



THE LDA NEWSLETTER

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HAVE YOUR INPUT INTO THIS NEWSLETTER.

- * Send your writings to the Editor Miss S. Somjee at the above address or e-mail.
- * We want:
- * Articles
- * Quips/ quotes
- * Cartoons
- * Stories
- * Letters
- * Tips
- * Comments
- * ANYTHING YOU WISH TO VOICE

THIS IS A REALLY DEMOCRATIC PLATFORM

SPECIALIST REGISTRATION FOR LOCUMS—A POSSIBILITY

In March 2003 the legislation for the new PMETB (Postgraduate Medical Education and Training Board) went through Parliament. The new Board will be functioning from October, 2003. PMETB will set standards for the SR and award the CCST in place of the STA which will now dissolve along with the JCPTGP.

PMETB will have the power to:

1. Receive applications for the SR. All mediated entrants who were unsuccessful will be able to re-apply.

2. Training both in the UK and abroad and experience will be considered to assess equivalence.
3. Top-up training will be recommended where necessary.

PITFALLS TO WATCH OUT FOR

1. The BMA and Royal Colleges wish to preserve the past practices therefore there is a danger of history repeating itself in practice.
2. The Colleges will be setting the criteria. There is a danger of impracticable or

exclusive criteria being formulated in respect of locum work and experience.

3. Failing candidates persistently in exams but there should be no time limits here to motivate that.

WE NEED TO BE INVOLVED IN THE SETTING OF STANDARDS AND CRITERIA DIRECTLY.

LDA must have seats on the PMETB and its committees. This is a possibility. Reality remains to be seen.

JOIN LDA'S EMAIL GROUP IF YOU HAVE NOT ALREADY DONE SO—email us at lda@blueyonder.co.uk
 LDA has an email forum for updates, consultations, discussions, debates, and exchange of info and views. Email addresses are anonymised for protection.

◆ **GET INVOLVED—IT IS VITAL TO YOUR CAREERS**

Most locums and overseas doctors have learnt some lessons from sitting back and letting others make rules about their careers. Unless you get involved and have your say, your careers will always be at a disadvantage. Once rules are made and applied, it is a waste of years and stress fighting futile tribunal and court cases to reverse adverse decisions. That rarely happens. The proper way is to work together to influence rules and policies in advance.

JOIN LDA'S WORKING GROUPS AND GET YOUR WAY !!!

BASIC TIPS FOR LEGAL ACTIONS By Shehnaz Somjee

Many LDA members consider legal action against employers or professional bodies in tribunals or courts.

Litigation involves time, funding, perseverance, common sense and enormous stress.

After six years' experience of listening to members and advising them about their problems, I have identified some misunderstandings common to most of them. Here are a few key points to act on if you want to be successful.

1. Get your time limits right.

Time limits for tribunals and some other cases are only three months so work fast. If you are out of time, forget it and get on with life.

2. Get your defendants right.

Make sure you bring action against the correct party. An unnamed party will not be treated as defendant. Do not make out a case against a professional body like the GMC in a case against a hospital trust. The tribunal /court does not have the jurisdiction to pass judgment against the wrong party. Unless you make out your case against the right party, you will not win it.

3. Get the court or tribunal right.

If you file a case in the wrong place it will be thrown out and you will run out of time to re-file it in the right court. Employment tribunals do not have the

power to hear defamation cases or judicial reviews, or cases of damages for negligence. Civil courts do not consider criminal matters.; so do ensure you go to the right court or tribunal for your problem.

4. Do get legal advice BEFORE you file cases. Mistakes can be easily avoided but once done, may be extremely difficult to correct. It is frustrating to file improper or incorrect cases as above, then contact a lawyer afterwards, only to be told you have no case.

5. A case must be made out in UK law.

Many ethnic minority doctors presume that a race case will be found simply because of their colour or race. This is not so. An act is not merely discriminatory on racial grounds because the

DISCRIMINATION IS MORE EXPENSIVE. IT IS CHEAPER TO BE FAIR.

TIPS FOR LOCUMS (The locum coffee that perks you up)

* DO YOU HAVE DISAGREEMENTS WITH HOSPITALS OR AGENCIES IN A JOB?
Let LDA's coffee wake you up !!! ENJOY TODAY'S COFFEE CUP

- ⇒ Always act within the limits of your skills, competency and physical ability. If you feel ill do not plod on. Know when to stop or the system will stop you in shame.
- ⇒ Do not take a job you are not trained for. Inability to do it could cost you your GMC registration, as some locums have realised. Be honest about your level of experience and training, and be safe.
- ⇒ Do not attempt an operation you have not been properly trained to do. It is safer to refer it to a more experienced colleague. If you do it and things go wrong—so will your medical career in this country.

LEGAL TIPS...

⇒ CONTD FROM PAGE 2

whatever. Each type of case has a procedure. Seek legal advice before presuming you have a super case. Most race cases are lost.

6. Get advice on the remedy allowed.

An employment tribunal in a discrimination case can only award you some money and make general recommendations. They cannot order the other side to do anything for you. They cannot recommend that you get your CCST, so avoid disappointment by knowing what you can realistically expect.

^^

GOOD AND BAD PRACTICES OF LOCUM AGENCIES AND NHS TRUSTS

WE are collecting these.

Unless you draw our attention to these, they will continue and all locums will suffer.

Tell us so we can look at them and find ways to reform, so that locums' working lives improve.

Examples will be put on the website to name and shame the guilty employers.

LDA has a locums' charter. Look at it so you know what standards of terms and conditions and treatment to expect.

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## THE OCCUPATIONAL HAZARDS OF LOCUMING

*LDA wants to prepare a document highlighting the health, life, career, financial and other detriments resulting from indefinite hospital locum work.*

*We need examples of illnesses and other problems locums experience as a result of this life-style.*

*DO YOU KNOW OF ANY?*

*HAVE YOU SUFFERED ANY?*

*All problems will be generalised. No names will be mentioned in the paper. CONTACT US*

*Please contact LDA.*

### ATTENTION ALL MEMBERS !

**Some members are paying by bank standing order but the name of the accountholder is different from the name in our records. E.g. "Dr John Smith"s subscription comes from an account titled "gasman". We have no way of knowing that the account is Dr John Smith's.**

**We have received some such payments and obviously do not know whose they are. Those doctors are losing out on membership because we do not know of their payments.**

**Would all such doctors please contact us as soon as possible so we can correct our records.**

LDA

Phone: 07850-574961

Email: lda@blueyonder.co.uk

**EQUAL RECOGNITION FOR  
EQUAL WORK**

LDA HAS A WEBSITE  
[www.ldaonline.org.uk](http://www.ldaonline.org.uk)  
Members section needs a  
password. Get yours today  
for free.

## Attention to all **PSYCHIATRISTS**

We have vacant locum posts for  
Consultants, Staff Grades and SHO's  
throughout the UK.

For more information call Ferzanah Salim on:

**020 8626 3117**

The specialists in the recruitment of Psychiatrists.

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## **ATTENTION**

### *LocuMedicos!*

R U paying 40% Income tax to mis(t)er  
GB?

## **SAVE ON YOUR LOCUM EARNINGS**

For more info contact [mylocumnet@ntlworld.com](mailto:mylocumnet@ntlworld.com) or 07944-751-733



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