

# Code of Practice

## Provision of Information for Postgraduate Medical Training

### 1. Introduction

- 1.1. Doctors in training have the same needs as other NHS employees. They want to know as much detail as possible about the programmes and posts they are applying for, where they will be working and their conditions of employment. This Code of Practice seeks to help recruiting organisations and employers get the flow of information right to help meet those needs as far as it is reasonably practicable to do so.
- 1.2. If doctors in training are to make informed choices about their application and/or job offers then they must be provided with sufficient information on the programmes and posts within programmes for which they are applying. It has been unhelpful to doctors in training where this has not been the case.
- 1.3. Recruiting organisations and employers will continue to strive to ensure that all essential information needed to assist doctors in training in making important career and life choices is available at the time of the junior doctor's appointment, despite the acknowledged difficulties in relation to some types of information.
- 1.4. This Code of Practice aims to support a process of continuing improvement to ensure that any concerns in relation to information are addressed. It lays out the agreed set of information that recruiting organisations and employers should provide to doctors in training at each stage of the recruitment process.
- 1.5. Posts managed by recruiting organisations and recruited in conjunction with employing organisations include Academic, Core, Foundation, GP, LAT and Specialty Training posts educationally approved by the GMC.
- 1.6. There is an onus on recruiting organisations and employers to provide more and better-quality information, while doctors in training have a responsibility to provide information where requested, to keep recruiting organisations and prospective employers fully informed of their intentions, and to provide a reliable contact address for communications.
- 1.7. **FP applicants only** - Applicants should be aware that due to service changes, it is possible that the programme they accept may be altered, although the applicant can be assured that any programme they undertake can deliver the outcomes required by the Foundation Programme Curriculum. The foundation school will notify applicants as soon as possible if there are changes to their posts or programmes
- 1.8. The timescales set out in this Code of Practice chiefly relate to the annual recruitment round for academic, foundation and specialty training. As far as is reasonably practicable the good practice should also apply to any ad-hoc recruitment rounds that arise.

## 2. Remit

- 2.1. This Code of Practice applies to post-graduate medical recruitment in Scotland, Northern Ireland, Wales and England.
- 2.2. It applies to recruitment to Foundation Programme<sup>1</sup>, Core and Specialty Training, including Academic Clinical Fellowships and Lectureships (ACF/ACL), GP training and sub specialty training recruitment (except for ACF and subspecialty training in Scotland).
- 2.3. All training programmes and posts advertised through the recruiting organisations will be GMC approved.
- 2.4. The following pages list the Code of Practice regarding junior doctor recruitment.

## 3. Information required in advance of advertisement

- 3.1. Advertisements will be placed in the appropriate media for a minimum of four weeks, and will conform to the requirements of employment law and the UK Borders Agency requirements for the Resident Labour Market Test (RLMT).
- 3.2. **FP only** - During the national and academic recruitment rounds, programme information must be available for applicants to view on the UK Foundation Programme Application System (FPAS) for a minimum of eight weeks prior to doctors submitting their programme preferences. Information must be provided about which specialties are covered in each programme on FPAS. Nationally agreed salary scales for F1 and F2 doctors are published on the NHS Employers website for England<sup>2</sup>, and the equivalent organisations in the other nations.
- 3.3. Eligibility criteria will be published on all recruiting organisation's websites a minimum of four weeks before the recruitment round begins.
- 3.4. Recruiting organisations should provide as much information as possible about programmes and locations (including specific site(s) of work within multi-site organisations) on their websites.
- 3.5. **FP only** - Foundation schools should clearly indicate whether applicants will be stating their preferences for rotations for both years of their programme; or just for the first year. To ensure transparency, foundation schools should publish information prior to the start of the recruitment round about how they will match applicants to programmes.

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<sup>1</sup> This document should be viewed in the context of the FP Reference Guide and the FP Applicant Guide.

<sup>2</sup> <http://www.nhsemployers.org>

#### 4. Training programme information: at time of advertisement

##### Terms of Business

- 4.1. Recruiting organisations' websites and application forms should set out the terms of business that will apply to the provision of services by the recruiting organisation in connection with the recruitment of doctors in training to training programmes and posts. This should state that the services provided by the recruiting organisation include a work-finding service for which there is no fee to the doctors in training, or to the employers in the NHS that engage them. It also needs to state that the recruiting organisation is authorised to act for employers in the NHS that are offering training posts as part of an approved junior doctor medical education and training programme, but is not authorised to enter into employment contracts with doctors in training on behalf of those employers.

##### Information to be available at the time of advertisement of recruiting organisation's training programmes<sup>3</sup>

- 4.2. Doctors in training should be provided with information about the indicative numbers of posts, their grade and specialty, and where posts might be located within the programmes advertised<sup>4</sup>. The employer will have confirmed that it wishes the recruiting organisation to find doctors in training to fill each post. The published advertisement must include this information or provide a link to the relevant information on the recruiting organisation website. The advertisement must state:
- Salary scale
  - The type of work
  - Information on likely locations for the programme including likely specific site(s) of work within a larger employing organisation where applicable
  - The qualifications and professional registration required.
- 4.3. The advertisement should include within the programme description or by links to relevant information:
- all posts covered, including possible employers and locations
  - Start date
  - Professional registration requirements
  - Anticipated duration of programme
  - Standard rotation details<sup>5</sup> stating "Expected rotation arrangements for this programme are:"- then list the exceptions to these arrangements

<sup>3</sup> In Scotland, sign off of recruitment targets is undertaken by Scottish Government Health Directorate (SGHD) on behalf of NHS Boards and NES

<sup>4</sup> NB. Posts may be added or withdrawn from the programme during the life-cycle of the programme as service configurations change.

<sup>5</sup> With the exception of Scotland as the majority of programmes do not have standard rotations

- Recruiting organisation to include anticipated outcome subject to satisfactory progression (e.g. completion of CCT, CESR, CESR/CP, Core Training, FACD 5.2)
- Basic pay indicated by reference to relevant national salary scales
- Travel and relocation expenses policy by reference to national terms and conditions<sup>6</sup>, with links to recruiting organisation websites where appropriate.

**5. Training programme information: at time of training programme offer being made by the recruiting organisation or employing organisation if appropriate.**

5.1. Information relating to an individual doctor in training should not be shared between organisations without the doctor's knowledge and consent in line with the Data Protection Act (DPA). Where available, the recruiting organisation must pass the information outlined below to the doctor in training at the same time as an offer is made<sup>7</sup>. It is the responsibility of the recruiting organisation to identify details of the first placement by providing to the doctor information obtained from the employer. A clear distinction must be made between the training programme offer and the contract of employment that would follow from the relevant employing organisation(s) or equivalent, when a recruiting organisation offers a specific training programme to the doctor in training.

5.2. When the recruiting organisation makes an offer of a training programme it should provide the following information:

- Confirmation of information included in the advertisement
- Confirmation of training programme details, location of the work (including on which specific site(s) within a multi-site employer)
- Start date and likely duration of the period of the placement, and the likely duration of the training programme where applicable
- Name of the position being filled and description of the rotational programme and job description where available
- Expected outcome, subject to satisfactory progression, of the training programme (e.g. Certificate of Completion of Training, completion of Core Training, Foundation Achievement of Competence Document)

5.3. Information to be provided by the time of post allocation, subject to organisational changes that may occur:

- The name of whom to contact in the event of any relevant information being missing or requiring clarification
- The hours to be worked
- The legal and contractual implications of working particular rotas or shifts
- The working pattern (e.g. the likely type of rota – full shift, partial shift, etc.)

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<sup>6</sup><http://www.nhsemployers.org>

<sup>7</sup> Scottish offer system will provide ST level, specialty, programme and region. Deanery/TPD will give placement information

- Health and Safety policy of the employing organisation and any specific known risks to the doctor's health and safety
- The qualifications/experience required
- Any expenses payable, with reference to the relevant local policy by reference to the employer's website
- Whether eligibility for certain benefits, including expenses, is dependent on duration of employment with an employer, with relevant links to the employer's website
- The minimum rate of pay (with reference to relevant national payscales) and any other applicable benefits
- The intervals at which the doctor will be paid by reference to national terms and conditions and the employer's website
- The notice period applicable by reference to national terms and conditions of employment
- Local policies on study leave, health and safety, disciplinary and grievance procedures, flexible training, childcare, and information on staff benefits schemes (e.g. cycle-to-work schemes) by reference to the employer's website
- Specific specialty departmental information/introduction where this has been provided by the employer or by reference to the employer's website
- If payment of London Weighting or other recruitment incentive is applicable the current rate should be given
- Details of pre-employment checks required by reference to NHS employment check standards and the employer's website
- Details on the recruiting organisation's management of training programmes, policy on taking time out of programme and flexible training

## 6. Employment information: Information provision at the time of conditional employment offer

6.1. Once the recruiting organisation has made a training programme offer, and general information has been provided, it must then introduce the work seeker to the employer. Further information must be provided by the employer about the specific post being offered. This should be a minimum of 8 weeks prior to the start of the first post within a rotation, with the aim to deliver this within 12 weeks. Where the offered programme comprises several posts, the information will cover the first post within a rotation<sup>8</sup>. Information on later posts will be provided as indicated in section 4.

- The name of whom to contact in the event of any relevant information being missing or requiring clarification
- Location of hospital(s) or work location(s) (particularly information on which site(s) within a multi-site institution)
- Duration of post

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<sup>8</sup> 'Programme' not rotation in Scotland. Posts are placements in Scotland.

- Hours – this should include hours per week on average, pattern of work and duty hours including out of hours rota.
- Basic pay indicated by reference to relevant national salary scales
- Any specific pay supplement
- London weighting or other recruitment incentive, specifying the amount if applicable
- Pension arrangements
- Annual leave rules and entitlement and any statutory days
- Sick pay arrangements with reference to national terms and conditions
- Notice period
- Study leave arrangements
- Travel expenses (the local employer's policy must be provided)
- Subsistence expenses (ditto)
- Relocation expenses (ditto) except where these are handled by the recruiting organisation – in these cases, this information should be provided at programme offer stage
- Requirements of local pre-employment procedures and checks
- Professional registration requirements
- Health and safety – local policies
- Proposed deductions from salary (e.g. mess fees)
- Details of educational supervisor and clinical supervisor
- Any details pertaining to requirements for accommodation/residence
- Induction arrangements for new starters

6.2. It is reasonable for a doctor in training to expect a minimum of six weeks' notice of the actual rota to be worked.

6.3. A statement of particulars and employment contract should be issued to the doctor at the start of the post. If the contract is not available on the start date, this must be provided no later than eight weeks after starting in post.

## 7. Employment information: Information provision at each subsequent rotation

7.1. Responsibility for providing doctors in training and employers with details of future placements within training programmes lies with the recruiting organisation. This information should normally be provided at least 8 weeks before the doctor in training moves/rotates, and the recruiting organisation should aspire to provide this at least 12 weeks before. Where this is not possible the doctor in training and employer should be informed of the reason and when the information is likely to be available. The minimum information to be provided on the next placement should include:

1. Name and level of training programme post<sup>9</sup>

<sup>9</sup> 'Placement' not post in Scotland

2. Name of next employer
3. Location of hospital(s)/work location(s) (particularly information on which site(s) within a multi-site institution)
4. Start date
5. Duration of post

7.2. Prior to starting in post the doctor in training should receive the same level of information that they receive at the time they accepted the initial employment offer (sections 4 and 5 above). This may not be available 12 weeks in advance of starting the post but information in addition to the minimum outlined above should normally be provided six weeks in advance.

## **8. Retention of records**

8.1. Sufficient records of the recruitment process should be kept by the recruiting organisation in line with current employment agency regulations in order to deal with any complaints and queries. For successful applications from doctors in training, it is recommended that the recruiting organisation should keep these records for at least the duration of the training programme.

## **9. Resolving complaints about the provision of information**

9.1. If an applicant or post holder has a complaint about the provision of information under this Code of Practice they should raise this in the first instance with the recruiting organisation or employer as appropriate with a view to resolving the difficulty informally.

9.2. If the complaint is not resolved then the existing dispute resolution processes of the recruiting organisation or the grievance procedures of the employer should be used, which should adhere to the principles set out below.

### **Introduction**

9.3. The complaints procedure aims to be fair, transparent and free from discrimination.

9.4. The privacy and confidentiality of complainants will be respected, balanced with the need for an open and fair investigation and for the outcome of the investigation to be reported appropriately. Complaints may need to be shared with others who have been involved with the Code of Practice process, e.g. the staff of the recruiting organisation or lead employing organisation.

9.5. An effective complaints resolution process needs to encompass provision for an appropriate remedy, where errors or failings have occurred. For this reason, full details and appropriate evidence need to be provided when making a complaint.

## Principles

- 9.6. Recruiting organisations and employers should clearly advise doctors whom to approach if they are not provided with all of the necessary information under the Code of Practice. The doctor should make a request for information in the first instance with the recruiting organisation or employer with a view to avoiding a formal complaint.
- 9.7. Any requests from the doctor to the recruiting organisation or employer for information in relation to the advertised post, as set out in the Code of Practice, should be dealt with and the information provided to the doctor **within two working days**.
- 9.8. If the information requested cannot be provided then the recruiting organisation or employer must communicate the specific reason for this to the doctor with a clear timescale as to when this information **will** be provided and a sufficient explanation as to why it cannot be provided within two working days.
- 9.9. If information is not provided to the doctor and a formal complaint is made, this should be handled by a different member of recruiting organisation staff to the member of staff who dealt with the original information request.

## Grounds for making a complaint

- 9.10. That the agreed standards in the Code of Practice have not been met.
- 9.11. That the doctor does not feel that sufficient reasons have been given for not complying with the Code.

## 10. Doctor in training responsibilities and actions

- 10.1. The GMC's *Good Medical Practice* guidance applies to doctors in training.
- 10.2. In relation to the pursuit of any application or offer of training programme or any associated contract of employment, a doctor in training agrees:
- to ensure that up-to-date contact details by e-mail and telephone are available to the recruiting organisation at all times
  - to forward contact details to the employer associated with an accepted offer of a training programme placement (in rotational posts the first employer, and subsequent employers as part of the rotation)
  - to respond **within two working days** to requests from the recruiting organisation or employing organisation for outstanding information needed to confirm a training programme offer, e.g. certificates/immigration documentation, etc. Failure to produce evidence required may result in the training programme offer being withdrawn.



- if they have previously accepted an offer and then subsequently accept another offer, to inform by email the recruiting organisation who made the first offer of their changed intentions, within 24 hours of accepting the other post, and if applicable to give the required contractual notice
- to fully complete and promptly return requested pre-employment checking information, if necessary with an explanation of any omissions and when the information will be available, and to provide the rest of the information when required
- to complete and return any occupational health forms
- to complete and return any Criminal Record Bureau (or equivalent) forms
- to give appropriate notice, as given in local recruiting organisation arrangements, of any decision to leave a programme for any reason, to both the recruiting organisation and employer(s) concerned, and to continue working and training for any notice period within the contract of employment and/or training
- to bring to the attention of the recruiting organisation and the prospective new employer (if known) any material circumstances that might affect their ability to take up particular posts within training programmes as soon as is appropriate and practicable after such circumstances are known.

10.3. Failure to meet these requirements on the part of a doctor in training may lead to difficulties for them, their employer and for patient care.

Definitions (in line with the Gold Guide 2010)

**CCT Certificate of Completion of Training.** Awarded after successful completion of a specialty training programme, all of which has been prospectively approved by the GMC (or its predecessor body, PMETB)

**CEGPR Certificate of Eligibility for General Practice Registration.** Awarded after an applicant has successfully applied to have their training, qualifications and experience assessed against the requirements for the CCT in General Practice.

**CESR Certificate of Eligibility for Specialist Registration.** Awarded after an applicant has successfully applied to have their training, qualifications and experience assessed against the requirements for the CCT in which they have undertaken training (as this is a guide for those in UK training, reference has not been made to those applying in a non CCT specialty; for details of this evaluation please refer to the GMC website).

**CESR(CP) CEGPR(CP) Certificate of Eligibility for Specialist or General Practice Registration.** An application process for the award of the CESR or CEGPR through the Combined Programme route. It is for trainees who have a combination of training in a GMC approved programme to successful completion, and training and/or experience prior to appointment in posts which were not GMC approved. See GMC website for further information.

**Clinical Supervisor** A trainer who is selected and appropriately trained to be responsible for overseeing a specified trainee's clinical work and for providing constructive feedback during a training placement. Some training schemes appoint an Educational Supervisor for each placement. The roles of Clinical and Educational Supervisor may then be merged.

**Competences** The skills that doctors need (after *The New Doctor, transitional edition, 2005*).

**COPMeD Conference of Postgraduate Medical Deans in the UK.** COPMeD provides a forum in which Deanery members can meet to discuss current issues, share best practice and agree a consistent and equitable approach to training in all deaneries. It acts as a focal point for contact between the Postgraduate Medical Deans and other organisations, e.g. Medical Royal Colleges, GMC, BMA, MRC, AoMRC and the Department of Health.

**Core Training** Core training is the first stage of uncoupled specialty training.

**Doctors in training** – this term will be applied throughout the Code to all applicants applying for Postgraduate medical training posts/programmes as referred to in this Code of Practice.

**FACD 5.2** Foundation Achievement of Competence Document.

**Foundation Programme** The first two years of postgraduate training following graduation from medical school in the UK. The first year (F1) leads to full registration with the GMC whilst the successful completion of the two year programme enables the trainee to apply for specialty training programmes.

**GMC General Medical Council.** The purpose of the General Medical Council (GMC) is to protect, promote and maintain the health and safety of the public by ensuring proper standards in the practice of medicine. The law gives the GMC four main functions under the

*Medical Act 2003:*

- keeping up-to-date registers of qualified doctors
- fostering good medical practice
- promoting high standards of medical education
- dealing firmly and fairly with doctors whose fitness to practise is in doubt.

**Programme** A managed educational experience. As defined by the GMC, “A programme is a formal alignment or rotation of posts which together comprise a programme of training in a given specialty or subspecialty. A programme may either deliver the totality of the curriculum through linked stages in an entirety to CCT, or the programme may deliver different component elements of the approved curriculum.” The GMC approves programmes of training in all specialties, including general practice, which are based on a particular geographical area (which could cover one or more recruiting organisations). They are managed by a training programme director (TPD) or their equivalent. A programme is not a personal programme undertaken by a particular trainee.”

**Recruiting organisation** The term used to describe the organisation undertaking recruitment for postgraduate medical training. This covers deaneries, foundation schools, the UKFPO, GP NRO, and lead recruiting trusts.

**Run-through training** The term used to describe the structure of specialty training introduced in August 2007 in which trainees are competitively selected into specialty training curricula which cover both the early and more advanced years of specialty training. Once selected into a run-through specialty training programme, a trainee will be able to complete specialty training in the broad specialty group or specialty, subject to progress. From 6 August 2008, some specialties have moved away from this model (see uncoupled training), whilst others have continued with it.

**Specialty training** The designation of training after completion of the Foundation Programme, applying to trainees who have entered this training from August 2007 to undertake a specialty training programme formerly approved by PMETB and, from April 2010, by the GMC. As distinct from *specialist* training, which applies to trainees appointed before August 2007.

**Training Programme Directors (TPDs).** The GMC requires that training programmes are led by TPDs (or their equivalent). TPDs have responsibility for managing specialty training programmes. Please refer to Section 4 for further information.

**Uncoupled training** Uncoupling means building in a formal opportunity after ST2/CT2 (or ST3/CT3 in the case of specialties where core training is three years) to change direction or make a more focused career choice in the light of greater experience. It means adding a competitive selection process between ST2/CT2 and ST3 (or between ST3/CT3 and ST4 in the case of specialties where core training is three years).