



External Advisers Guidance

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Background

External Advisers have an important role to play in the consultant appointment process in Scotland, as governed by The National Health Service (Appointment of Consultants) (Scotland) Regulations 2009.

The regulations require that a single specialty External Adviser is present on each NHS consultant appointment panel in Scotland. The External Adviser is a full panel member providing specialty knowledge and an important external perspective throughout the recruitment process.

[The National Health Service \(Appointment of Consultants\) \(Scotland\) Regulations 2009](#)

[The National Health Service \(Appointment of Consultants\) \(Scotland\) Amendment Regulations 2010](#)



Academy of Medical Royal Colleges and Faculties in Scotland

Contact and Support for the role of External Adviser on behalf of the Academy of Medical Colleges and Faculties in Scotland.

The Scottish Academy: External Adviser Coordinators



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Please contact us with any questions you have about your role as External Adviser.

We provide the following:

- Online information at www.scottishacademy.org.uk
- Support to External Advisers and Health Boards
- Mentorship with an experienced External Adviser in your own specialty
- Support with escalating concerns
- Equality and Diversity Training from NES
- Annual Certificates of Attendance



External Adviser: Person Specification

External Advisers (EAs) are appointed by the Academy of Medical Royal Colleges and Faculties in Scotland who run this service on behalf of the Scottish Government Health Workforce Directorate. EAs must be a consultant in a Health Board other than the recruiting Health Board, thereby providing a vital external presence in an appointment process.

EAs have an important role to play in the consultant appointment process in Scotland:

1. Working with the employer to ensure that the job plan is realistic, and the job description is accurate
2. Being part of the appointment panel, including shortlisting and contributing to the panel decision.

The External Adviser is a full panel member and has the same voting rights as other committee members (but no right of veto). The role of the External Adviser is to advise the recruiting board on each stage in the process, including:

- commenting on the draft job description before it is circulated to candidates
- participating in short listing
- attending the selection panel, either in person or remotely, providing an emphasis on the clinical standards required for consultant appointment in the specialty
- participating in voting (where necessary).
- advising on the training and experience of all candidates relative to the specific job description.

An External Adviser must:

- have a full understanding of the curricula, training, and assessment requirements in their specialty. This allows them to advise whether candidates (from training programmes inside and outside the UK) have had adequate training and experience
- be employed in a consultant post in Scotland (or by a Scottish University) for a minimum period of 2 years, and currently on either the GMC or GDC specialty register
- be in good professional standing
- be willing and able to meet the time commitment as stated below.

Time Commitment

External Advisers are expected to carry out the role approximately 3 times per year. While this may vary according to need, the Academy will monitor ongoing panel requests and may adjust the adviser list accordingly throughout the year. A full term of service is normally 4 years although External Advisers can remain on a reserve list after their term ends if happy to do so. Additionally, shorter terms of service can be accommodated.



Role and Responsibilities

External Advisers

Advisers will be expected to:

- accept 50% of invitations, not including exceptional reasons for unavailability. Interview dates given will be a minimum of 6 weeks' notice. The Scottish Government supports professional leave for EAs to meet this responsibility
- respond to enquiries from the External Adviser Office swiftly to ensure names and contact details are provided to the hiring Health Board
- negotiate actual short listing, interview arrangements, and dates directly with the relevant Health Board
- raise concerns about the operation of the panel to the panel chair immediately
- raise unresolved concerns about the selection or decision process with the Academy and the Chair of the Health Board in writing
- raise any conflicts of interest
- participate in training for the role provided by the Academy and NES (updated annually).

Mentors

New External Advisers are given the opportunity to request a mentor from the same or similar specialty. The mentor will be an experienced External Adviser themselves, who will provide guidance about the recruitment process and answer any specific questions.

Requests for a mentor can be made to the External Adviser Office: externaladvisers@rcpe.ac.uk

The Scottish Academy

The primary role of the Scottish Academy is to assign an available External Adviser to each consultant appointment panel in Scotland on request from a recruiting Health Board. To do this, the Scottish Academy ensures sufficient numbers of External Advisers are recruited to meet the demands of consultant recruitment in Scotland.

The Scottish Academy also provides advice and guidance for External Advisers, collates feedback following interviews, and produces annual reports about the appointments.

Recruiting Health Boards

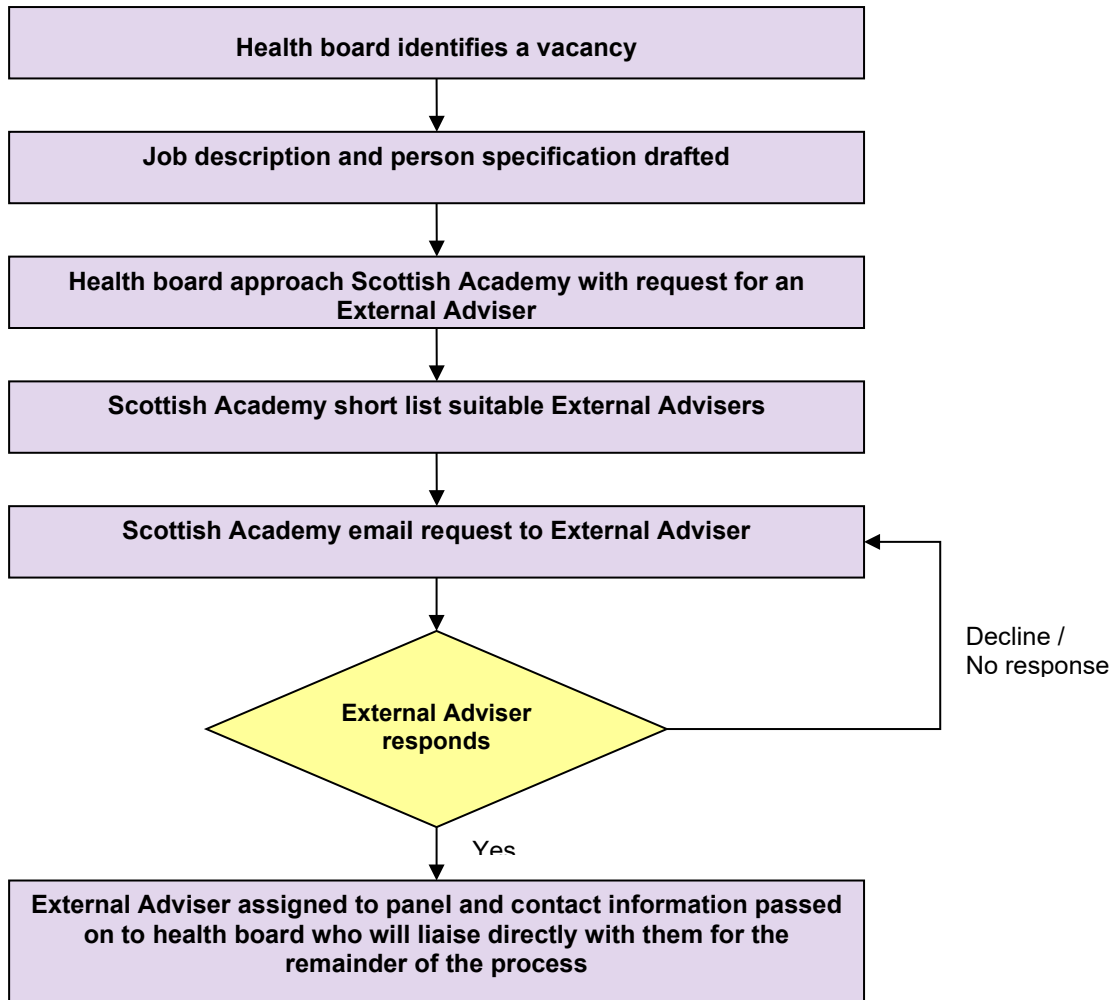
Health Boards who have identified a requirement for an External Adviser should contact the External Adviser Office with a range of potential interview dates that are at least 6 weeks ahead for remote attendance, and at least 8 weeks if in person is preferred. Requests should not go directly to an External Adviser as this would remove the externality of the process, contravening the National Health Service (Appointment of Consultants) (Scotland) Regulations 2009.

While the External Adviser provides advice and objective assessment throughout the consultant recruitment process, it is important to note that the process is managed and determined by the recruiting Health Board. Ultimately, decisions taken regarding the consultant recruitment process are the responsibility of the Health Board.



Process: Assigning an External Adviser

Once a vacancy has been identified and a draft job description and person specification drawn up, the recruiting board should contact the Scottish Academy to request an External Adviser. The following diagram shows the process as it should take place.



The recruiting Health Board is expected to give a minimum of 6 weeks' notice for remote attendance, or 8 weeks for in-person attendance, when they require an External Adviser and, once notified, the Scottish Academy has a 10 working day target to assign an adviser to the panel. This timeframe allows the External Adviser at least 6 weeks' notice of their need for professional leave and clinical commitments should be rearranged where necessary.

Once a Health Board has had a job description reviewed and approved by an External Adviser, it can be readvertised within 12 months, providing no substantive changes have been made. Substantial changes include changes to the number of programmed activities to be worked, the clinical area in which they are worked and the location of that work. The Health Board is still required to involve an EA to support shortlisting, interviews, and the final decision, and therefore, at least 6 weeks notice of interview dates for remote attendance, and 8 week notice for in person attendance, is required.

All requests for External Advisers, regardless of prior involvement, should be made to the External Advisers Office who will assign a suitable and available EA to the panel.



Process: Commenting on Job Literature

Overview

The process of the External Adviser commenting on the job description should take place before a post is advertised and certainly before the job documentation is made available to candidates.

The purpose of this part of the process is to assist the Health Board to produce a realistic job description that meets the needs of the service, accurately describes the post, and attracts the interest of a wide range of suitable applicants.

Job Description Content

The job description outlines the requirements of the post and the document should provide prospective candidates with a clear insight of the post. The Clinical Director and/or Panel Chair should be able to assist the External Adviser to understand the service structure and needs of the department and it is recommended that the External Adviser seek early clarification on these matters, where required.

When commenting on the job description, the External Adviser should check for the following and suggest their inclusion where omitted:

- the title of the post
- main duties of the post, including: specialty / sub-specialty / special interests / other specific responsibilities
- information about the hospital(s) where the post is based, including the structure of the department and team, and whether the post is new or a replacement
- the size and nature of the hospital and equipment, such as beds available, treatment facilities, etc (where relevant)
- emergency / on-call work arrangements
- provision for part-time working (this should generally be available; if there are specific reasons why the post is deemed inappropriate for someone wishing to work less than full time this should be justified)
- details of any split site working arrangements
- admin support available for the post holder including: office space / secretarial / IT support
- details of any teaching programmes that the postholder is expected to take part in
- evidence of support for CPD
- the population served by the department including any pertinent trends
- general information on the local region including transport links
- contact details for the arrangement of informal discussions and departmental visits



Job Plan

NHS Scotland's primary purpose is to provide high quality, safe, and sustainable clinical care to patients. To achieve this, Scotland must be an attractive place for consultants to train and work. Consultants should have the opportunity to grow to their full potential and participate in the development and growth of others. Full-time consultant posts in Scotland are advertised on the basis of 10 Programmed Activities, with applicants being advised in advance of the fixed clinical care sessions associated with the post in the job pack accompanying the advertisement.

It is critical that job plans and job planning strike the right balance between direct clinical care and the following:

- Undergraduate and postgraduate teaching/training (medical & non medical)
- Clinical governance
- Quality assurance & patient safety
- Research & innovation
- Service management & planning
- Work with professional bodies such as the Royal Colleges, including clinical examinations and standards

The job plan is an indicative document only and should be used to facilitate negotiation between the successful candidate and the Health Board on appointment. Nevertheless, it is important that the initial job plan accurately sets out the employer's expectations for the post and that it reflects the responsibilities as listed in the job plan.

When commenting on the job plan, the External Adviser should check for the following and suggest their inclusion where omitted:

- enough DCC sessions to carry out the clinical workload of the post, this should include time for clinical administration and predictable out of hours work
- enough SPA sessions to carry out the expected non-clinical duties of the post, such as: CPD / audit / governance as well as time for specific duties, such as: teaching / training / research / quality improvement / service development
- if the intended DCC/SPA split is specified then the duties in the job plan should match the split
- if the intended DCC/SPA split is not specified, it should still be clear from the job plan what the intended split is

The External Adviser can best support candidates with SPA time and job planning through their input into the draft job description. The more clearly the job description outlines the post, the better prepared successful candidates can be to negotiate their initial job plan. If an External Adviser is not satisfied that the SPA/DDC split is reasonable then they should follow the escalation process (see p13).

The BMA provide extensive advice for new consultants and trainees applying for their first consultant post, on how to prepare for contract and job plan negotiations at appointment:

<https://www.bma.org.uk/pay-and-contracts/contracts/consultant-contract/consultant-contract-for-scotland>



Person Specification

The person specification is a crucial part of the job literature as it forms the standard against which candidates will be measured. The person specification should outline the minimum qualifications, skills, and experience required for the post and must correspond to the information provided in the job description and job plan. The criteria listed in person specifications should be divided into 'essential' and 'desirable' and reflect the duties required of the post.

It is important that the language used in the person specification meets equal opportunities standards. While it is the responsibility of the Health Board to ensure that these standards are met, the External Adviser should provide guidance in this regard if a problem is perceived. It is particularly important to ensure that the wording of the essential criteria is clear and does not inadvertently rule out applicants that should be considered for the post.

When commenting on the person specification, the External Adviser should check for the following:

- all main duties in the post are accounted for in the person specification
- all essential criteria are indeed essential
- the language used meets equal opportunities standards



Process: Short-Listing

Short-listing is carried out against the person specification and is usually done via Job Train. The panel should have an agreed understanding of the criteria in the person specification and decisions on the suitability of candidates should be based solely on meeting these criteria. Having the relevant CCT or equivalent does not necessarily mean that a candidate is suitable to be short listed; the ability to carry out all duties expected of the post should be taken into account.

Job Train guidance: <https://www.eess.nhs.scot/hmss/jthm020/>

Job Train shortlisting: <https://www.eess.nhs.scot/hmss/jthm006/>

When recommending that a candidate not be short listed, the reasons for doing so should be recorded. In the unlikely event that a candidate challenges the short listing process, written documentation may be required to evidence how the decision was reached. Short listing does not need to be unanimous, and it is the responsibility of the panel Chair to confirm the final short list to all panel members and to provide feedback to applicants.

Eligibility of UK Candidates (the 6 Month CCT Rule)

Candidates who are appointed to a substantive consultant post must be either on the specialist register or on route to obtaining their CCT. Applicants that are training in the UK and have not yet obtained a CCT must provide evidence that they are due to complete within 6 months from the interview date.

It is the recruiting Health Board's responsibility to confirm that candidates are on the specialist register, or are within 6 months of CCT. Checking whether an applicant is on the specialist register can be done on either the GMC website for medical specialties or the GDC for dental specialties:

<https://www.gmc-uk.org/registration-and-licensing/the-medical-register>

<https://olr.gdc-uk.org/searchregister>

Eligibility of Overseas Candidates

Before any doctor can work in the UK, they must have the appropriate visa and be registered and hold a license to practice with the GMC. Doctors who haven't completed a GMC approved programme of training but can show they have knowledge, skills, and experience equivalent to the approved curriculum for the relevant specialty may be able to apply for a Certificate of Eligibility for Specialist Registration (CESR)

Portfolio Pathway (previously known as CESR) doctors are only eligible to apply for a substantive consultant post once the applicant is in receipt of the CESR award.

<https://www.gmc-uk.org/registration-and-licensing/join-the-register/registration-applications/cesr-cegpr-application-process>

Portfolio Pathway doctors may be eligible to apply for locum consultant posts at discretion of the health board and appointment panel.

CESR CP (combined programme) is a third category for candidates who have entered a GMC approved UK training programme and thus should be able to evidence either the CCT, or that they will obtain CCT within 6 months of the interview date.



Locum Consultants

Only applicants who meet the registration criteria are to be considered for clinical fellow, staff grade, or locum consultant posts. Locum consultants are independent practitioners (unlike clinical fellows or staff grades) and the employer has to be absolutely clear that locum consultants have the necessary training and experience for the posts offered.

Locum appointments should only be made to cover a substantive post and the use of long-term locums should be avoided. Locums have no automatic entitlement to be appointed to the substantive post when it is filled.



Process: Interview

The External Adviser role at interview

Pre-interview

Prior to the first interview, it should be discussed and determined how the interview process is planned to progress, and each panel member should be made aware of their expected contribution. All panel members should declare any prior knowledge of candidates at this stage.

During the interviews

Questions from the External Adviser should examine whether candidates have sufficient clinical skills and knowledge to perform the specific duties of the post, rather than whether the candidate is generally suitable to be a consultant in the specialty.

While the interviews will be conducted according to the policy of the recruiting Health Board, there are some general principles which should be followed:

- candidates and panel members should be fully informed of the selection/interview process
- the procedure and ordering of the questioning is at the discretion of the Chair and should be subject to prior collective discussion
- it is good practice to consider individual candidates only after all interviews have taken place
- the over-riding consideration must be to recommend the best candidate for the post
- selection should be based solely on the candidate's suitability for the post when compared with the person specification
- selection should be based on information obtained through the appointment process
- the decision of the panel does not need to be unanimous and no member of the panel (including the External Adviser) has the right to veto an appointment
- disputed appointments should only be made in full knowledge of all the views put forward by the panel and individual members, and these views should be recorded by the Chair
- panel members should be made aware that a candidate who feels they have been unfairly treated under anti-discrimination legislation is entitled to ask for an employment tribunal or, in appropriate cases, a court to examine the proceedings of the appointment process
- the proceedings of the committee, any notes of discussions and any references or documents are confidential
- only the post(s) which has been advertised may be offered on the day. If a Health Board wishes to increase the number of identical posts being advertised then they must do so in advance of interviews and only with permission of the Scottish Academy and in accordance with local HR Policy.

Voting

The panel should discuss the merits of candidates and take a vote on the preferred candidate(s). The vote of each panel member carries equal weight and there is no right of veto. The decision taken does not have to be unanimous and panel Chair has delegated authority from the Health Board to offer the post.

Post interview

Following interviews, it is the responsibility of the recruiting Health Board to provide feedback to candidates. The Health Board should also provide feedback to the External Adviser with outcome of discussions with the successful candidate(s) and whether or not the post(s) was/were filled.



Process: Feedback and Quality Assurance

The Scottish Academy will send External Advisers a feedback questionnaire close to the interview date for a panel and it is a requirement of the role that this be completed and returned. Feedback is vital to allow the Scottish Academy to accurately monitor the service and also provides valuable information on consultant recruitment and appointments in Scotland.

The Scottish Academy is contractually bound to provide quality assurance for the External Adviser system in the form of an annual report to the Scottish Government who sponsor the system. Quarterly reports are given to the constituent Colleges and Faculties at the regular meetings of the Scottish Academy. These reports and meetings provide a platform to address issues arising and develop the service provided.

Process: Escalation

The following steps should be taken when the External Adviser feels the proper process has not been followed for any panel.

Step 1 - External Adviser to email the Panel Chair, whose contact details should have been provided (or will be available through the HR contact)

If the matter is not adequately resolved, then Step 2 should be followed

Step 2 - External Adviser to email the Chair of the recruiting Health Board, copying in the appropriate Scottish Academy representative. At this stage, please contact the External Adviser Coordinators, who will provide you with the relevant contact details.

If the matter is not adequately resolved, then Step 3 should be followed

Step 3 - External Adviser Coordinators will raise with the President of the Scottish Academy



Frequently Asked Questions

I've been invited to be an External Adviser, what are the benefits for me?

It is an opportunity to shape the future of your specialty and to network across Scotland with colleagues. It also enables you to acquire knowledge and experience about the interview process which you can bring back to your own Health Board.

Can I attend remotely or do I need to travel to the hiring health board?

Ultimately, it is your preference. The Scottish Government are now recommending a hybrid option whereby the hiring health board can ask for an onsite attendance of an EA if they feel this enhances their chances of recruitment, but it may be that travelling impacts too much on workloads and therefore it is perfectly fine to accept a panel invitation with the agreement to attend remotely.

Who arranges travel and accommodation for External Adviser duties?

If you do travel to the hiring health board, arranging travel and accommodation is the responsibility of the EA. The recruiting Health Board should be able to offer advice on these matters.

Who pays expenses for External Adviser duties?

The EA should claim expenses incurred while attending an interview panel from their employer and claims should be submitted in accordance with local policy. This arrangement has been agreed between the SGHD and the Health Boards.

Is there a fee paid for undertaking External Adviser duties?

There is no financial remuneration for attending interview panels as an EA.

Do I need to take leave or cancel clinical commitments to attend a panel?

This should be treated as professional leave and should not come out of your annual or study leave. The Scottish Government Health Department and the health boards have agreed that EAs are expected to cancel routine clinical commitments if given more than 6 weeks' notice of the panel. Health boards are encouraged to provide a range of potential interview dates to allow the EA more flexibility to rearrange their workload.

How long do interviews usually last?

On most occasions, an External Adviser will be asked to attend panel interviews in either a morning or afternoon only. Very occasionally a longer recruitment process may also be involved requiring a longer time commitment. The Scottish Academy will always endeavour to advise in advance if the time commitment is likely to be longer than a half day.

I am no longer able to attend an interview that has been arranged, what should I do?

If you are no longer able to attend a panel you should contact the Scottish Academy as soon as possible. If given enough notice of a cancellation, it may be possible to arrange for a replacement External Adviser.



I am retiring from the NHS before my External Adviser term finishes, can I continue in this role?

The Scottish Academy has decided that retired consultants should not continue as External Advisers. If an External Adviser retires prior to the completion of 4 years' service, they will be asked to stand down.

What constitutes a conflict of interest for an External Adviser?

While the 2009 Consultant appointment regulations specify that the External Adviser must not be employed by the recruiting Health Board, the regulations and attached guidance do not cover circumstances where an External Adviser works closely with the recruiting Health Board but is employed by another. If in doubt about whether you should act as External Adviser for a panel, due to a close working arrangement involving the recruiting Health Board, then please raise your concerns with the Scottish Academy when responding to the initial invitation.

Particularly in small specialties, it is inevitable that the External Adviser will have existing professional relationships with some of the candidates and this should not be seen as a conflict of interest.

What should I do if approached for the External Adviser role directly by a Health Board?

All panel invitations to External Advisers should come from the Scottish Academy External Adviser coordinators (externaladvisers@rcpe.ac.uk) in the first instance. External Advisers approached directly by Health Boards should inform the External Adviser Coordinators.

What appointment panels require an External Adviser?

It is a statutory requirement that an External Adviser be included as a panel member on all appointment panels **for substantive consultant posts** in Scotland.

Exceptions to posts requiring an External Adviser are noted in point 4 of [The National Health Service \(Appointment of Consultants\) \(Scotland\) Regulations 2009](#), nonetheless requests for an EA for these posts can still be accommodated.

It is advised that External Advisers are requested for the following:

Honorary Consultants	Where a non-NHS organisation, e.g. university, charity, appoints a consultant, an EA can be provided. The organisation must identify a specialty.
Dental StRs	It is a requirement of the Gold Guide that an External Adviser be included on these appointment panels.
Special Care Dentistry	For Senior Dentistry non specialist posts in the public dental service. The External Adviser for these posts will be clinical directors and would be involved in the appointment of Clinical Directors, Senior Dental Officers, or Senior General Dental Practitioners.
Director posts/Clinical & non Clinical	For Public Health