

Response from the British Medical Association

07 July 2009

Dear Sir/Madam

Thank you for the opportunity to comment further on the Panel's work on the non-contracted hours of consultants. We have read the two discussion papers you have recently published and found them interesting. However we believe that we have already explained our views in relation to this question in the two submissions previously made although there are a small number of points we would like to make with regard to our more general views on the question and these are set out below this email.

If you have any further specific questions we would, of course, be willing to discuss these with you.

Yours sincerely

John Maingay
Secretary
CCSC

- The BMA believes that the NHS as a system of care is much more important than its individual constituent organisations.
- The BMA is opposed to the introduction of the profit element or marketisation into the NHS, but where the government moves ahead with this the position of consultants within the NHS must be clarified.
- It is clearly in NHS patients' best interests to have healthcare provision and concomitant clinical governance applied by the best available staff members, who are NHS consultants in a workforce where the NHS as a system exercises an effective monopsony.
- An individual NHS consultant has a responsibility to patients that must extend beyond the duty to the individual employer so long as professional principles of clinical confidentiality, patient autonomy and so on are followed. This may sometimes bring a consultant into conflict with their NHS constituent employer and no contractual change should undermine or remove support from a consultant who is pursuing the patient's best interests.