

Guidance for External Advisers

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Academy of Medical Royal Colleges and Faculties in Scotland

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Contact and Support for the role of External Adviser on behalf of the Academy of Medical Colleges and Faculties in Scotland.

The Scottish Academy: External Adviser Co-ordinators



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Please contact us with any questions you have about your role as External Adviser.

We provide the following:

- Online information at www.scottishacademy.org.uk
- Support to External Advisers and Health Boards
- Mentorship with an experienced External Sdviser in your own specialty should you wish
- Support with escalating concerns should you need to
- Annual Certificates of Attendance to External Advisers

Background

External Advisers have an important role to play in the consultant appointment process in Scotland as required by [National Health Service \(Appointment of Consultants\) \(Scotland\) Regulations 2009](#).

The regulations require that a single specialty External Adviser be present on each NHS consultant appointment panel in Scotland. The External Adviser is a full panel member providing specialty knowledge and an important external perspective throughout the recruitment process.

Consultant appointments in Scotland are governed by the following regulations: [National Health Service \(Appointment of Consultants\) \(Scotland\) Amendment Regulations 2010](#).

Roles and Responsibilities

Role of External Adviser

External Advisers must be employed outside the recruiting Health Board area. As such the adviser provides a vital external presence in an appointment process directed by the recruiting Health Board.

The External Adviser is a full panel member and their role is to provide input and advice throughout the appointment process. In particular, the External Adviser should ensure that any candidate appointed is suitably trained and qualified to carry out the duties of the post, which should be realistic and achievable.

External Advisers have the same voting rights as other committee members. The role of the External Adviser is to advise the recruiting board on each stage in the process, including:

- commenting on the draft job description before it is advertised
- participating in short listing
- participate in the Assessment Panel, providing an emphasis on the clinical standards required for consultant appointment in the specialty
- participating in voting (where necessary). If a vote is taken by the panel, the External Adviser's vote carries equal weight to that of the other panel members, however, does not hold a veto.
- advising on the training and experience of all candidates relative to the specific job description

Responsibilities of the External Adviser

Advisers will be expected to:

- attend (when invited) on 50% of opportunities unless there are exceptional reasons for refusal (interview dates will be agreed to ensure advisers are given a minimum of 6 weeks' notice and guidance has been circulated by Scottish Government Health Department to ensure professional leave for this duty is facilitated by employers)
- complete equality and diversity training. If you have not recently undertaken equality and diversity training, then it is your responsibility to do so; NES recommend that it be completed once every 3 years. If you would like access to training please email a request to the Scottish Academy externaladvisers@rcpe.ac.uk.
- respond to enquiries from the Academy office swiftly to ensure the External Adviser Coordinators source an External Adviser within 10 days of receiving the request from the Health Board.
- negotiate actual short listing and interview arrangements and dates directly with the relevant Health Board
- raise any concerns about the operation of the panel with the panel chair immediately
- raise any unresolved concerns about the selection process or the decision with the Academy and the Chair of the Health Board in writing

Person specification required to become an External Adviser

An External Adviser must:

- have a full understanding of the curricula, training and assessment requirements in their specialty to enable them to advise whether candidates from outside the UK have had adequate training/experience. For this reason it is likely that many advisers will have (or have had recently) significant specialty training responsibilities e.g. as Training Programme Directors.
- have experience of the consultant interview process
- be in a Consultant post for a minimum period of 2 years and currently on either the GMC or GDC specialty register
- be in good professional standing
- be willing and able to meet the time commitment as stated below

Time commitment

External Advisers are expected to carry out the role approximately 3 times per year. While this may vary according to need, the Academy will monitor ongoing panel requests and may adjust the adviser list accordingly throughout the year. A full term of service is normally 4 years although External Advisers can remain on a reserve list after their term ends if happy to do so.

Mentors

New External Advisers are offered a mentor from the same specialty, should they like one. The mentor will be an experienced External Adviser themselves, who will provide guidance to the mentee about the recruitment process and answer any specific questions the mentee has. If you would like a mentor please contact Scottish Academy externaladvisers@rcpe.ac.uk.

Role of the Scottish Academy

The primary role of the Scottish Academy in the process is to assign an available External Adviser to each consultant appointment panel in Scotland on request from a recruiting Health Board. In order to do this the Scottish Academy needs to ensure that sufficient numbers of External Advisers are recruited to meet the demands of consultant recruitment in Scotland.

The Scottish Academy also provides advice and guidance for External Advisers, requests feedback following interviews and produces annual reports about the appointments.

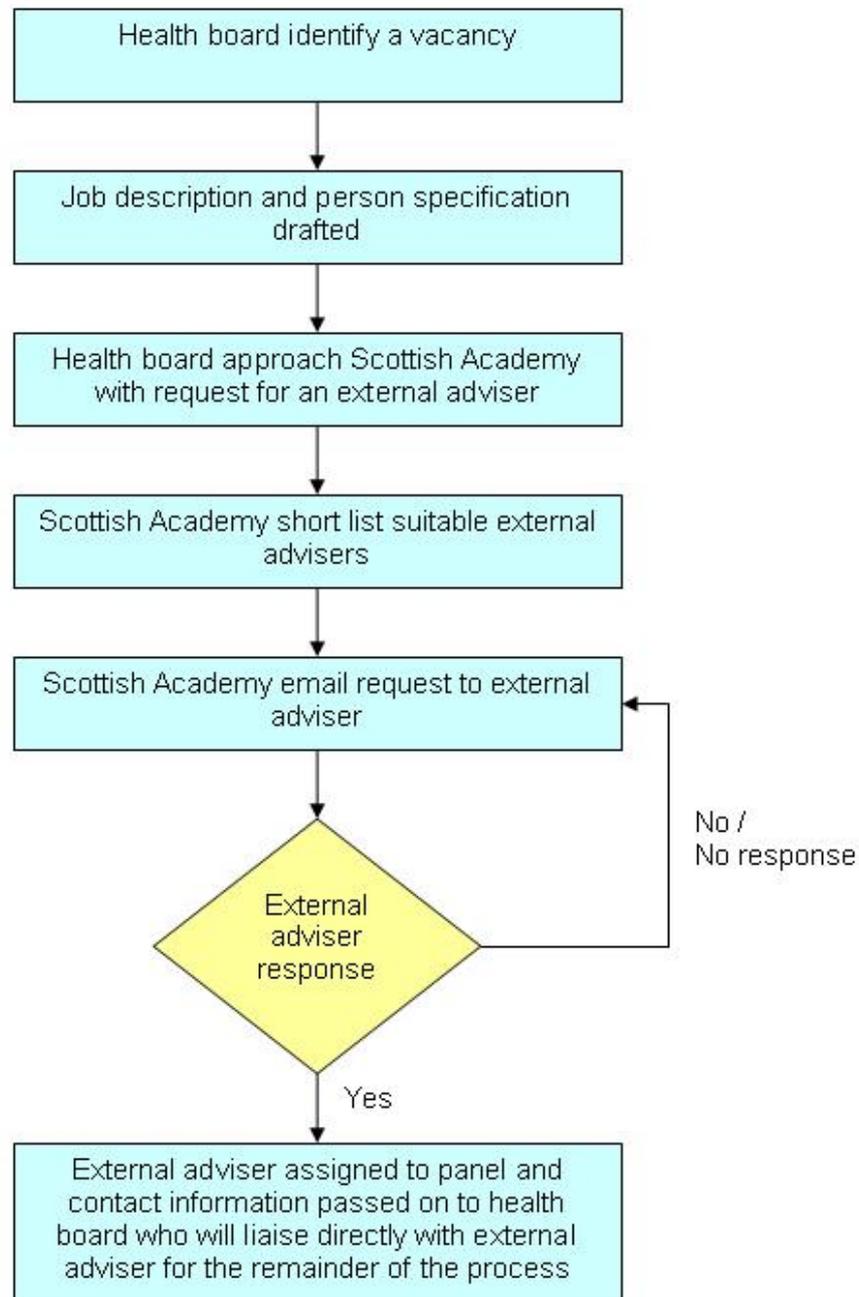
Role of Recruiting Health Boards

Health Boards are required to request an External Adviser from the Scottish Academy and should not approach an adviser directly to sit on a consultant appointment panel as this would remove the externality component of the process, there contravening the National Health Service (Appointment of Consultants) (Scotland) Regulations 2009.

While the External Adviser provides advice and objective assessment throughout the consultant recruitment process, it is important to note that the process is managed and determined by the recruiting Health Board. Ultimately, decisions taken regarding the consultant recruitment process are the responsibility of the Health Board.

Process: Assigning an External Adviser

Once a vacancy has been identified and a draft job description and person specification drawn up, the recruiting board should contact the Scottish Academy to request an External Adviser. The following diagram shows the process as it should take place.



The recruiting Health Board is expected to give a minimum of 8 weeks' notice when they require an External Adviser and once notified, the Scottish Academy has a 10 working day target to assign an adviser to a panel. This timeframe allows the External Adviser six weeks' notice of his/her need for professional leave and clinical commitments should be cancelled where necessary in order to attend a panel interview.

Process: Commenting on Job Documentation

Overview

The process of the External Adviser commenting on the job description should take place before a post is advertised and certainly before the job documentation is made available to candidates.

The purpose to this part of the process is to assist the Health Board to produce a job description that meets the needs of the service, accurately describes the post and is designed to attract the interest of a wide range of suitable applicants.

Job description content

The job description is to outline the requirements of the post and the document should allow prospective candidates a clear insight into the nature of the post. The Clinical Director and/or Panel Chair should be able to assist the External Adviser to understand the service structure and needs of the department and it is recommended that the External Adviser seek early clarification on these matters, where required.

When commenting on the job description the External Adviser should check for the following and suggest their inclusion where omitted:

- the title of the post
- whether the post is new or a replacement
- general information on the local region including transport links
- the population served by the department including any pertinent trends
- information about the hospital(s) where the post is based, including the structure of the department and team
- the size and nature of the hospital and equipment, beds available, treatment facilities, etc (where relevant)
- the main duties of the post, including: specialty / sub-specialty / special interests / other specific responsibilities
- emergency / on-call work arrangements
- provision for part-time working (this should generally be available; if there are specific reasons why the post is deemed inappropriate for someone wishing to work less than full time, this decision should be justified)
- the details of any split site working arrangements
- the admin support available for the post holder including: office space / secretarial / IT
- details of any teaching programmes that the consultant is expected to take part in
- evidence of support for CPD
- contact details for the arrangement of departmental visits

Job plan

NHS Scotland's primary purpose is to provide high quality, safe and sustainable clinical care to patients. To achieve this, Scotland must be an attractive place for consultants to train and work. Consultants should have the opportunity to grow to their full potential and participate in the development and growth of others.

Full time consultant posts in Scotland are advertised on the basis of 10 Programmed Activities, with applicants being advised in advance of the fixed clinical care sessions associated with the post in the job pack accompanying the advertisement.

It is critical that job plans and job planning strike the right balance between direct clinical care and the following:

- Undergraduate and post undergraduate teaching/training (medical & non medical)
- Clinical governance
- Quality & patient safety
- Research & innovation
- Service management & planning
- Work with professional bodies such as the Royal Colleges, including clinical examinations and standards

The job plan is an indicative document only and should be negotiated between the successful candidate and the Health Board on appointment. Nevertheless, it is important that the initial job plan accurately sets out the employer's expectations for the post and that it reflects the responsibilities as listed in the job plan.

When commenting on the job plan the External Adviser should check that the following are included:

- enough DCC sessions to carry out the clinical workload of the post, this should include time for clinical administration and predictable out of hours work
- enough SPA sessions to carry out the expected duties of the post that require SPA time; this should include time for general duties, such as: CPD / audit / governance as well as time for specific duties, such as: teaching / training / research / quality improvement / service development
- if the intended DCC/SPA split is specified then the duties in the job plan should match the split
- if the intended DCC/SPA split is not specified, it should still be clear from the job plan what the intended split is

The External Adviser can best support candidates with regards SPA time and job planning, through their input into the draft job description. The more clearly the job description outlines the post, the better prepared successful candidates can be to negotiate their initial job plan. The BMA provide extensive advice for new consultants and trainees applying for their first consultant post, on how to prepare for contract and job plan negotiations at appointment (please see <https://www.bma.org.uk/advice/employment/contracts/consultant-contracts/consultants-scotland>).

If an External Adviser is unhappy with the SPA/DDC split then they should follow the escalation process (see p13).

Person specification

The person specification is a crucial document as it forms the standard against which candidates will be measured. The person specification should outline the minimum qualifications, skills and experience required for the post and must correspond to the information provided in the job description and job plan. The criteria listed in person specifications should be divided into 'essential' and 'desirable' and reflect the duties required of the post.

It is important that the language used in the person specification meets equal opportunities standards. While it is the responsibility of the Health Board to ensure that these standards are met, the External Adviser should provide guidance in this regard if a problem is perceived. It is particularly important to ensure that the wording of the essential criteria is clear and does not inadvertently rule out applicants that should be considered for the post.

When you receive the person specification, you should check that:

- all main duties in the post are accounted for in the person specification
- all essential criteria are indeed essential
- the language used meets equal opportunities standards

Process: Short Listing

Short listing should be carried out against the person specification and is usually done via email/post although a meeting may be arranged using video- or tele-conference if deemed necessary. As part of the short listing process, the panel should have an agreed understanding of the criteria in the person specification and decisions on the suitability of candidates should be based solely on meeting these criteria. Having a relevant CCT or equivalent does not necessarily mean that a candidate is suitable to be short listed, or appointed, and the ability to carry out all duties expected of the post should be taken into account.

When recommending that a candidate not be short listed, the reasons for doing so should be recorded. In the unlikely event that a candidate challenges the short listing process, written documentation may be required as evidence as to how the decision was reached. Short listing does not need to be unanimous and it is the responsibility of the panel Chair to confirm the final short list to all panel members and of the recruiting Health Board to provide feedback to applicants.

Eligibility for UK candidates (the 6 Month CCT Rule)

Candidates for substantive consultant posts must be GMC registered and either on the specialist register or within 6 months of an approved CCT. Applicants that are training in the UK and have not yet achieved a CCT must provide evidence that they are within 6 months (from the interview date) of doing so.

The recruiting Health Board has the responsibility to confirm that candidates are on the specialist register or are within 6 months of CCT or are taking steps to achieve appropriate registration. Checking whether an applicant is on the specialist register can be done through www.gmc-uk.org/registration-and-licensing/the-medical-register/a-guide-to-the-medical-register.

Candidates not trained in the UK

Before any doctor can work in the UK, they must have the appropriate visa and be registered and hold a licence to practise with the GMC.

CESR (Certificate of Eligibility for Specialist Registration) route doctors are only eligible to apply for a substantive consultant post once **CESR is awarded**.

CESR route doctors are eligible to apply for locum consultant posts at discretion of the HB/appointment panel.

Locum Consultants

Only applicants who are GMC registered are to be considered for clinical fellow or staff grade posts or indeed for locum consultant posts. Locum consultants are independent practitioners (unlike clinical fellows or staff grades) and so the employer has to be absolutely clear that locum consultants have the necessary training and experience for the posts offered.

Locum appointments should only be made to cover a substantive post and the use of long-term locums should be avoided. Locums have no automatic entitlement to be appointed to the substantive post when it is filled even if they have been in the locum post for two years.

Process: At Interview

General principles

While the interviews will be conducted according to the policy of the recruiting Health Board, there are some general principles which should be followed:

- candidates and panel members should be fully informed of the selection/interview process
- the procedure and ordering of the questioning is at the discretion of the Chair and should be subject to prior collective discussion
- it is good practice to consider individual candidates only after all interviews have taken place
- the over-riding consideration must be to recommend the best candidate for the post
- selection should be based solely on the candidate's suitability for the post when compared with the person specification
- selection should be based on information obtained through the appointment process
- the decision of the panel does not need to be unanimous and no member of the panel (including the External Adviser) has a right to veto an appointment
- disputed appointments should only be made in full knowledge of all the views put forward by the panel and individual members, these views should be recorded by the Chair
- panel members should be made aware that a candidate who feels he or she has been unfairly treated under anti-discrimination legislation is entitled to ask an employment tribunal or, in appropriate cases, a court to examine the proceedings of the appointment process
- the proceedings of the committee, any notes of discussions and any references or documents are confidential
- only the post(s) which has been advertised may be offered on the day. If a Health Board wishes to increase the number of identical posts being advertised then they must do so in advance of interviews and only with permission of the Scottish Academy.

The External Adviser role at interview

Pre-interview

Prior to the first interview, it should be discussed and determined how the interview process is planned to progress, and each panel member should be made aware of their expected contribution. All panel members should declare any prior knowledge of candidates at this stage.

During the interviews

Questions from the External Adviser should examine whether candidates have sufficient clinical skills and knowledge to perform the specific duties of the post, rather than whether the candidate is generally suitable to be a consultant in the specialty.

Voting

The panel should discuss the merits of candidates and take a vote on the preferred candidate(s). The vote of each panel member carries equal weight and there is no right of veto. The decision taken does not have to be unanimous and panel Chair has delegated authority from the Health Board to offer the post.

Post interview

Following interviews, it is the responsibility of the recruiting Health Board to provide feedback to candidates. The Health Board should also provide feedback to the External Adviser as to the outcome of discussions with the successful candidate(s) and whether or not the post(s) was/were filled.

Process: Feedback and Quality Assurance

The Scottish Academy will send External Advisers a feedback questionnaire close to the interview date for a panel and it is a requirement of the role that this be completed and returned. Feedback is vital to allow the Scottish Academy to accurately monitor the service and also provides valuable information on consultant recruitment and appointments in Scotland.

The Scottish Academy is contractually bound to provide quality assurance for the External Adviser system in the form of an annual report to the Scottish Government who sponsor the system. Quarterly reports are given to the constituent Colleges and Faculties at the regular meetings of the Scottish Academy. These reports and meetings provide a platform to address issues arising and develop the service provided.

Process: Escalation

The following steps should be taken when the External Adviser feels the proper process has not been followed for any panel.

Step 1 - External Adviser to email the Panel Chair, whose contact details should have been provided (or will be available through the HR contact)

If the matter is not adequately resolved, then Step 2 should be followed

Step 2 - External Adviser to email the Chair of the recruiting Health Board, copying in the appropriate Scottish Academy representative. At this stage, please contact the External Adviser Coordinators, who will provide you with the relevant contact details.

If the matter is not adequately resolved, then Step 3 should be followed

Step 3 - External Adviser Coordinators will raise with the President of the Scottish Academy

Frequently Asked Questions

I've been invited to be an External Adviser, what are the benefits for me?

It is an opportunity to help the future of your specialty and to network across Scotland with colleagues. It also enables you to acquire knowledge and experience about the interview process which you can bring back to your own Health Board.

Who pays expenses for External Adviser duties?

The External Adviser should claim expenses incurred attending an interview panel from their employer and claims should be submitted in accordance with local policy. This arrangement has been agreed between the SGHD and the Health Boards.

Who arranges travel and accommodation for External Adviser duties?

Arranging travel and accommodation (if needed) is the responsibility of the External Adviser. The recruiting Health Board should be able to offer advice on these matters.

Is there a fee paid for undertaking External Adviser duties?

There are no fees for attending interview panels as an External Adviser.

Do I need to take leave to undertake External Adviser duties?

This should be treated as professional leave (so should not come out of your annual leave or study leave).

Should I cancel clinical commitments in order to undertake External Adviser duties?

The Scottish Government Health Department and the Health Boards have agreed that External Advisers are expected to cancel routine clinical commitments if given six weeks' notice of the panel by the Scottish Academy and recruiting board. Health Boards are encouraged to provide a range of potential interview dates to allow the External Adviser more flexibility to arrange their workload.

I am retiring from the NHS before my External Adviser term finishes, can I continue in this role?

The Scottish Academy has decided that retired consultants should not continue as External Advisers. If an External Adviser retires prior to the completion of 4 years' service, they will be asked to stand down.

How long do interviews usually last?

On most occasions, an External Adviser will be asked to attend panel interviews in either a morning or afternoon only. If significant travel is required, a full day or overnight stay may be necessary. Additionally, if there is more than one post to be filled, there may be a longer shortlist and more applicants to see. In this event, the attendance of an External Adviser may be requested for a full day.

Very occasionally a longer recruitment process may also be involved requiring a longer time commitment. The Scottish Academy will always endeavour to advise in advance if the time commitment is likely to be longer than a half day.

I am unable to attend an interview that has already been arranged, what should I do?

If you are no longer able to attend a panel you should contact the Scottish Academy as soon as possible. If given enough notice of a cancellation, it may be possible to arrange for a replacement External Adviser. Where practical (and it may not be in the case of sickness or bereavement, for example) we suggest that the Health Board and External Adviser organise for a video- or tele-conference link to be set up to enable the External Adviser to contribute.

What constitutes a conflict of interest for an External Adviser?

While the 2009 Consultant appointment regulations specify that the External Adviser must not be employed by the recruiting Health Board, the regulations and attached guidance do not cover circumstances where an External Adviser works closely with the recruiting Health Board but is employed by another. If in doubt about whether you should act as External Adviser for a panel, due to a close working arrangement involving the recruiting Health Board, then please raise your concerns with the Scottish Academy when responding to the initial invitation.

Particularly in small specialties, it is inevitable that the External Adviser will have existing professional relationships with some of the candidates and this should not be seen as a conflict of interest.

What appointment panels require an External Adviser?

It is a statutory requirement that an External Adviser be included as a panel member on all appointment panels **for substantive consultant posts** in Scotland. The Scottish Academy may also contact External Advisers about:

What appointment panels require an External Adviser?

It is a statutory requirement that an External Adviser be included as a panel member on all appointment panels **for substantive consultant posts** in Scotland. External Advisers should also be requested for the following Scottish Posts:

Honorary Consultants	Where the appointment is that of a dual role i.e. to represent the University in an academic role and to represent a Health Board in a clinical role.
Locum Consultants	On a contract exceeding 12-month duration.
Dental StRs	It is a requirement of the Gold Guide that an External Adviser be included on these appointment panels.
Special Care Dentistry	For Senior Dentistry non specialist posts in the public dental service. The External Adviser for these posts will be clinical directors and would be involved in the appointment of clinical directors, senior dental officers or senior general dental practitioners.
Directors Posts/Clinical & non Clinical	For Public Health Medicine

What should I do if approached for the External Adviser role directly by a Health Board?

All panel invitations to External Advisers should come from the Scottish Academy External Adviser co-ordinator (externaladvisers@rcpe.ac.uk) in the first instance. External Advisers approached directly by Health Boards should inform the External Adviser co-ordinators.

Guidance for External Advisers

Version 3

To be reviewed in 2020