Junior Doctors, Staff Grades, Associate Specialists (pre-2008) and Consultants on the ‘old contract’ (before 1 April 2004) for determining whether you can or can not charge*:

Is your employer happy with you undertaking work under Part II of the Mental Health Act 1983?

**NO:**
If your employer feels this work interferes with other NHS activities or with your contractual duties, they can prevent you from undertaking this type of fee paid work.

**YES:**
Is the work reasonable and incidental to your contractual duties?

**NO:**
Are you a member of the hospital staff where the patient is an in-patient?

**YES:**
This means you can not charge.

**NO:**
Are you undertaking the work following examination at an out-patient clinic?

**YES:**
This means you can not charge.

**NO:**
Are you undertaking the work as a result of a domiciliary consultation requested by a GP?

**YES:**
This means you can not charge.

**YES:**
This means you can negotiate a fee with your employer for undertaking this work.
Is work under Part II of the Mental Health Act 1983 where it follows examination at an out-patient clinic or where given as a result of a domiciliary consultation included in your Job Plan or NHS Programmed Activities?

**YES:**
This means you cannot charge.

**NO:**

Is the work reasonable and incidental to your contractual duties (i.e. is it part of your contract)?

**YES:**
This means you cannot charge unless the employer agrees that it causes minimal disruption.

**NO:**

Is the patient an in-patient?

**YES:**
This means you cannot charge.

**NO:**

Are you on the staff of the hospital where the patient is being examined?

**YES:**
This means you cannot charge.

**NO:**

Was the recommendation given as a result of a special examination being carried out at the request of a local authority officer at a place other than a hospital or clinic administered by a NHS organisation? For example a request from the police, social services or the prison service.

**YES:**
This means you can negotiate a fee with your employer for undertaking this work.

**NO:**
This means you cannot charge.