

Title of Meeting	HR Commercial Services Council	Date	13 th January 2026
Agenda Item	HRCSC 0126/7.0a		
Report Title	Lead Employer Report on Safe Working Hours: Doctors and Dentists in Training (July 2025 – September 2025)		
Executive Lead	Malise Szpakowska, Chief People Officer		
Presenting Officer	Sam Ross, Head of HR Operations (Lead Employer)		
Action Required		To Approve	X To Note
Purpose			
<p>Following the implementation of the Terms and Conditions of Service for NHS Doctors and Dentists in Training (England) 2016 the Guardian of Safe Working is required to ensure that issues of compliance of safe working hours are addressed by the doctor, employer, host organisation as appropriate and provide assurance to the Board of the employing organisation that doctors' working hours are safe.</p>			
Executive Summary			
<p>This paper pertains data relating to all Lead Employer (LE) Trainees including GP, Public and Mental Health Trainees who are based within acute host organisations, for which Mersey & West Lancashire NHS Trust is the Lead Employer.</p> <ul style="list-style-type: none"> • From 103 organisations; data return rate 84.5%. • Affects 6314 doctors under LE arrangements. • Work schedule reviews - 3 North West - 1 West Midlands • Fines issued – 11 within North-West - 1 within East Midlands - 3 within Yorkshire & Humber <p>Totalling to £7978.57</p>			
Financial Implications			
Potential incurrence of fines and/or penalties owing to unsafe working practices.			
Quality and/or Equality Impact			
Not Applicable.			
Recommendations			
<p>The HR Commercial Services Council is asked to note the contents of this report and that assurance is provided that:</p> <ol style="list-style-type: none"> 1. The Lead Employer is complying with its contractual obligations under the 2016 terms and conditions (T&Cs). 2. That doctors and dentists in training are not working excessive hours and are getting appropriate access to educational opportunities. 			

Strategic Objectives	
	SO1 5 Star Patient Care – Care
X	SO2 5 Star Patient Care – Safety
	SO3 5 Star Patient Care – Pathways
	SO4 5 Star Patient Care – Communication
	SO5 5 Star Patient Care – Systems
X	SO6 Developing Organisation Culture and Supporting our Workforce
	SO7 Operational Performance
	SO8 Financial Performance, Efficiency and Productivity
	SO9 Strategic Plans

GoSW Lead Employer Report – Mr Mike Chadwick – July 2025 – September 2025

1. High-Level Data Overview

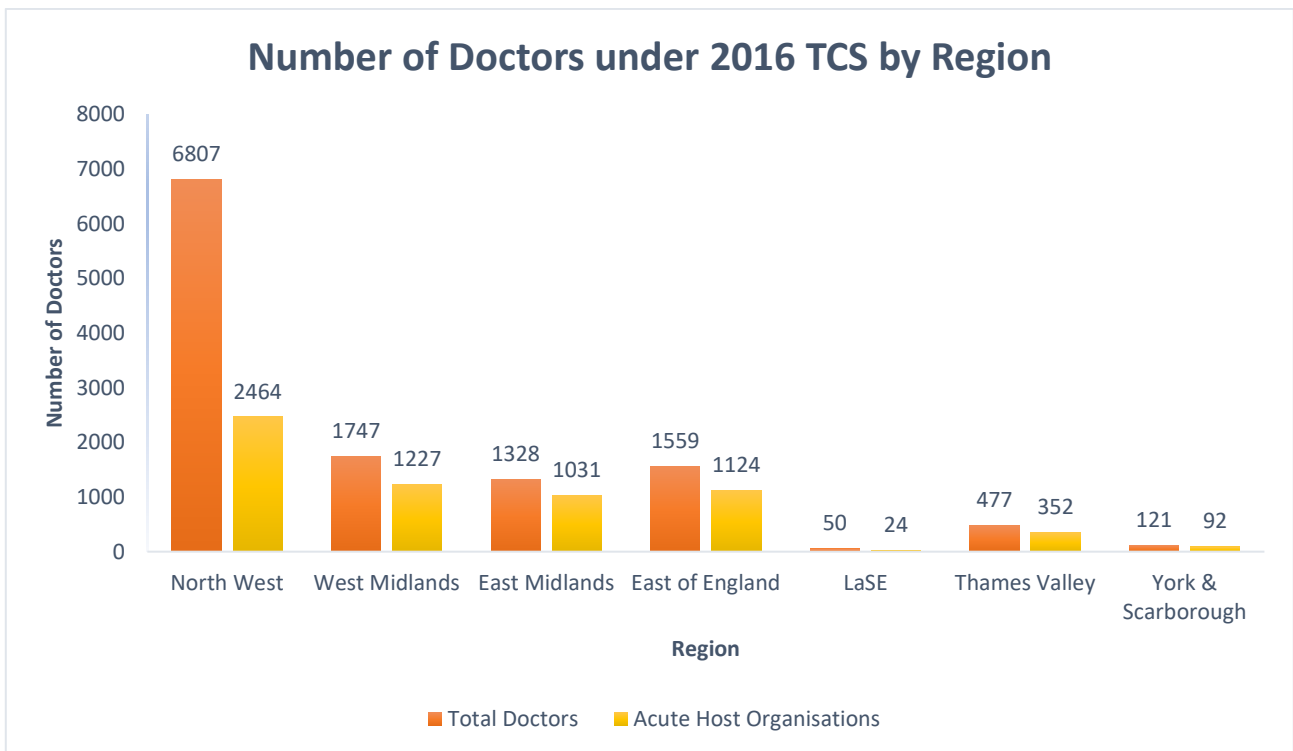
Total Host Organisations: 103

Returned Exception Report Data: 87

Return Rate: 84.5%

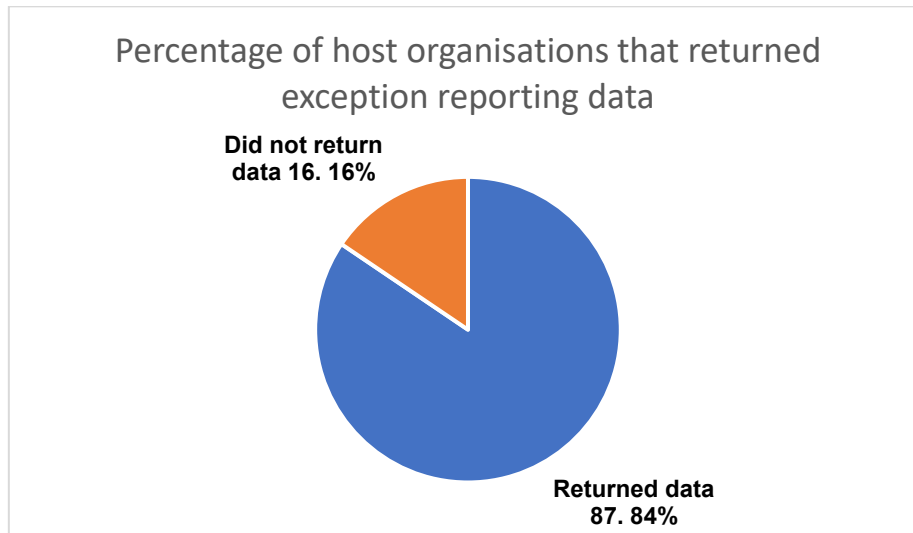
This chart below compares the total number of doctors under the 2016 TCS with those based in acute host organisations across regions:

Doctors by Region



2. Exception Report Data Return Rate

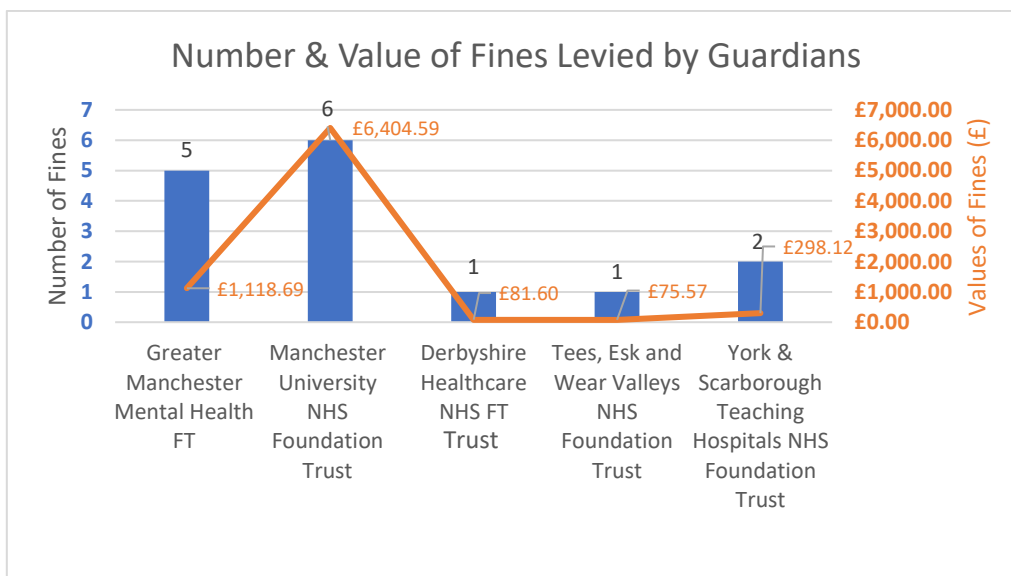
This pie chart illustrates the proportion of host organisations that submitted exception report data.



Appendix 1 provides detailed information on returns by region and trust.

3. Fines Issued (July - September 2025)

Fines are levied for breaches of safe working patterns. The chart below shows both the number and value of fines by trust:

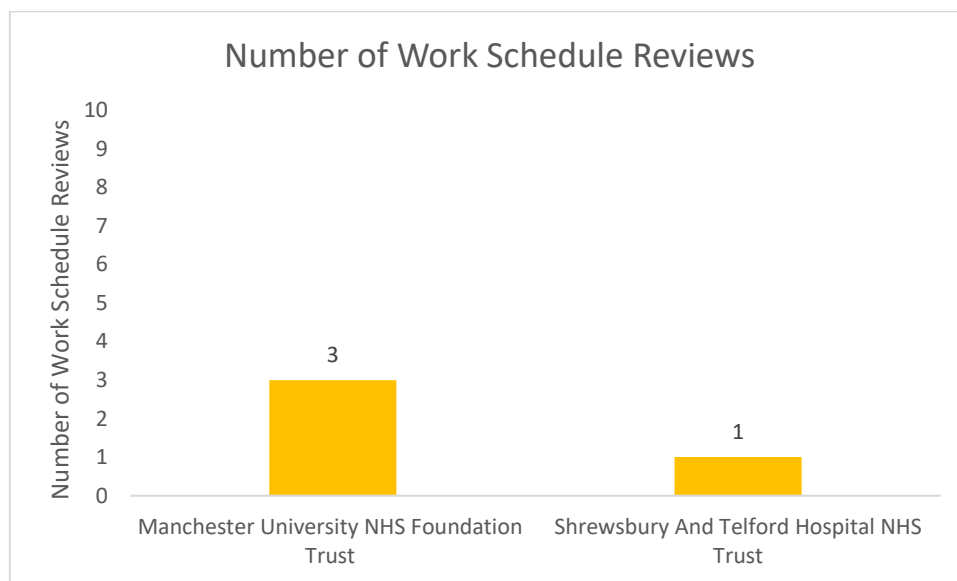


GMMH and MFT are much larger organisations with a greater proportion of trainees by comparison to other host trusts. Most fines have occurred automatically as a result of Non-resident on call rotas breaching continuous rest requirements at night, and without the resources or the desire by trainees

to change to a full shift system. This is a recurring theme but the guardians do not consider the situation unsafe. Fines have been applied as a result of contractual obligations.

4. Work Schedule Reviews

Work schedule reviews are triggered when exception reports suggest that a trainee’s schedule may be too onerous, non-compliant or do not reflect the normal service requirements of the clinical departments. The chart below shows the number of reviews conducted by trust:



5. Issues & Actions

Exception Reporting New Process

Following further BMA negotiations with the Department of Health and Social care, changes have been proposed to the exception reporting system which will come into force on 4th February 2026. This was designed to speed up the compensation process as a result of submitting an exception report, to remove potential bias in decision making, avoid areas of discouragement/coercion not to submit, and ensure no detriment to a trainee submitting such a report.

Key changes include removing Educational /clinical supervisors from the exception reporting review process, shifting responsibility to HR and the GOSW to compensate automatically for working hours breaches greater than 2 hours. Additional fines are applicable for breaches in data confidentiality and failure to provide access to exception reporting systems. These changes are now published in version 13 of the 2016 Medical and Dental Terms and Conditions of employment. Employers are expected to begin preparations immediately, if they have not already done so. All Resident Doctors based within a Trust hosting more than 10 Doctors under Lead Employer will be expected to have mechanisms for

those Doctors to exception report through local host trusts. All other resident Doctors employed by Lead employer will exception report via the Lead Employer system overseen by GOSW Dr Peter Arthur.

At a recent national meeting of GOSW software providers presented developments in their respective exception reporting systems to accommodate the necessary changes. There is still some development to go before these systems are fully compliant and implemented, particularly with the company who produce Allocate.

It is anticipated that there will be an initial upsurge in reports resulting in automatic payments. This will likely be a true reflection of time spent at work. However there will be a small risk in terms of increased costs due to hours claimed which will be difficult to prove. Mechanisms such as geolocation of log ins/ID cards time stamps for remote log-ins have been suggested but not yet clarified and The LE host guardian advises there needs to be clarity of responsibility for burden of such costs.

7. Conclusion & Recommendations

The Guardian is assured of the overall safety of working hours across host organisations. However, departments must remain vigilant, especially in high-intensity specialties, to ensure compliance with working hours and availability of reporting systems.

Appendix 1 - Table of Exception Reports by Host organisation

Trust	No. of Exception Reports at CT1/2 and/or ST1/2 Level				No. of Outcomes at CT1/2 and/or ST1/2 Level			No. of Exception Reports at CT3 and/or ST3+ Level				No. of Outcomes at CT3 and/or ST3+ Level		
	Total Carried Forward	Total Raised	Total Closed	No. On-going	TOIL	Payment	Other - Please Specify e.g. No action required, created in error etc	Total Carried Forward	Total Raised	Total Closed	No. On-going	TOIL	Payment	Other - Please Specify e.g. No action required, created in error etc
North West														
Alder Hey Children's NHS Foundation Trust	0	5	3	2	0	3	0	0	1	0	1	0	0	0
Betsi Cadwaladr	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Blackpool Teaching Hospitals NHS FT	0	1	1	0	1	0	0	0	0	0	0	0	0	0
Bolton Hospital NHS Trust	1	7	7	1	1	6	0	2	3	5	0	0	3	2 x No Action Required
Cheshire and Wirral Partnership NHS Trust	0	11	11	/	4	4	0	1	5	10	4	0	0	0
The Christie Hospital NHS FT														
The Clatterbridge Centre	0	0	0	0	0	0	0	0	9	9	0	9	0	0
The Countess of Chester NHS FT	0	15	14	1	3	5	6 (2 x missed breaks, 4 x created in error)	0	1	1	0	0	0	1 x Not agreed

East Cheshire NHS Trust	6	3	8	1	0	4	4 x agreed, dr never responded.	1	9	6	4	5	0	1 x agreed, dr never responded.
East Lancashire Hospitals NHS Trust														
Greater Manchester Mental Health FT	0	6	1	5	0	0	1 x No Action Required	4	10	14	0	1	4	9 (4 x No Action Required, 5 x Fine)
Lancashire Care & South Cumbria	0	12	11	1	9	0	2	0	11	11	0	10	1	0
Lancashire Teaching Hospitals NHS FT	0	15	15	0	15	0	0	0	10	10	0	10	0	0
Liverpool Heart and Chest Hospitals NHS FT	0	1	1	0	0	0	1 x Created in error	0	0	0	0	0	0	0
Liverpool University Hospitals (Aintree / Royal Liverpool)	2	14	16	0	13	1	2 x No Action Required	5	4	9	0	4	3	2 x No Action Required
Liverpool Women's NHS FT														
Manchester University NHS Foundation Trust	0	25	25	0	4	10	11 (8 X No Action Required 2 x Prospective Changes to Work Schedule)	0	21	21	0	5	8	8 (7 x No Action Required 1 x Prospective Changes to work schedule)

							1 x Initial Decision Upheld)							
Mersey Care / Mid Mersey NHS FT	0	7	7	0	7	0	0	0	7	7	0	6	0	1
Mersey & West Lancashire Teaching Hospitals NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Mid Cheshire Hospitals NHS FT	0	6	6	0	6	0	0	0	0	0	0	0	0	0
Morecambe Bay Hospitals NHS Trust	0	6	6	0	6	0	0	0	0	0	0	0	0	0
Nobles Hospital	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Northern Care Alliance (Pennine Acute / Salford Royal)	0	0	0	0	0	0	0	0	6	6	0	3	3	0
Pennine Care Foundation Trust NHS FT	0	1	1	0	1	0	0	0	6	6	0	4	2	0
Stockport NHS Foundation Trust	0	3	3	0	2	1	0	0	4	4	0	0	4	0
Tameside & Glossop Acute NHS Trust	0	5	5	0	0	5	0	0	0	0	0	0	0	0
Walton Centre for Neurology NHS Trust	0	0	0	0	0	0	0	0	5	5	0	0	4	1 x No Action Required
Warrington and Halton Hospitals NHS FT	5	7	3	9	0	2	1 x Educational	0	2	0	0	0	0	2

Wirral University Hospitals NHS Trust	0	27	25	2	1	12	12 (8 x Not agreed, 4 x No Action Required)	0	3	3	0	0	2	1 x Not Agreed
Wrightington, Wigan and Leigh NHS FT	0	7	0	7	0	0	0	0	0	0	0	0	0	0
West Midlands														
Birmingham And Solihull Mental Health NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Birmingham Women & Children's Hospital NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Birmingham Community Healthcare NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Black Country Healthcare FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Coventry And Warwickshire Partnership NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0	0	0
University Hospital Derby & Burton Hospitals NHS FT	0	11	11	0	11	0	0	0	0	0	0	0	0	0
George Eliot Hospital NHS Trust	4	1	5	0	5	0	0	0	0	0	0	0	0	0
Herefordshire and Worcestershire	0	1	1	0	0	1	0	0	0	0	0	0	0	0

Health and Care NHS Trust														
Midlands Partnership NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
North Staffordshire Combined NHS														
Robert Jones & Agnes Hunt Orthopaedic Hospital NHS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sandwell And West Birmingham Hospitals NHS Trust	0	5	5	0	5	0	0	0	0	0	0	0	0	0
Shrewsbury And Telford Hospital NHS Trust	0	0	0	0	0	0	0	0	1	1	0	0	1	0
South Warwickshire NHS Foundation Trust	0	1	1	0	0	1	0	0	0	0	0	0	0	0
The Dudley Group NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
The Royal Orthopaedic Hospital NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
The Royal Wolverhampton NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0	0	0
University Hospital Birmingham NHS Foundation Trust	0	1	1	0	1	0	0	0	0	0	0	0	0	0
University Hospitals Coventry														

and Warwickshire NHS Trust														
University Hospitals of North Midlands NHS Trust														
Walsall Healthcare NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Worcestershire Acute Hospitals NHS Trust	0	1	1	0	0	1	0	0	0	0	0	0	0	0
Wye Valley NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0	0	0
East Midlands														
Chesterfield Royal Hospital NHS Trust	1	0	1	0	0	0	1 x No Action Required	0	0	0	0	0	0	0
Derbyshire Healthcare NHS FT	0	1	1	0	0	1	0	0	0	0	0	0	0	0
Kettering General Hospital NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Leicestershire Partnership NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Lincolnshire Partnership NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Northampton General Hospital NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Northamptonshire Healthcare NHS FT	0	10	8	2	8	0	0	4	2	1	1	2	0	0

Nottingham University Hospitals NHS Trust														
Nottinghamshire Healthcare NHS FT	0	4	4	0	4	0	0	0	8	8	0	5	3	0
Sherwood Forest Hospitals NHS FT	0	8	8	0	0	7	0	0	0	0	0	0	0	0
United Lincolnshire Hospitals NHS Trust	0	2	2	0	0	2	0	0	0	0	0	0	0	0
University Hospitals of Leicester NHS Trust	0	4	4	0	2	0	2 x No Action Required	0	0	0	0	0	0	0
East of England														
Bedfordshire Hospital NHS Trust	1	1	0	1	0	1	0	0	0	0	0	0	0	0
Cambridge University Hospitals NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Cambridgeshire and Peterborough NHS FT	0	5	5	0				0	0	0	0	0	0	0
East and North Hertfordshire NHS Trust														
East London Foundation Trust	2	10	3	5	1	3	3	0	1	1	0	1	0	0
Hertfordshire Partnership NHS FT	3	22	22	3	10	10	2	2	2	2	0	1	1	0

East Suffolk and North Essex NHS FT														
James Paget University Hospitals NHS FT	0	27	27	0	23	4	0	0	6	6	0	4	2	0
Luton & Dunstable University Hospital NHS FT	0	7	7	0	0	7	0	0	0	0	0	0	0	0
Mid & South Essex Hospital Services NHS Trust	0	18	0	6	3	8	1	0	0	0	0	0	0	0
Norfolk and Norwich University Hospitals NHS FT	3	6	0	9	0	0	9	/	/	/	/	/	/	/
Norfolk and Suffolk NHS FT	0	1	1	0	0	1	0	0	0	0	0	0	0	0
North-West Anglia NHS FT	0	34	22	12	19	3	0	0	17	8	10	3	5	0
Essex Partnership University NHS FT	0	1	1	0	1	0	0	0	0	0	0	0	0	0
The Princess Alexandra Hospital NHS	0	5	5	0	0	5	0	0	0	0	0	0	0	0
The Queen Elizabeth Hospital, King's Lynn, NHS FT	0	9	9	0	9	0	0	0	0	0	0	0	0	0
West Hertfordshire Hospitals NHS Trust	0	0	0	0	0	0	0	0	0	0	/	0	0	0
West Suffolk NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0

London and South East

Central & NW London NHS FT	0	2	2	0	1	0	1	0	0	0	0	0	0	0
Chelsea & Westminster Hospital NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Guy's & St Thomas' NHS FT	0	3	3	0	0	3	0	2	0	2	0	2	0	0
King's College Hospital NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
London Northwest Healthcare NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Royal Free London NHS FT														
Royal Surrey County Hospital NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
St George's University Hospitals NHS Trust														
Barts Health NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
University College London NHS FT														
Thames Valley														
Buckinghamshire Healthcare NHS Trust	0	6	6	0	0	6	0	0	0	0	0	0	0	0
Frimley Health Foundation Trust	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Milton Keynes University Hospital FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Oxford Health NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Oxford University Hospital FT	0	2	2	0	2	0	0	0	0	0	0	0	0	0
Royal Berkshire Healthcare FT	0	1	1	0	0	1	0	0	0	0	0	0	0	0
The Royal Marsden NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Berkshire Healthcare FT	0	1	1	0	0	1	0	0	0	0	0	0	0	0
Yorkshire & Humber														
York & Scarborough Teaching Hospitals NHS FT	0	13	13	0	5	3	5 x No Action Required	0	0	0	0	0	0	0
Tees, Esk and Wear Valleys NHS Foundation Trust	0	9	9	0	0	0	9 x No Action Required	0	12	12	0	3	1	8 x No Action Required

KEY:

N/A	Not applicable / No Action Required
	No return received