

## VMO ESSENTIALS

# Termination of VMO contracts

### Q. Can a VMO terminate their contract?

A. Yes, a VMO may terminate his or her VMO contract by providing three months' written notice of termination to the Local Health District. With the agreement of the Local Health District it may be possible to shorten the notice period.

### Q. Can a Local Health District terminate a contract without notice?

A. A Local Health District may immediately terminate a VMO's contract in limited circumstances. These include if the VMO has engaged in serious and willful misconduct, the VMO is no longer able to practise as a registered medical practitioner or the VMO is otherwise unable to provide services on an ongoing basis.

### Q. If a Local Health District suspends or terminates a VMO Contract does the VMO have a right of appeal?

A. Yes, a VMO can appeal against a decision to suspend or terminate his or her contract. An appeal must be lodged within one month of notification of the termination or suspension decision.

### Q. What is the Service Check Register?

A. If a VMO's contract is suspended or terminated, the VMO will be included on the NSW Service Check Register. The Service Check Register is a NSW Health state-wide database intended to assist with the screening process in recruitment and the management of misconduct matters.

### Q. What process is followed?

A. The Minister must appoint a Committee of Review (Committee) to determine the appeal. The Committee will typically consist of following four people:

1. An Australian lawyer of seven years' standing;
2. A doctor nominated by AMA (NSW);
3. A doctor appointed by the Minister; and
4. A consumer representative appointed by the Minister.

### Q. Are there circumstances where a termination position cannot be appealed?

A. A VMO doesn't have a right of appeal in certain circumstances e.g. where their role no longer exists or has been replaced with a Staff Specialist position

### Q. What happens at the appeal?

A. During the appeal, the VMO will present his or her case as to the reasons why the termination of contract decision should be overturned. The VMO may be legally represented at the hearing with the consent of the LHD.



If you have any questions in relation to this document or the issues raised, please contact our Workplace Relations Team on 02 9439 8822 or email [workplace@amansw.com.au](mailto:workplace@amansw.com.au)