



Guidance for RCPsych College Assessors on Advisory Appointment Committees

Updated November 2017

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Introduction

The procedures for the appointment of consultants in England are governed by Statutory Instrument (SI) No. 701, The National Health Service (Appointment of Consultants) Regulations 1996, as amended by SI 2002/2469, SI 2003/1250, SI 2004/696 and SI 2004/3365. The 1996 regulations and subsequent amendments do not apply to NHS Foundation Trusts, although they can follow this guidance when appointing to a consultant post if they so choose.

Appointments in Wales are governed by Statutory Instrument 1996 No. 1313, The National Health Service (Appointment of Consultants) Regulations 1996. Appointments in Northern Ireland are governed by Statutory Rule 1996 No. 562, Appointment of Consultants (Northern Ireland) Regulations 1996.

Arrangements for Scotland are different and are governed by Statutory Instrument 1993 No 994 (S.140). The National Health Service (Appointment of Consultants) (Scotland) Regulations 1993. A good practice guidance document was issued by the Department of Health in January 2005.

What is a College Assessor?

As noted above, the recruitment of NHS consultants is covered by Government legislation and accompanying guidelines and best practice. These guidelines state that Advisory Appointment Committees (AACs) are required for the appointment of consultant psychiatrists and specialty doctors. An AAC determines which applicants are suitable for a post and recommends these names to the recruiting trust. The AAC provides a quality assurance process of shortlisted doctors for NHS patients and trusts when they are employing doctors.

The medical Royal Colleges play a vital role in this recruitment and selection process through the provision of independent, external (to the recruiting trust) College Assessors, who sit as full AAC panel members. A College Assessor's role is to provide the trust with an impartial opinion on the suitability of the candidates. Their input is designed to maintain standards of practice in the profession as well as enabling a reliable and constructive assessment of the training and experience of a candidate.

The role of College Assessor is open to College Members and Fellows who have a keen interest in maintaining standards of consultant appointments and in the profession of psychiatry, and who have been in a substantive consultant post for at least three years. Training is provided to all new College Assessors and existing College Assessors are encouraged to attend 'refresher' training days every 3-5 years. The College Assessor role description is included in the appendices of this document. Details of upcoming training days are posted regularly on the workforce pages of the College website.

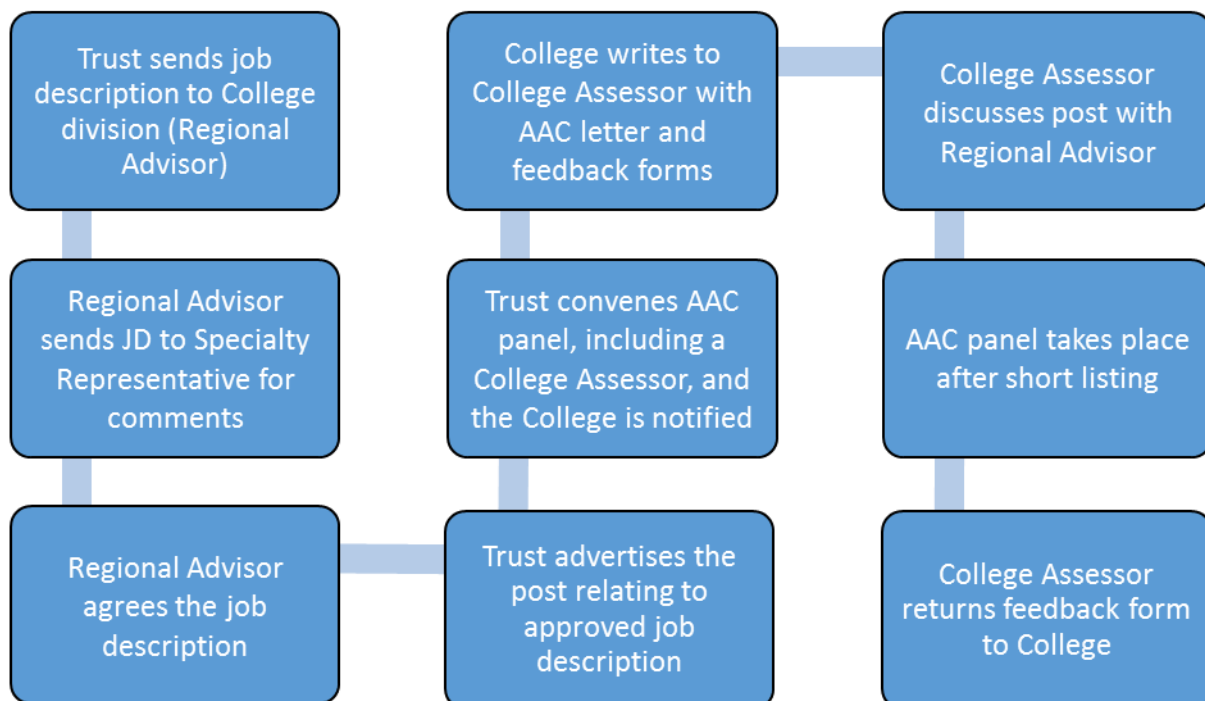
The job description approval and AAC process

The recruiting trust will seek approval of the job description prior to advertisement from one of the College's Regional Advisors. Once the job description has been approved, the trust cannot amend it, nor can the AAC challenge its content (unless it contains an

obvious error, or there is a possibility of unlawful discrimination). College Assessors should ensure that the post they are attending an interview for has been approved by a College Regional Advisor by contacting the Training and Workforce Unit prior to the AAC panel, and the approval letter for that post will be sent out as part of the pre-interview pack of information. If it appears that that the job description has not been approved by a College Regional Advisor, the College Assessor should contact the workforce helpdesk immediately for further guidance.

The following is a summary of the job description approval and AAC process:

The job description approval and AAC process



Composition of the Advisory Appointments Committee

The Advisory Appointments Committee is a legally constituted committee established by the trust and governed by legislation. The core membership of the panel is as follows:

- The Chief Executive (or their nominated senior manager);
- The Medical Director of the trust (or their medically qualified nominated deputy);
- A College Assessor (selected by the trust from a list provided by the College);
- A consultant from the trust (normally from the relevant specialty);
- A lay member (normally the chair of the trust or another non-executive director);
- Any other additional member/s considered appropriate by the trust (although the size of the AAC should be kept to a minimum and preferably be an odd number).

Where possible, the AAC should not consist wholly of men or wholly of women.

Furthermore, it should reflect the composition of the local population and workplace, and should not involve the retiring consultant (where relevant).

Securing a College Assessor

It is the responsibility of the recruiting trust to ensure that the Advisory Appointments Committee has appropriate representation, including a trained, ratified and independent RCPsych College Assessor. To view names and contact details and select a College Assessor, all NHS mental health trusts are provided with a unique username and password to access a secure portal within the College website. They are then able to access the updated list of trained and approved College Assessors, searching by specialty and location. Trusts are asked to contact College Assessors a minimum of eight weeks prior to the AAC panel, but preferably earlier, as clinical commitments may need to be cancelled or moved. Trusts should avoid using the same College Assessor again and again, as this may reduce the level of external 'challenge' and scrutiny provided by the College Assessor. Trusts having difficulties securing a College Assessor should contact the College immediately through the workforce helpdesk: workforce@rcpsych.ac.uk. Additionally, when a College Assessor has been identified to attend an AAC, the recruiting trust should notify the College with the details of the interview as soon as possible, as this will enable the College to send the College Assessor the appropriate information in advance of the AAC.

The function of the AAC

The function of the AAC is to decide which, if any, of the applicants is suitable for appointment and to recommend a name (or names) to the trust. It is for the AAC to determine its own procedures, paying clear regard to general selection procedures and equal opportunities policies within the trust. These procedures should be made clear to all applicants for the post.

Although consultant appointments are generally made by trusts on the advice of an AAC, the power of appointment can be delegated (usually to a specific member of the AAC).

Application forms

All trusts will have a member of medical HR staff responsible for the receipt and acknowledgement of applications. They will also be responsible for carrying out a preliminary check to ensure that all basic information about the applicant is true and current.

Selection and shortlisting of candidates

The recruiting trust will prepare selection criteria for each vacant post. Shortly after the closing date, copies of all applications (together with a copy of the approved job description and selection criteria) will be sent to all the members of the AAC, including the College Assessor, who will use these criteria to shortlist applicants. Shortlisting is an essential and integral part of the College Assessor's role.

As part of the shortlisting process, you should judge whether an applicant has the appropriate level of training and experience for the post in question. It is essential that:

- All applicants are short listed against the same selection criteria; and
- Valid reasons for excluding an applicant from the short list are noted and submitted to the chair of the AAC. The chair must ensure that all members of the AAC are happy with the final short list.

When deciding the final shortlist the Chair and HR staff should take into account the views expressed by all members of the committee to determine suitability. The advice of the College Assessor is crucial at this stage; specifically they can comment on whether doctors still in training are likely to achieve the award of their CCT within the required six months. College Assessors are also able to give an independent opinion on whether an applicant has the appropriate training and experience for a particular post.

It should be noted that a College Assessor can suggest a candidate for the shortlist without necessarily being sure they are suitable for appointment. In some cases a candidate could be shortlisted in order to find out more about their training or experience which may not be clear from their application (as may be the case with overseas candidates). The College Assessor should inform the HR officer dealing with the panel when this is the reason for including a candidate on a shortlist.

The role of the College Assessor

The College Assessor's role on an Advisory Appointments Committee (AAC) is to provide a reliable and constructive assessment of the training, qualifications and experience of a candidate. The College Assessor also ensures the process of appointment is conducted fairly by providing an impartial, external opinion and aims to maintain standards of practice in the profession. As a core member of the AAC, the College Assessor must be involved in all stages of the process, including short listing. As College Assessor you must ensure that:

- Applicants for the post are included on the Specialist Register;
- The short list includes those applicants who meet the required standard for the post and excludes those who do not;
- The AAC identifies the most suitable candidate for the post;
- The trust has identified (or will identify) an appropriate mentor for any candidate taking up his/her first substantive consultant post in the NHS;
- The appointment process runs fairly; and
- The current views of the College are represented, especially where there are problems with any of the above.

The College Assessor is often the most appropriate member of the AAC to open up the general discussion relating to training, experience and qualifications. Your assessment of the professional suitability of candidates at this stage will be of assistance to other members of the committee. The overriding consideration of the AAC must be to recommend the best candidate, in terms of their expertise for the post.

There may be instances where there are disagreements between members of an AAC over the recommendation of candidates, and these cases should be referred to the trust for consideration. As College Assessor, you should ensure that any disagreement you have is recorded and, in the event of a recommendation of appointment proceeding to a

vote (and if you are satisfied that College guidance is being ignored), you should vote against the appointment. The trust will decide whether to make an appointment taking into account the views of the committee.

If a candidate is recommended for appointment despite your objection, please submit to the College a written summary of the reason/s for your objection immediately.

An AAC should not recommend appointment of a candidate unless it is satisfied that they will be able to assume the full duties of the post from the date of appointment. There will be occasions, particularly in specialties where there is a shortage of candidates, when there is local pressure to appoint to maintain a local service. Although AACs should be considerate in this situation, they should not recommend a candidate for appointment who is not yet suitably qualified to carry out the full responsibilities of the post, even if the panel thinks the candidate may become suitably qualified in time. This includes UK trainees in deanery recognised training programmes who are more than six months away from the forecast date of their completion of specialist training.

Relationship with applicants

It is the role of the chair to ascertain if there is any relationship, personal or professional, between a member of the AAC and an applicant. Any such relationship must be declared at the outset, i.e. at the short-listing stage. However, this does not necessarily bar you from continuing as College Assessor.

The National Health Service (Appointment of Consultants) Regulations Good Practice Guidance makes it clear that prior knowledge of a candidate should not be discounted, but it should not be allowed to interfere with an objective assessment of the candidate as a whole. If a member has provided a reference for the candidate, again, s/he should declare this at the outset, and should endeavour to treat all candidates equally. Although a member's knowledge of a candidate can be used to the advantage of a committee, the AAC must be sure that in doing so it is not (dis)advantaging other candidates.

However, you should contact the College immediately if you feel the relationship might affect your objectivity in the appointment process. It is likely that in these circumstances the College will advise the trust to select another College Assessor.

Discrimination

The committee must act fairly within the terms of the Equality Act 2010 and the relevant Codes of Practice of Employment. Any candidate who believes that they have been unfairly treated under the Equality Act 2010 or other relevant legislation can make a complaint directly to the organisation responsible for the recruitment decision (i.e. the NHS Trust) and/or ask a tribunal to examine the proceedings of an appointment.

All members of an AAC should be aware that the proceedings of the committee are confidential (including discussion notes and references).

Selection must be based solely on the candidate's fitness i.e. qualifications, experience and other qualities necessary for the post. All members of AACs must act fairly in the

short-listing and selection of candidates. In assessing a candidate's suitability for appointment there should be no discrimination, intended or otherwise, on grounds of age, being or becoming a transsexual person, marital or civil partnership status, being pregnant or on maternity leave, disability, race (including colour, nationality, ethnic or national origin), religion, belief or lack of religion/belief, sex or sexual orientation, politics, membership or non-membership of trade unions or associations. As College Assessor, you should ensure that this principle is adhered to at all times; equality and diversity is a core element of the College Assessor training provided by the College, and all College Assessors are encouraged to attend a training day at least once every five years.

Service user and carer involvement

Many trusts will seek to involve service users and carers in the recruitment of senior psychiatrists. This may take a variety of forms, but will usually mean applicants being interviewed by members of the relevant service user and carer group using prepared questions and either:

- Feedback is given to the full AAC either before or after the interviews take place;
- An AAC member is present during the service user/carer interviews and they then feed back views to the AAC;
- A service user/carer from the group acts as a full panel member and provides direct feedback on behalf of the group; or
- A question and answer session may be set up with service users and carers, with each candidate taking questions. The service user/carer on the AAC then gives feedback to the whole AAC.

The College advocates and supports the inclusion of patients and carers - appropriately supported - in AAC panels and other settings, and is keen to promote this type of involvement wherever possible.

Routes to Specialist Registration

It is a legal requirement that any medical practitioner must be included on the GMC's specialist register before taking up a substantive consultant appointment in the NHS. With the exception of UK trainees in deanery recognised training who are within six months of their expected date of completion of training, no doctor should be interviewed who is not already on the specialist register. A trainee appointed within six months of gaining their expected date of completion of training would not be able to take up the appointment until they are listed on the Specialist Register.

Please note that the process of applying for inclusion on the GMC specialist register via the Certificate of Equivalence of Specialist Registration (CESR) route can be lengthy and unpredictable. If a College Assessor has any queries regarding the eligibility of a candidate, they are advised to contact the College's Training and Workforce Unit.

It is recognised that an individual doctor's career may develop over time; it is not a legal requirement for the appointee to be listed in the specialty in which they are going to practice. Applicants for consultant appointment must be assessed by an AAC on the

basis of their expertise for the particular requirements of the post in question, with their inclusion on the Specialist Register as a legal requirement. Further information on the specialist register is available on the [GMC website](#). Inclusion on the Specialist Register does not automatically entitle an individual to be short listed or appointed to a consultant post.

Locum appointments

Locum appointments of six months duration or less are exempt from the legislation governing the consultant appointment process. However the NHS Executive, the Department of Health and, more recently, NHS Employers have issued guidance on recruitment to locum consultant posts, emphasising the care needed in making such appointments. These recommend that to be eligible for appointment as a locum consultant a doctor should:

- Be fully registered with the GMC.
- Be included on the GMC Specialist Register.
- Have held a substantive NHS consultant appointment, an equivalent honorary post or have equivalent service overseas.
- Where the appointee does not meet the criteria of a substantive consultant post the Medical Director, with the Clinical Director, should arrange for an appropriate level of supervision of the locum's work.

It is advised that locum appointments are used only to address short term service needs in certain specific circumstances:

- To cover the temporary, unforeseen absence of the permanent holder of the post.
- To meet an urgent service need while a substantive appointment is made.
- As part of bridging arrangements during an interim period when services are being reorganised locally.

The guidance documents also state that appointments panels for locum consultants should include two members of the medical profession - one of whom should be from the discipline concerned and the other being a nominated College Assessor. Because locum posts remain exempt from the full procedure used for substantive posts it is possible, in emergencies, for the Medical Director to take full responsibility for interviewing a potential appointee.

The NHS Appointment of Consultant Regulations 1996 (Statutory Instrument no 1996/701) set out the rules for appointing consultant doctors. They do not apply to locum consultants appointed for an initial period of less than six months, or where the appointment is extended for a further six months.

Once a single appointment extends to more than 12 months the procedures set out in the Regulations apply and a doctor can only be employed as a locum consultant if they are entered on the specialist register with the GMC. The Regulations require locum appointments to be reviewed no later than six months in post.

Although locum consultant appointments are not initially subject to the full procedure set out in the regulations above, it is considered good practice to appoint, wherever

possible, locum consultants who hold, or have held, posts of consultant status, or else who have completed specialty training (or who hold accreditation) in the appropriate specialty. Where possible there should be careful assessment of the candidates by an appointments committee with at least two professional members, one from the specialty concerned.

Although the NHS Appointment of Consultant Regulations only apply to consultants, it is good practice to appoint locum specialty doctors, associate specialists and junior doctors (excluding LAT appointments) for an initial period of six months only, or where the appointment is extended for a further six months. The argument against employing locums for a long period is that 12 months should be sufficient time for an employer to advertise and interview for the permanent post that the locum practitioner would be free to apply for (subject to meeting the entry criteria).

Locum appointments should not be seen as a pathway to substantive appointments and posts filled on a temporary basis with locum staff should be publicly advertised and recruited to in the usual way once a substantive post holder is being recruited.

Providing feedback to candidates

The panel will generally appoint someone to provide feedback to candidates following the interviews – in practice this will often be feedback to the unsuccessful candidates. The College position is that the feedback role should not sit with the College Assessor. The recruitment process belongs to the trust concerned; if an external member of the panel such as a College Assessor is relied upon to provide feedback, there is a risk of contradictory feedback being provided by both the trust and the College Assessor. An alternative panel member or a member of the Human Resources team would be charged with this responsibility, and candidates should be made aware during or after the interview of who to contact for further feedback and counselling.

Providing AAC feedback to the College

As a College Assessor, an essential part of the role is to complete a feedback form after the AAC and return the form to the College's Training and Workforce Unit. The feedback from AAC panels is a vital part of the workforce information the College monitors and feeds into the College's wider role in looking at workforce issues. A sample feedback form is provided in the appendices of this document and is also available on the workforce pages of the [College website](#). A form will be included in the pack of information sent to all College Assessors prior to attendance at an AAC – but this is reliant on the College being made aware of any panels that College Assessors have agreed to attend.

Travel and subsistence expenses

Necessary travel and subsistence expenses incurred by all panel members – including the College Assessor – are covered by the recruiting trust. Members of the AAC should be reimbursed for their actual expenses including travel, hotel accommodation and other subsistence allowances. Pay and Conditions Circular (M&D) 1/2016 also sets out the fees

payable to College Assessors; at May 2016, this currently stands at £130.49 for a full day and £65.25 for a half day. This fee is payable by the recruiting trust, not the College.

Contacting the Training and Workforce Unit

For advice and guidance on any aspect of being a College Assessor or attending an AAC panel, please contact the Training & Workforce Unit, based in the Professional Standards department of the College: workforce@rcpsych.ac.uk.

Appendix I: College Assessor role description

Term of office: Unlimited; College Assessors are expected to attend a minimum of two AAC panels per year.

Working with: Medical staffing / human resources department of NHS trusts; College regional advisors and occasionally deputy regional advisors; workforce staff at the College.

Overview: The College Assessor is a core and independent member of an Advisory Appointments Committee (AAC). The College Assessor provides a reliable and constructive assessment of the training, qualifications and experience of a candidate to ascertain they have the skills and knowledge to meet the expertise of the post. The College Assessor also offers an impartial opinion at the interview and ensures the standards of practice in psychiatry are maintained.

Job purpose: To attend Advisory Appointment Committees on behalf of the College for the appointment of consultants and specialty doctors. This entails:

- Being involved in short listing those applicants who meet the required standard for the post and exclude those who don't (this should take place prior to the day of the AAC);
- For consultant AACs, ensuring all candidates are registered on the GMCs Specialist Register or are trainees within six months of obtaining their CCT;
- Playing a full part in ensuring the appointments process is conducted fairly and equal opportunity policy is maintained;
- Ensuring the current views of the College are represented;
- Along with other members of the AAC, identifying the most suitable candidate(s) for the post and making a recommendation to the trust;
- Advising trusts to identify an appropriate mentor for the candidate taking up their first substantive consultant post; and
- Completing a feedback form to be returned to the College after the AAC panel has taken place.

College Assessors will:

- Have a keen interest in maintaining standards of consultant and other career grade psychiatrists;
- Be willing to express an impartial opinion to ensure the right doctor is appointed to the right post;
- Have a keen interest in maintaining standards in the profession of psychiatry;
- Be on the GMC's specialist register with a licence to practice in the UK;
- Be full, current members of the College and be able to represent the views of the College;
- Have held a substantive consultant post for at least three years;
- Be a good verbal communicator;
- Have access to a working email account; and
- Have the capacity to attend at least two AACs per year.

Appendix II: College letter of confirmation of AAC to College Assessor

Dear Dr _____,

AAC XXXX: One consultant post (Ref: XXX) in CAHMS Psychiatry at XXX on XX/XX/XXXX

We are writing to you on behalf of the Registrar, to thank you for agreeing to represent the College on the above Advisory Appointments Committee.

We would be most grateful if you could complete the enclosed feedback form about the AAC panel, providing as much detail as possible. If, for any reason, the Advisory Appointments Committee is not held, please return the cancellation form (duly completed), also enclosed. This data is important as it enables the College to monitor the number and quality of candidates for consultant posts.

College guidance emphasises that: 'The Regional Advisor of the Royal College must be involved in the development of the job description, person specification and selection criteria drawn up for the post. This is to ensure the post contains a proper balance of clinical, academic, research and managerial activities to be performed. It is expected that job descriptions and person specifications will be agreed with the Regional Advisor'. We enclose a copy of the approval from the Regional Advisor for your information.

Regional Advisors have asked to be notified of when Advisory Appointment Committees are held. It is important that you contact the Regional Advisor prior to the interview, which provides a valuable opportunity to discuss any matters relating to the appointment. The Regional Advisor for this post is Dr _____, email: _____.

According to the latest guidance from NHS Employers Pay Circular (M&D) 1/2016, Fee for College or Faculty nominee attending a consultant Advisory Appointment Committee (page 17), you may claim a fee of £130.49 per full day or £65.25 per half day, in addition to travel and any accommodation expenses from the recruiting trust. This commitment should be timetabled as supporting professional activity.

Some College Assessors have enquired about the option of donating the College Assessor fee to the College to enable it to further develop member services. Please contact the Workforce team if this is something you wish to do.

Your efforts in supporting the work of the College are much appreciated.

With best wishes,

Training and Workforce Unit, Royal College of Psychiatrists
workforce@rcpsych.ac.uk

Enclosed: Regional Advisor Job Description Approval(s)
 AAC Feedback Form

Appendix III: College Assessor AAC feedback form

AAC panel information:

Name of College Assessor: Date of AAC:

Name of recruiting trust:

Cancellation of the AAC:

Please complete this section if the AAC was cancelled due to: No applicants : No short-listed candidates : Other reason (please specify)

Name of recruiting trust:

Applicants for the post:

Post / JD reference number (from the College approval letter)

How many jobs were available within this post?

How many applications were received for the above post?

How many applicants were interviewed for this post?

How many appointments were recommended to this post?

Observations or comments:

Was the process of appointment was fair, open and consistent? If not, please provide further details:

.....

Background to the post:

Title of Post:

Was the JD for this post approved by a Regional Advisor? Yes / No

Outcome of AAC panel (details of appointed candidate):

Was appointment to this post recommended? Yes / No

Gender of appointed candidate(s): Male / Female

Country of the appointee's primary medical qualification (PMQ):

Is the candidate on the specialist register? Yes / No

Is the candidate awaiting the award of a CCT? Yes / No

NB: If the candidate does not fall into either of the above categories, please contact the College. The candidate will not be able to take up the post without meeting the legal requirement for inclusion on the GMC's specialist register. This rule applies to all candidates, including consultants of long-standing.

How did the candidate achieve specialist registration? (Please tick one option below):

CCT CESR CESR via a Combined Programme Other (specify).....

Has the candidate ever held a consultant post in the NHS? Yes / No

No offer of appointment (please give reasons):

.....

**Thank you for completing this form. Please return it by fax (020 3701 2761) or email:
workforce@rcpsych.ac.uk**