

1974. No. 242

[C]

HEALTH AND PERSONAL SOCIAL SERVICES**Appointment of Specialists**

REGULATIONS, DATED 27TH SEPTEMBER 1974, MADE BY THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES IN CONJUNCTION WITH THE DEPARTMENT OF FINANCE UNDER THE HEALTH AND PERSONAL SOCIAL SERVICES (NORTHERN IRELAND) ORDER 1972.

The Department of Health and Social Services (hereinafter referred to as "the Department") in exercise of the powers conferred on it by Articles 16 and 106 of and paragraph 12(2) of Schedule 1 to the Health and Personal Social Services (Northern Ireland) Order 1972(a) and paragraph 2(1)(b) of Schedule 1 to the Northern Ireland Act 1974(b) and all other powers enabling it in that behalf and in conjunction with the Department of Finance hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Health and Personal Social Services (Appointment of Specialists) Regulations (Northern Ireland) 1974 and shall come into operation on 1st October 1974.

Interpretation

2. In these regulations unless the context otherwise requires, the following expressions have the respective meanings hereby assigned to them:

"the Agency" means the Northern Ireland Central Services Agency for the Health and Social Services established under Article 26 of the Order;

"Board" means a Health and Social Services Board established under Article 16 of the Order for any area;

"joint appointment offices" mean whole time offices involving both teaching and hospital duties to which persons are appointed jointly by a Health and Social Services Board and the Queen's University of Belfast;

"lay member" means a member who is not a registered medical or dental practitioner or an officer of a Health and Social Services Board;

"member of the staff of the hospital or hospitals concerned" means, a member of consultant status of the medical staff or of the dental staff where appropriate of the hospital or hospitals in which the successful applicant is to serve;

"the Order" means the Health and Personal Social Services (Northern Ireland) Order 1972;

"panel" means an Advisory Appointments Panel;

"vacancy in an office" includes a new office which it is proposed to fill.

Appointments to which the regulations apply

3. These regulations shall apply to appointments by Boards of—

(a) any medical or dental officer whether whole-time or part-time to the office of consultant or medical assistant or assistant dental surgeon; and

(b) any medical officer whether whole-time or part-time to an office of consultant status in community medicine (hereinafter referred to as a "specialist in community medicine"),

other than the appointment of any person in any of the classes specified in regulation 4.

Exempted appointments

4. The classes referred to in regulation 3 to which these regulations do not apply are:

(a) persons appointed to joint appointment offices; or

(b) persons who will receive no remuneration for their hospital appointments; or

(c) persons appointed to the staff of a hospital primarily for the purpose of undertaking research; or

(d) persons appointed to offices which are, with the approval of the Department, expressly limited in duration; or

(e) persons appointed to the office of Chief Administrative Medical Officer.

Constitution of Advisory Appointments Panels

5.—(1) For the purpose of filling each vacancy in any office to which regulation 3(a) applies, other than an office which a Board proposes to fill by the variation of the contract of an existing consultant, medical assistant or assistant dental surgeon, a panel shall be constituted by the Agency in accordance with Schedule 1.

(2) For the purpose of filling each vacancy in any office to which regulation 3(b) applies, other than an office which a Board proposes to fill by the variation of the contract of an existing specialist in community medicine, a panel shall be constituted by the Agency in accordance with Schedule 2.

Advertising of vacancy

6. Where a Board proposes to fill a vacancy in any office to which these regulations apply, the Agency shall advertise such vacancy and shall allow not less than one month for the receipt of applications for the appointment.

Selection by panel

7.—(1) The Agency shall refer to the panel all applications received on or before the closing date specified in the advertisement and may also refer an application received after that date if it is satisfied that there is a reasonable explanation for the delay.

(2) The panel shall consider all applications so referred to them and may interview applicants with a view to selecting the persons considered by them to be suitable for the appointment. The panel shall then submit to the Board the selected name or names in order of preference.

(3) If the panel consider that none of the applicants is suitable for the appointment, they shall so inform the Board.

Appointments by Boards

8. A Board shall not make an appointment to a vacancy to which these regulations apply except from persons selected by the panel as in regulation 7(2).

Fees

9. Members of panels appointed in accordance with paragraph 1(c) of Schedule 1 and paragraph 1(c) of Schedule 2 shall, for the purposes of Article 89 of the Order, be prescribed persons and the Agency may make payments to them at such rates and subject to such conditions as the Department may, with the approval of the Department of Finance, from time to time determine.

Travelling and subsistence allowances

10. The Agency may make to members of a panel such payments in respect of travelling and subsistence expenses as are payable to members of the Agency performing an approved duty.

Revocation

11. The Health and Personal Social Services (Appointment of Specialists) Regulations (Northern Ireland) 1973(c) are hereby revoked.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland this 27th day of September 1974.

(L.S.)

F. A. Elliott,
Assistant Secretary.

Sealed with the Official Seal of the Department of Finance for Northern Ireland this 27th day of September 1974.

(L.S.)

C. F. Darling,
Assistant Secretary.

SCHEDULE 1

Regulation 5(1)

Consultant or medical assistant or assistant dental surgeon

1. Subject to the following provisions, the panel shall consist of—
 - (a) six persons nominated by the Board concerned of whom:
 - (i) one shall be a lay member of the Board;
 - (ii) two shall be members of the staff of the hospital or hospitals concerned, of whom one shall be nominated after consultation with such organisations as appears to be representative of the class of specialists concerned;
 - (iii) two shall be registered medical practitioners, or registered dental practitioners in the case of a dental appointment, of whom one shall be a consultant in the specialty concerned;
 - (iv) one shall be the Chief Administrative Medical Officer, or the Chief Dental Officer in the case of a dental appointment, of the Board making the appointment, or his nominee, who shall be a non-voting member;
 - (b) one person nominated by such organisation as appears to the Agency to be representative of the class of specialists concerned in Northern Ireland;
 - (c) one person shall be a consultant, specialising in the branch of medicine or dentistry concerned outside Northern Ireland;
 - (d) two persons shall be drawn from a list of nominations of the Queen's University of Belfast.
2. In any case where the officer whose appointment is to be considered will be employed in hospitals administered by two or more Boards, any nominations required by this Schedule to be made by a Board shall be made by such Boards jointly.
3. In the case of posts considered to provide regional specialty services throughout Northern Ireland, the nomination of the Boards as provided for in paragraph 1(a) to this Schedule shall be increased to eight to permit the inclusion of one medical nominee from each of the Boards.
4. Any selection made by the panel shall not be invalidated by any vacancy in the membership, failure on the part of any body or organisation to nominate or by any defect in the nomination or qualification of a member.
5. The Agency shall appoint one member of the panel to be chairman and its Medical Adviser to service and advise the panel.

SCHEDULE 2

Regulation 5(2)

Specialists in Community Medicine

1. Subject to the following provisions, the panel shall consist of:—
 - (a) four persons nominated by the Board concerned of whom:
 - (i) two shall be lay members of the Board;
 - (ii) one shall be a registered medical practitioner employed as a consultant by, or in contract as a general medical practitioner with, the Board on the nomination of its Area Medical Advisory Committee;
 - (iii) one shall be the Chief Administrative Medical Officer of the Board;
 - (b) one person nominated by such organisation as appears to the Agency to be representative of specialists in community medicine in Northern Ireland;
 - (c) one person shall be a specialist in community medicine of consultant status practising outside Northern Ireland;
 - (d) one person shall be drawn from a list of nominations of the Queen's University of Belfast.
2. Any selection made by the panel shall not be invalidated by any vacancy in the membership, failure on the part of any body or organisation to nominate or by any defect in the nomination or qualification of a member.
3. The Agency shall appoint one member of the panel to be chairman and its Medical Adviser to service and advise the panel.

EXPLANATORY NOTE

(This note is not part of the regulations, but is intended to indicate their general purport.)

These regulations replace with amendments the Health and Personal Social Services (Appointment of Specialists) Regulations (Northern Ireland) 1973. They make provision for the procedure to be followed by Health and Social Services Boards in appointing certain medical and dental specialists. They require the advertising of posts and provide for the setting up of Advisory Appointments Panels by the Central Services Agency to select and submit to Boards the names of suitable applicants. Provision is also made for the payment of fees to members of the Advisory Appointments Panels from outside Northern Ireland.