

Application for Type C Contract under the Consultants Contract 2008

Before completing this document please refer to the attached Procedure for Change in Type of Contract under the Consultants Contract 2008.

Please forward the completed application form along with all relevant documentation to the Consultant Appointments Unit at consultant.applications@hse.ie

It should be noted that a failure to provide all of the required documentation will cause a delay in the application being considered. Accordingly, please ensure that all relevant documentation is submitted with the application. Incomplete applications will be returned to the office of the submitting Hospital Group CEO.

Section A – Application Summary

Please specify the request type by ticking the box below

This is an individual request for change in Contract Type to Type C under the Consultants Contract 2008 as of 1 st July 2013	
This is a request for designation of an additional or replacement post as a <i>Type C post</i> . Please note that the underlying post must be approved by the Consultant Applications Advisory Committee before being forwarded to the Type C Committee for consideration.	

Details of the employer, location and individual submitting the request

Post location(s)	
Name of Consultant (if applicable)	
Post Title	
Post Reference Code (available from CAU)	
Current Contract Type (if applicable)	
Date Current Contract Type was signed (if applicable)	
Contract Type requested	Type C
Date of appointment of Consultant (if applicable)	
Date of last application for a change in Contract type (if applicable)	

Section B - Checklist of required supporting documentation & Employer Declaration

Part	Required information	Attached Y/N or N/a
1	View of the Consultant occupying the post (<i>if applicable</i>)	
2	View of the representative grouping of the Consultants in the relevant clinical site (<i>eg medical board</i>).	
3	Current schedule of commitments attaching to the post (<i>must be signed by the consultant and management and include allocated lunch breaks and current public/private mix</i>).	
4	Proposed schedule of commitments if the request for change of contract is approved (<i>must be signed by the consultant and management and include allocated lunch breaks and proposed private practice</i>).	
5	Written confirmation of formal arrangements in place for the management of patients in the public system whilst off site in proposed private practice.	
6	Rationale for the Employer's support or lack of support for the request for a Type C Contract including (<i>Please note Sections B and C must also be signed</i>).	
7	A clear indication as to why the post requirements cannot be met through a Type A or B arrangement (<i>Please provide details if the post has been advertised on a Type B basis</i>).	
8	A business case and supporting evidence giving a clear demonstration as to the added patient, service and public system benefits and values to be achieved through establishment of the post as a Type C rather than a Type A or B position.	
9	Evidence of the clinical service need underpinning the request, giving a clear demonstration of the exceptional nature of the request.	
10	Details of how the post will align with other posts in the department that the Consultant is attached to if the request is approved.	
11	If there is reference to Cancer Services the view of the NCCP must be included in the application (<i>Letter of Support required</i>).	

Acceding to the request

I hereby confirm that I have reviewed the application documentation and I am satisfied that the request demonstrates the exceptional circumstances necessary to warrant a Type C Contract. Accordingly, I recommend that the request for a Type C Contract be acceded to.

Signed:

CEO / Hospital Manager of the Principal Employer

Date:

Not acceding to the request

*I hereby confirm that I have reviewed the application documentation and I am **not** satisfied that the request demonstrates the exceptional circumstances necessary to warrant a Type C Contract. Accordingly, I recommend that the request for a Type C Contract **not** be acceded to.*

Signed:

CEO / Hospital Manager of the Principal Employer

Date:

Section C – Declaration for completion by the Hospital Group CEO

Acceding to the request

I hereby confirm that I have reviewed the application documentation and I am satisfied that the request demonstrates the exceptional circumstances necessary to warrant a Type C Contract. Accordingly, I recommend that the request for a Type C Contract be acceded to.

In summary these exceptional circumstances are as follows:

Business case: _____

Clinical service need: _____

Signed:

Hospital Group CEO

Hospital Group:

Date:

Not acceding to the request

*I hereby confirm that I have reviewed the application documentation and I am **not** satisfied that the request demonstrates the exceptional circumstances necessary to warrant a Type C Contract. Accordingly, I recommend that the request for a Type C Contract **not** be acceded to.*

In summary the lack of exceptional circumstances are as follows:

Business case: _____

Clinical service need: _____

Signed:

Hospital Group CEO

Hospital Group:

Date:

Section D – Corporate Sign Off process

For completion following submission of completed applications to the Consultant Appointments Unit

Post location(s)	
Name of Consultant (if applicable)	
Post Title	
Post Reference Code (available from CAU)	

For completion by the National Director of the Acute Hospitals Division

I have reviewed this application for a Type C contract and

I endorse ☐

I do not endorse ☐

the recommendation of the Hospital Group CEO.

Signed: _____
National Director of Acute Hospitals

Date: _____

For completion by the Director, National Doctors Training & Planning, where Type C is requested

I confirm that the request

is within ☐

not within ☐

the upper limit for Cat 2/Type B/Type C appointments within the system as set out in Appendix VII of Consultants Contract 2008 (as of 8th December 2014).*

Signed: _____
Director, National Doctors Training & Planning

Date: _____

Section E - Procedures for change in Type of Contract under the Consultants Contract 2008

1. Provisions of Consultant Contract 2008 re change of Contract Type

Section 22 of Consultant Contract 2008 states:

a) "Consultants may apply to change Contract Type to Type A, B or C at five-yearly intervals. An appeals process is set out at Section 22 (d) below.

b) Those Consultants who previously held a Category I or Category II Contract under the Consultants Contract 1997 may, 2 years after accepting the Consultant Contract 2008 and thereafter at 5 yearly intervals, make application to the Health Service Executive Consultant Applications Advisory Committee¹ to transfer to Contract Type B*. A decision on such application will be made by the HSE following the advice of the Committee. Applicants must demonstrate that the change in Contract Type is consistent with the public interest and that there is a demonstrable benefit to the public health system.

c) Where significant changes occur in a particular area in the delivery of acute hospital care (e.g. hospital closures or major changes taking place in the character of the work being carried out there²) or where the volume of private practice is significantly below 20% of total clinical workload, the Consultant shall be entitled to have his/her Contract Type reviewed by the Health Service Executive Consultant Applications Advisory Committee / Type C Committee within the 5 year period.

d) Applications for change of Contract Type A, B or B* will be considered by the Health Service Executive Consultant Applications Advisory Committee together with the Employer's views on the application. A decision on such application will be made by the HSE following the advice of the Committee. Applications for change of Contract Type to Contract Type B* will be considered subject to the condition that the total number of Consultants holding B*, Type C and Category 2 Contracts will be subject to an upper limit of such posts within the system. In the event that the HSE does not accede to the request, the Consultant may refer the matter to the Independent Appeals Panel for a recommendation. The Independent Appeals Panel shall be composed of:

- i) an Independent Chairperson,
- ii) a representative of the Consultant (e.g. from the relevant medical organisation), and
- iii) an Employer representative.

e) Appointments for reclassification to a Type C post will be considered by the Health Service Executive Type C Committee¹. A decision on such application will be made by the HSE following the advice of the Committee. Applications for change of Contract Type to Type C will be considered with reference to the total number of Consultants holding Type B*, Type C and Category II Contracts not exceeding the specified limit. In the event that the Type C Committee does not accede to the request the matter will be referred to Chief Executive Officer of the Health Service Executive for a final decision."

2. Role of the HSE regarding movement between Contract Types

Section 57 of the Health Act, 2004 transferred a number of statutory functions previously performed by Comhairle na nOspidéal to the HSE with effect from 1st January 2005. These included regulating the number and type of appointments of consultant medical staff.

Under the Consultant Contract 2008, the HSE determines changes in Contract Type for all Consultants. The HSE will seek the advice of the Consultant Applications Advisory Committee or the Type C Committee on each application, as appropriate.

¹ Please refer to Appendix IX of Consultant Contract 2008

3. The role of the Type C Committee

The role of the Type C Committee, which was established in accordance with the provisions set out in the Consultants' Contract 2008, is to make recommendations to the HSE on applications for Type C posts. This advice is then provided to the Director General of the HSE for a final decision on requests for Type C posts.

Where a Type C post is requested, the applicant organisation will be required to satisfy a number of criteria pertinent thereto, which would include but not be limited to the following:

- A clear indication as to why the post requirements cannot be met through a Type A or B arrangement;
- A clear demonstration as to the added patient, service and public system benefits and values to be achieved through establishment of the post as a Type C rather than a Type A or B position.

In considering such requests the Type C Committee are informed by correspondence from the Director General to the Chairperson of the Type C Committee (*letter dated 30th Aug 2013*) that such approval can only be made if it can be clearly demonstrated that there exceptional circumstances pertaining. Therefore, the Committee should seek the submission by the requesting location of a business case and supporting evidence of a clinical services need to demonstrate the exceptional nature of the request.

4. Procedure for submission of requests for Type C contracts under Consultant Contract 2008

- The primary employer submits an application from an individual consultant or in respect of a vacant approved post for Type C contract to the Hospital Group CEO. The Hospital Group CEO confirms by way of letter that they have reviewed the request and are satisfied that the request does or does not demonstrate the exceptional circumstances necessary to warrant a Type C Contract and makes a recommendation that the request for a Type C Contract be acceded, or not, acceded to. The application is then submitted to the Consultant Appointments Unit (CAU).
- The CAU reviews the documentation to ensure that all documentation required by has been included and all documents are appropriately signed. Where documentation is not complete, the CAU will notify the office of the Hospital Group CEO of the outstanding items.
- When the documentation is in order it is forwarded to if the first instance to the National Director of the Acute Hospitals Division to endorse or not endorse the recommendation of the Hospital Group CEO (or equivalent) and then to the National Director of Human Resources to confirm that the request is within or is not within the upper limit for CAT 2 / Type B* / Type C appointments (as set out in Appendix VII of the Consultants' Contract 2008). This is referred to as the Corporate Sign Off process.
- When the required corporate sign off has been received from the National Direct of the Acute Hospitals Division and the National Director of Human Resources the application is included on the next available agenda of the Type C Committee for consideration.
- The Type C Committee makes a recommendation on the application.
- The recommendation of the Type C Committee and all documentation relating to the application is submitted to the HSE Director General for final decision.
- The HSE Director General makes a final decision to accede to or not to accede to the request.
- A letter issues from the HSE Director General to the individual approving or not approving the request for a change in contract and will be copied to the employer and the Consultant Appointments Unit.