organisations wish to work within the Trust in a paid/unpaid capacity and for this circumstance it is appropriate for the Trust to establish an Honorary Contract for this individual(s).

The issue of an Honorary Contract does not imply the creation of an employer/employee relationship and is for the purpose of granting licence to an individual to use certain Trust facilities. However, the most important feature of an Honorary Contract is the indemnity provided by the Trust in respect of liabilities, particularly liability in respect of medical negligence.

Individuals eligible for issue of an Honorary Contract include:

- Honorary appointments
  - Individuals filling research posts that are funded by outside bodies
  - Research for supra district audits
  - Return to Practice doctors
  - Doctors from other Trusts undertaking further clinical experience

Holders of an Honorary Contract who undertake clinical practice are responsible for arranging personal medical indemnity, proof of which must be provided to the Head of Service prior to commencement of work. Those already employed by another organisation *must* check with their employer whether they are already covered by their employment arrangements.

Individuals are responsible for the maintenance of current registration with the relevant statutory professional body and this must be checked by Medical Staffing prior to the commencement of the contract. This is in line with the Trust's Qualifications and Registrations Policy for the Registration of Staff Corp/Pol/212.

All Medical Staff requires a Criminal Records Bureau (CRB) Disclosure and this will be requested by Medical Staffing as part of the pre-employment check. In accordance with the Trust's CRB policy Corp/Pol/202, no individual must be allowed to commence work within an Enhanced Disclosure department/area until the Disclosure has been received and verified.

Individuals who will have any contact with clinical areas within the Trust will be required to undergo appropriate Occupational Health screening.

Honorary Consultants are to agree with the appropriate Clinical Director the scope of duties to be undertaken and the specific timing of attendance within the Trust Requirements for resources are to be agreed with Lead Clinicians prior to commencement of work. A copy of the agreement must accompany other documentation forwarded to Medical Staffing for the drawing up of an honorary contract.

The following documentation must be obtained by the Head of Service and presented to the Medical Staffing Department in order for them to issue an Honorary Contract and arrange for a Trust identity badge. Security passes for individual departments must be arranged by the Head of Service.

The Medical Staffing Department will produce honorary contracts for medical staff following receipt of the appropriate documentation in advance of the individual joining the Trust.

- Curriculum Vitae
- Two verifiable written references, one of which must be from employing/host organisation.
- Occupational health clearance (Occupational health questionnaire and other forms should be obtained from HR).
- Criminal Records Bureau Disclosure.
- Evidence of professional registration.
- Proof of identity – passport or birth certificate.

Honorary Contract holders must wear official Trust identity badges at all times when undertaking work within the Trust.

Individual Directorates/Divisions must ensure that individuals are familiar with appropriate Trust and Departmental policies and procedures. Advice is available from Medical Staffing at all times on the policies and procedures. See Section 7

#### 4 **ATTACHMENTS.**

Appendix 1: Definitions

#### 5 **ELECTRONIC AND MANUAL RECORDING OF INFORMATION.**

Database for Policies, Procedures, Protocols and Guidelines

Archive/Policy Co-ordinators office

Held By: Directorate/Department/Author

Held in format: Electronic and/or hard copy

#### 6 **LOCATIONS THIS DOCUMENT ISSUED TO.**

Copy No	Location	Date Issued
2	Intranet	10/08/2009
	Wards and Departments	

#### 7 **OTHER RELEVANT /ASSOCIATED DOCUMENTS.**

Unique Identifier	Title
Corp/Pol/212.	Qualifications and Registrations Policy
Corp/Pol/202	Criminal Records Bureau (CRB) Disclosure
Corp/Proc/203	Disciplinary Procedure
Corp/Proc/200	Grievance Procedure
Corp/Pol/011	Sickness and Absence Policy
Corp/Proc/204	Sickness and Absence Procedure
Corp/pol/116	Infection Prevention & Control
Corp/Pol/	Cardiac Arrest
Corp/Pol/233	No Smoking Policy
Corp/Pol/107	Confidentiality Code of Conduct Policy
Corp/Proc/102	Consent to Examination or Treatment
Corp/Pol/067	Consent to Examination or Treatment
Corp/Proc/006	Carrying out a Risk Assessment and Developing a Risk Register
Corp/Pol/208	Harassment & Bullying at Work Policy
Corp/Pol/206	Equal Opportunities.
	Health and Safety Procedures

## 8 AUTHOR//DIVISIONAL/DIRECTORATE MANAGER APPROVAL.

<b>Issued By</b>	Debbie Ellis	<b>Checked By</b>	N Grimshaw
<b>Job Title</b>	Medical Recruitment Manager	<b>Job Title</b>	Director of Human Resources and Organisational Development
<b>Signature</b>		<b>Signature</b>	
<b>Date</b>	August 2009	<b>Date</b>	August 2009

## Appendix 1: Definitions

For the purposes of this policy the following definition applies:

- Honorary Contracts are contracts used for situations where individuals from other organisations work in the Trust or for the Trust. This can be paid or unpaid.