

08<sup>th</sup> February

CEOs  
Deputy CEOs  
Directors of Human Resources  
Medical Manpower Managers  
Medical Administration Departments

- Health Boards
- Voluntary Hospitals
- Health Agencies

**Re: N.C.H.D. Contracts**

Employers have informed the H.S.E.A. of their concern at the increasing prevalence of N.C.H.D.s failing to honour contracts. There is particular concern where posts have been offered and accepted by N.C.H.D.s who subsequently fail to take up a post.

In this context the Ethics Committee of the Medical Council has requested I draw employer attention to paragraph 4.6 of Section C of the Ethical Guide (a copy of which is enclosed).

The Ethics Committee state that where there is a failure to honour contracts particularly where patient care may be compromised the circumstances may amount to professional misconduct. The committee further states this ought to be referred to the Fitness to Practice Committee of the Medical Council.

Employers are advised when an offer of a position is made to an individual N.C.H.D. this view as expressed by the Ethics Committee should be brought to the attention of the N.C.H.D.

There should be no ambiguity that the employment contract is enforceable at law.

Yours sincerely,

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**Rory Costello**  
**INDUSTRIAL RELATIONS EXECUTIVE**