

Code of Practice

Provision of Information for Postgraduate Medical Training

30/10/2017

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Code of Practice: Provision of Information for Postgraduate Medical Training

1. Introduction

- 1.1. Doctors and dentists 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 organisations managing national recruitment to training programmes ('recruiting organisations') and those employing or hosting doctors and dentists in training ('employers') to 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 and dentists in training are to make informed choices about their application and/or job offers, then they must be provided with sufficient information on the posts within programmes for which they are applying.
- 1.3. Recruiting organisations and employers will continue to strive to ensure that all essential information needed to assist doctors and dentists in training to make important career and life choices is available at the time of the junior doctor's/dentist'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 provision are addressed. It lays out the agreed information that recruiting organisations and employers should provide to doctors and dentists in training at each stage of the recruitment process. Although organisations will endeavour to provide the information within the timescales set out there may be circumstances where this is not possible.
- 1.5. A clear distinction must be made between the training programme offer and the offer/contract of employment.
- 1.6. Training programme recruitment managed by recruiting organisations and recruited to in conjunction with employing organisations include Academic, Core, Foundation, GP, Dental and Specialty Training posts educationally approved by the GMC.
- 1.7. There is an onus on recruiting organisations and employers to provide timely, accurate and detailed information. Doctors and dentists in training have a responsibility to provide full information, where requested, to keep both recruiting organisations and prospective and actual employers fully informed of their intentions, and to provide a reliable contact address, telephone number and email address for communications.
- 1.8. Applicants should be aware that due to service changes, it is possible in exceptional circumstances that the training programme they accept may be altered. Applicants can be assured that any programme they undertake can deliver the outcomes required by the relevant curriculum. HEE and/or the employer should notify applicants as soon as possible if there are changes to their posts or programmes.
- 1.9. The timescales set out in this Code of Practice chiefly relate to all recruitment activity to nationally recognised training programmes e.g. Academic, Core, Foundation, GP, Dental and Specialty Training posts. Whether it is nationally organised or locally delivered.
- 1.10. The responsibilities of the trainee/applicant set out in this Code must be met to enable recruiting organisations and employers to comply with the Code.

2. Remit

- 2.1. This Code of Practice applies to post-graduate medical and dental recruitment to training programmes overseen by Health Education England only. Wales, Scotland and Northern Ireland have responsibility for managing their own Code of Practice if required.
- 2.2. It applies to recruitment to the medical and dental respective foundation programmes, core and specialty training (including dental specialties), including academic clinical fellowships and lectureships (ACF/ACL), GP training and sub specialty training recruitment.
- 2.3. All training programmes and posts advertised through the recruiting organisations will identify where they are GMC, HEE or GDC approved.
- 2.4. Section 3 details the provision of information timelines where recruiting organisations, local offices and employers are required to provide information.

3. Summary of Provision of information timelines

Paragraph Number	Information to be Provided	Key Dates
4.1	Recruiting office to place advertisements	For a min of 4 weeks
4.2	Recruiting office to ensure programme information is available for applicants to view on Oriel prior to submitting their programme preferences (FP Only)	Min of 8 weeks before
4.3	Eligibility criteria to be published on recruiting organisations websites	Min of 4 weeks before recruitment round
4.4	Recruiting organisations provide information about programmes and location (including specific site(s) of work within multi-site organisations) on websites	Non-specified
4.5	Foundation schools indicate whether applicants will be ranking their programme preferences for rotations for both years of their programme; or just their first year. (FP Only)	Mid-September
4.5	Foundation Schools should publish information prior to the start of the recruitment round about how they will match applicants to programmes. (FP Only)	Prior to recruitment round
7.3	Local office to provide programme allocation information to applicants as soon as possible. If this cannot be made at as part of the offer it should be at least 12 weeks before commencement of post.	Min. Of 12 weeks prior to start of post
8.1	Local office to provide application information to employer once offer of training programme has been accepted and general information has been provided to applicant. Local office also to provide notice to trainee of where they have been allocated.	Min. Of 12 weeks prior to start of post
8.2	Employer to provide doctor/dentist specific information about the post being offered	Min. of 8 weeks prior to the start of the 1 st placement,
8.3	Employer to provide the doctor/dentist with their rota in the generic work schedule. This will enable trainees to submit requests for annual leave to be considered and facilitate the removal of fixed leave in rotas The duty roster will be made available at 6 weeks before commencement of post.	Min. of 8 weeks Min. of 6 weeks
8.4	Employer to issue statement of particulars and employment contract to doctor/dentist.	No later than 8 weeks after start of post (ideally on completion of pre-employment checks)
9.1	Local office provides details to employer and doctor/dentist in training details of future placements within the training programme	At least 12 weeks before each placement start date

4. Information required in advance of advertisement

- 4.1. Advertisements will be placed in the appropriate media¹ for a minimum of four weeks and will conform to the requirements of employment law and the UK Visas and Immigration agency requirements for the Resident Labour Market Test (RLMT).
- 4.2. **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 (Oriel) 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 Oriel. Nationally agreed pay points for F1 and F2 doctors are published on the NHS Employers website for England², and the equivalent organisations in the other nations.
- 4.3. Eligibility criteria will be published on all recruiting organisation's websites a minimum of four weeks before the recruitment round begins.³
- 4.4. Recruiting organisations should provide as much information as possible about programmes, placements/rotations and locations (including specific site(s) of work within multi-site organisations) on their websites. An example template can be found in Appendix 5.
- 4.5. **FP only** - Foundation schools should clearly indicate whether applicants will be ranking their programme preferences for rotations for both years of their programme; or just for the first year by mid-September. To ensure transparency, foundation schools should publish information prior to the start of the recruitment round about how they will match applicants to programmes.

5. Training programme information: at time of advertisement

Terms of Business

- 5.1. 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 and dentists in training to training programmes and subsequent appointment to posts by employers. 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 or dentists in training, or to the employers in the NHS that engage them.
- 5.2. The terms of business 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/dentists medical or dental education and training programme, but is not authorised to enter employment contracts with doctors/dentists in training on behalf of those employers. The current agreed wording for HEE local office websites is shown in Appendix 3.

¹ Table 11C at <https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-a-attributes>

² <http://www.nhsemployers.org>

³ This may be via a link to www.specialtytraining.nhs.uk

6. Information to be available at the time of advertisement of recruiting organisation's training programmes

6.1. Doctors and dentists 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 advertised⁴. The employer will have confirmed that it wishes the recruiting organisation to find doctors/dentists 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:

- Pay points (link to relevant NHSE webpage)
- The type of work (specialty/ies and level(s))
- 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.

6.2. 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, qualifications and experience
- Anticipated duration of programme
- Standard placement/rotation details stating "Expected placement/rotation arrangements for this programme are:"- then list the exceptions to these arrangements
- For academic programmes this will include research areas, supervisor and funding arrangements.
- Recruiting organisation to include anticipated outcome subject to satisfactory progression (e.g. completion of CCT, CESR CP, CESR GP)
- Pay points
- Travel and relocation expenses policy by reference to national terms and conditions, with links to recruiting organisation websites where appropriate.

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

7.1. It is the responsibility of the recruiting organisation to identify details of the first placement/rotation. 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.

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

7.2. When the recruiting organisation (HEE local office, Deanery or Royal College) makes an offer of a training programme it should provide the following information to the doctor/dentist in training:

- 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), stating a minimum of the first rotation / placement, but where possible all rotations/placements at least for the first year. This can either be via electronic or paper form
- 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. CCT, CESR (CP), CEGPR (GP), completion of Core Training, Foundation Programme Certificate of Completion)
- The name of the HEE local office/ Deanery contact in the event of any relevant information being missing or requiring clarification
- The notice period applicable by reference to national terms and conditions of employment

7.3. The above information should be provided to the trainee as soon as possible after the initial offer has been accepted on Oriel and **no later than 12 weeks** prior to commencement of post.

7.4. Information relating to an individual doctor/dentist in training should not be shared between organisations without the individual's knowledge and consent in line with the Data Protection Act (DPA).

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

8.1. Once the recruiting organisation/HEE local office has made a training programme offer, and the general information set out in paragraph 7.2 has been provided, **the local HEE office must then provide relevant information to the employer a minimum of 12 weeks prior to commencement of post.** This should include:

- Full application form
- Offer letter

8.2. The additional information set out below must be provided by the employer to the doctor/dentist in training about the specific post being offered. **This should be a minimum of 8 weeks prior to the start of the first post.**⁵ (Where the offered programme comprises several posts, the information will only cover the first placement within the programme. Information on later posts will be provided as indicated in section 9.1.)

⁵ This may not be possible when late recruitment happens to fill vacancies for the August round. For example, filling from the reserve list in the foundation programme.

- The name of the Medical/Dental Staffing 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
- Hours – this should include hours per week on average, pattern of work including, where applicable, details of shift work and on-call arrangements
- Basic pay and details of any additional supplements and/or allowances and the circumstances under which they are payable indicated by reference to relevant national pay circular
- London weighting or other recruitment incentive (e.g. Flexible pay premium), 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 (and academic supervisor if relevant), including contact details to allow trainees to initiate contact.
- Any details pertaining to requirements for accommodation/residence
- Induction arrangements for new starters

8.3. It is reasonable for a doctor/dentist in training to expect a minimum of eight weeks' notice of the rota as outlined in the generic work schedule or otherwise published. This will outline the actual rota/working pattern but not the precise slot on the rota the individual will be working. This will enable trainees to submit requests for annual leave to be considered and facilitate the removal of fixed leave in rotas. The duty roster outlining the exact slot of the rota will be available at a minimum of six weeks' notice.

8.4. A statement of particulars and employment contract should be issued to the doctor/dentist 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.

9. Employment information: Information provision at each subsequent rotation⁶

9.1. Responsibility for providing doctors/dentists in training and employers with details of future placements within training programmes lies with the HEE local office. This information should be provided at least 12 weeks before the doctor/dental in training moves/rotates. Where this is not possible the doctor/dentist in training and employer should be informed of the reason and when the information is likely to be available, as it will impact on the timeliness of all subsequent communications (e.g. from the employer~). The minimum information to be provided on the next placement should include:

1. Name and level of training programme post
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

9.2. Prior to starting in post, the doctor/dentist in training should receive the same level of information within the same time frame that they receive at the time they accepted the initial employment offer (section 8.1).

10. Doctor and dentist 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 post, e-mail and telephone are available to the recruiting organisation / employer at all times. A professional email address is advised e.g. doctors.org / nhs.net
- 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 five 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 within requested timeframes any requested pre-employment checking information, if necessary with an explanation of any omissions,

⁶ Educational reasons in some occasions may mean the 8 week target is not met, e.g. ARCP outcomes requiring trainees to have specific targeted training or exposure.

stating when the information will be available, and to provide the rest of the information when required

- to complete and return any occupational health forms within requested timeframes
- to complete and return any Disclosure and Barring Service (“DBS”) (or equivalent) forms within requested timeframes
- 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.
- To submit requests for annual leave, where known, within one week of receiving the offer of employment and within 7 weeks of the intended start date, so as to facilitate to the provision of their roster as described in para. 8 above.

10.3. Failure to meet these requirements on the part of a doctor in training may prevent employers from being able to discharge the responsibilities set out in this code of practice, and may lead to difficulties for them, their employer and for patient care.

11. Retention of records

11.1. 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. Retention of records should be in accordance with the NHS Records Management Policy and the DPA.

12. Resolving complaints about the provision of information

12.1. 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.

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

12.3. 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.

12.4. Any requests from the doctor or dentists 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/dentist **within ten working days**.

12.5. If the information requested cannot be provided within that timeframe a clear timescale as to when this information **will** be provided and a sufficient explanation as to why it cannot be provided within ten working days.

- 12.6. If information is not provided to the doctor/dentist 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.
- 12.7. If a doctor wishes to appeal against the outcome of the complaint or the complaint has not been answered. They should contact the HEE national team at mdrs.nationalrecruitment@hee.nhs.uk.

Grounds for making a complaint

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

Appendix 1

Health Education England Code of Practice Monitoring: Guidance for Local Offices

Monitoring and Reporting Timeline

As part of Health Education England's performance metrics, local offices are required to report on compliance in terms of providing 12 weeks notification to local education providers and trainees upon rotation, or when there is a new starter appointed. Managers will review existing processes that could be shared to support local collection and management.

In the longer term, work will be undertaken to explore reporting via TIS.

The proposed timeline for reporting is as follows:

- Report due on 1 September 2017 providing compliance data for rotations which have occurred in June, July and August 2017.
- Report due on 1 December 2017 providing compliance data for rotations which have occurred in September, October and November 2017.
- Report due on 1 March 2018 providing compliance data for rotations which have occurred in December 2017, January and February 2018.
- Report due on 1 June 2018 providing compliance data for rotations which have occurred in March, April and May 2018.
- Report due on 1 September 2018 providing compliance data for rotations which have occurred in June, July and August 2018.

Thereafter, the beginning of September, December, March and June annually

Exception Category

There will be occasions when it is not possible to provide 12 weeks' notice to local education providers and trainees as a result of exceptional circumstances. In some circumstances an individual exception can have a knock-on effect to other trainees, but HEE will try and minimise this where possible. Examples of some exceptions are listed below but in many circumstances with enough notice the Code of Practice should still be met:

1. Training Requirements
 - a. Where educational reasons (for example: ARCP outcome which identifies educational requirements that can only be delivered in specific locations)
 - b. Where posts have been removed/suspended from a training location due to quality concerns.
2. Individual Trainee circumstance
 - a. Where personal/health reasons require additional time to agree a placement, or require a subsequent change to a planned placement.
 - b. Maternity leave or sick leave cease with less than 12 weeks' notice. Where the end of such leave is predicted, this will be catered for in planning so far as is reasonable.
3. Exam Results
 - a. Foundation reserve list applicants
 - b. Specialty trainees awaiting membership exam results, which may affect their eligibility to join a programme.

Appendix 2

HEE monitoring data for 2018/2019

Local Office	Sum of Number of trainees on rotation(s)	Sum of number of trainees for whom the 12 weeks rule was achieved	Sum of the number of trainees who did not achieve 12 weeks but full under the exception category	Sum of number of trainees who are non-compliant and are NOT an exception	% excluded due to exceptions	% compliance of trainee for who the 12-week rule was achieved	Sum of trainees whose data was changed between 12-week rule and commencement in post
North	0	0	0	0	0	0	0
North East							
North West							
Yorkshire & Humber							
Midlands and East	0	0	0	0	0	0	0
East Midlands							
East of England							
West Midlands							
South	0	0	0	0	0	0	0
South West							
Thames Valley							
Wessex							
London and South East	0	0	0	0	0	0	0
KSS							
London Pan							
North Central & East London							
North West London							
South London							
GRAND TOTAL	0	0	0	0	0	0	0

Appendix 3

Text to be placed on HEE local office website site:

In the event that HEE is classified as an Employment Agency for the purposes of the Employment Agencies Act 1973 ("the Act") and associated regulations, the following terms and conditions will apply to the provision of services by HEE in connection with the recruitment of junior doctors and dentists to training programmes.

- 1. The services provided include a work-finding service for which the Act prohibits HEE from charging a fee.*
- 2. The services provided by HEE will be provided without any charge to either junior doctors/dentists or the NHS employers that engage them.*
- 3. If it is determined that the Act applies to HEE, HEE will operate as an employment agency in providing the services.*
- 4. HEE is authorised to act for NHS employers that are offering training posts as part of the junior doctor/dentist training programme and is not authorised to enter into contracts with junior doctors/dentists on behalf of those employers.*

By proceeding with the application process and/or accepting information from HEE about applicants for places on the training programmes applicants are deemed to accept these terms and conditions.

Appendix 4

Glossary

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*).

COPDEND Conference of Postgraduate Dental Deans and Directors COPDEND provides a forum in which HEE local office and Deanery members can meet to discuss current issues, share best practice and agree a consistent and equitable approach to training in all HEE local offices and deaneries. It acts as a focal point for contact between the Postgraduate Dental Deans and other organisations, e.g. Medical Royal Colleges, GDC, BDA, AoMRC and the Department of Health.

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

FPCC: Foundation Programme Certificate of Completion.

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.

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.”

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.

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).