



Feidhmeannacht na Seirbhíse Sláinte
Health Service Executive

Oifig an Stiúrthóra Náisiúnta, Acmhainní Daonna
Feidhmeannacht na Seirbhíse Sláinte
Ospidéal Dr. Steevens'
Baile Átha Cliath 8

Office of the National Director of Human Resources
Health Service Executive
Dr. Steevens' Hospital
Dublin 8
D08 W2A8

Teil/Tel: (01) 635 2319
Rphost/ E-mail: nationalhr@hse.ie

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Louise O'Reilly, T.D.

PQ 24853 17 * To ask the Minister for Health the number of non specialist doctors not on the medical council's specialist register appointed to consultant positions, temporary or otherwise; the duration for which they have been operating in that consultancy position; and the number of times they have been appointed to such a post, in tabular form. - Louise O'Reilly

Dear Deputy,

I refer to your recent PQ which was sent to the HSE for reply.

Consultant posts in publicly-funded hospitals, Mental Health Services and health agencies are regulated under law. From 1st January 2005 Section 57 of the Health Act, 2004 transferred the regulation of the number and type of appointments of Consultant medical staff from Comhairle na nOspidéal to the HSE. The advisory function ceased at that point.

The HSE's regulatory function covers all Consultant appointments in the public health service in Ireland including the HSE hospitals, voluntary hospitals, Mental Health Services and other agencies whether additional, replacement, temporary or locum and irrespective of the extent of the commitment involved or source of funding of the appointment. It includes:

- new and replacement permanent Consultant posts;
- locum and temporary (non-permanent) Consultant posts;
- structuring / restructuring of Consultant posts;
- determination of the Type of Contract / Category of Contract to apply to Consultant posts and various functions relating to changes in Type of Contract / Category of Contract;
- determination of the qualifications to apply to Consultant posts;
- Determination of the title of Consultant posts.

The purpose of regulation is to ensure that persons employed as Consultants in the public health service are appropriately qualified and competent to provide services as Consultants. Breaches by an employer of the HSE's regulatory requirements have significant implications for the organised and safe delivery of Consultant services. Individuals represented to the public as Consultants in the public health system must be appropriately qualified and competent to perform the duties and functions of a Consultant. Such individuals must be employed in regulated posts – where the HSE has assessed the viability of and need for the post with regard to the safe delivery of Consultant services.

In March 2008 the HSE amended the qualifications specified for Consultant posts to require membership of the specialist division of the Register of Medical Practitioners maintained by the Medical Council. Consultant Contract 2008 reflects this requirement.

Data from National Doctors Training and Planning indicates that there are approximately 70 Consultant post holders appointed since March 2008 who do not hold specialist division registration and therefore do not meet required qualification requirements. It should be noted that those Consultants appointed prior to March 2008 did not have to meet that requirement on appointment. Taking that into account there are at total of 128 Consultants who do not hold specialist division registration, 58 appointed prior to 2008, 70 appointed thereafter.

In February 2017 the HSE published ‘Successful Consultant Recruitment, Appointment and Retention’. This report analyses the current operational and administrative barriers to efficient creation, and approval of and recruitment to Consultant posts. It examines the factors influencing applications for such posts and related workforce and service planning, delays in the application and approval process, the implementation of the Health Service Executive’s regulatory functions, the interaction between the range of agencies involved in Consultant recruitment and how successful candidates are supported in the early stages of appointment. The report proposes actions to address each of these issues.

The Committee noted that there is scope for significant improvement in governance and administration prior to and during the application and approval process for Consultant posts and subsequently in the recruitment and appointment process. Changes were required to ensure the health service could rapidly and efficiently create and fill Consultant posts.

A key recommendation of the report, which is currently being implemented, is as follows:

Finding	Actions for implementation	Action by	Timeline
1.1 The Committee noted the significant risk issues arising from poor compliance by health service employers with national requirements regarding the creation and approval of non-permanent Consultant posts and subsequent issues regarding acquisition of Contracts of Indefinite Duration by individuals who did not meet the stated requirements to work as Consultants	The Committee recommends that measures are adopted to cease the poor employment practice which gives rise to contracts of indefinite duration and risk to the public arising from provision of services by persons who are not appropriately qualified. Taking account of individual contractual entitlements these measures should include the HSE: reviewing the extent to which permanent posts have been created or filled in breach of appropriate sanction acting as a matter of urgency to enforce existing regulatory requirements and that sanctions are implemented for non-compliance with qualifications, to include funding clarifying the scope of practice of the individuals referenced above and related designation as ‘Consultants’ working with the Department of Health, the Medical Council and representative bodies to examine the use of the term ‘Consultant’ in relation to the Specialist Division	NDTP / HSE HR Relevant HSE Division HSE HR / DoH	June 2017

Yours sincerely



Audrey Doyle
General Manager

**Approved Consultant
Posts as at 26th May
2017**

	Totals
Total:	3020
<i>Gen reg</i>	98
CID (with Gen reg)	2
<i>Spec reg</i>	2561
CID (with Spec reg)	21
<i>Trainee spec reg</i>	1

Unapproved Consutant Posts as at 26th May 2017

Total:	108
Gen reg	24
CID (with Gen reg)	8
Spec reg	55
CID (with Spec reg)	17

Total Approved & 3128

**Unapproved Posts as at
26th May 2017**

**Of which total held by 48
postholders with CID**