To: Chief Executives, NHS Health Boards/Trusts
   Directors of Workforce & Organisational Development, NHS Health Boards/Trusts
   Medical Directors, NHS Health Boards/Trusts

Our Reference: M&D(W)3/2015
   26 August 2015

Dear colleague,

Summary

This circular notifies employers of the implementation of a new disciplinary procedure for medical and dental staff and changes to the following terms and conditions of staff employed in NHS Wales as set out in the Medical and Dental Staff (Wales) Handbook, effective from 1 September 2015.

Upholding Professional Standards (Disciplinary Procedure)

1. The new disciplinary procedure for doctors and dentists in Wales, ‘Upholding Professional Standards in Wales’, was agreed by NHS Employers and the British Medical Association.

2. The new procedure replaces all previous medical & dental disciplinary procedures contained in WHC(90)22, DGM(95)44 and/or medical & dental disciplinary procedures previously negotiated by any NHS organisation or LHB situated in Wales. The procedure also replaces the provisions in WHC (82)17 for Special Professional Panels (the “Three Wise Men”) as implemented by NHS Wales organisations. The right of appeal to the Welsh Government, held by certain practitioners under paragraph 190 of their terms and conditions of service, is hereby abolished effective from 1st September 2015.

3. Paragraph 189 in the Medical and Dental Staff (Wales) Handbook and Chapter 6 of the Amendment to the National Consultant Contract in Wales document, are amended and apply from 1 September 2015. The wording in these paragraphs are to be amended to: “Upholding Professional Standards sets out the approach for addressing concerns about capability, performance and conduct for all doctors and dentists. It replaces all existing procedures in operation within the Local Health Boards and NHS Trusts in NHS Wales or successor bodies. The right of appeal to Welsh Government, held by certain practitioners under paragraph 190 of their terms and conditions of service, is also hereby abolished from 1 September 2015.
4. Employers should ensure that ‘Upholding Professional Standards in Wales’ is now implemented locally effective from 1st September 2015.

Action

5. NHS employers should take all reasonable steps to notify staff of the revisions to the procedure under which they would be disciplined

Enquiries

6. Employers should direct enquiries to: Kevin.Francis@wales.gsi.gov.uk
7. Employees should direct personal enquiries to their employer.

Further Copies

8. Copies of this circular can be downloaded from: http://www.wales.nhs.uk/nhswnaboutus/workingfornhswnes/payconditions/payconditonsresources

Yours sincerely

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