

Title of Meeting	HR Commercial Service Council	Date	13 th January 2026
Agenda Item	HRCSC 0126/7.0b		
Report Title	Lead Employer Report on Safe Working Hours (GP Registrars, Public Health & Trusts with less than 10 Colleagues in training)		
Executive Lead	Malise Szpakowska, Chief People Officer		
Presenting Officer	Sam Ross, Head of HR Operations (Lead Employer)		
Action Required		To Approve	<input checked="" type="checkbox"/> To Note
Purpose			
<p>Following the implementation of the Terms & Conditions of service for NHS Doctors and Dentists in training (England) 2016 the Guardian of Safe Working Hours is required to ensure that issues of compliance of safe working hours are addressed by the Doctor, employer and 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 to employees of the Trust under the Terms & Conditions of service for NHS Doctors and Dentists in training. It covers the period from July – September 2025.</p> <p>The data held within the report relates to Lead Employer colleagues in training based within settings such as GP Practice, Public Health, Sports Exercise Medicine, Palliative Medicine and Trusts with less than 10 colleagues in training who are employed under the Terms & Conditions of service for NHS Doctors and Dentists in training (England) 2016.</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. 2. That resident 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 – Dr Peter Arthur – July 2025 – September 2025

1. Introduction

Under the 2016 Terms and Conditions of Service for NHS Doctors and Dentists in Training (England), the Guardian of Safe Working (GoSW) plays a vital role in ensuring that Resident doctors' working hours are safe and compliant. This report provides an overview of exception reporting activity and related developments for the period **July to September 2025**.

Resident training are encouraged to report exceptions to their agreed work schedules, including:

- Working beyond average weekly hours
- Extended shifts
- Breaches in night/weekend frequency
- Missed rest breaks
- Missed educational opportunities
- Lack of support during service commitments

2. High level Overview

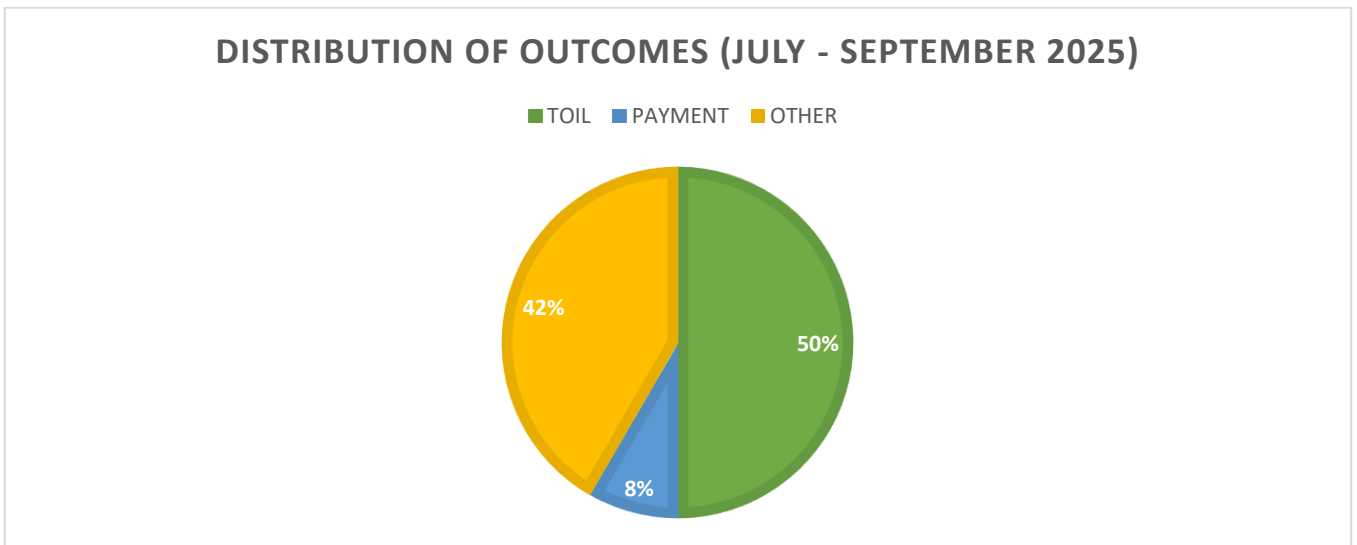
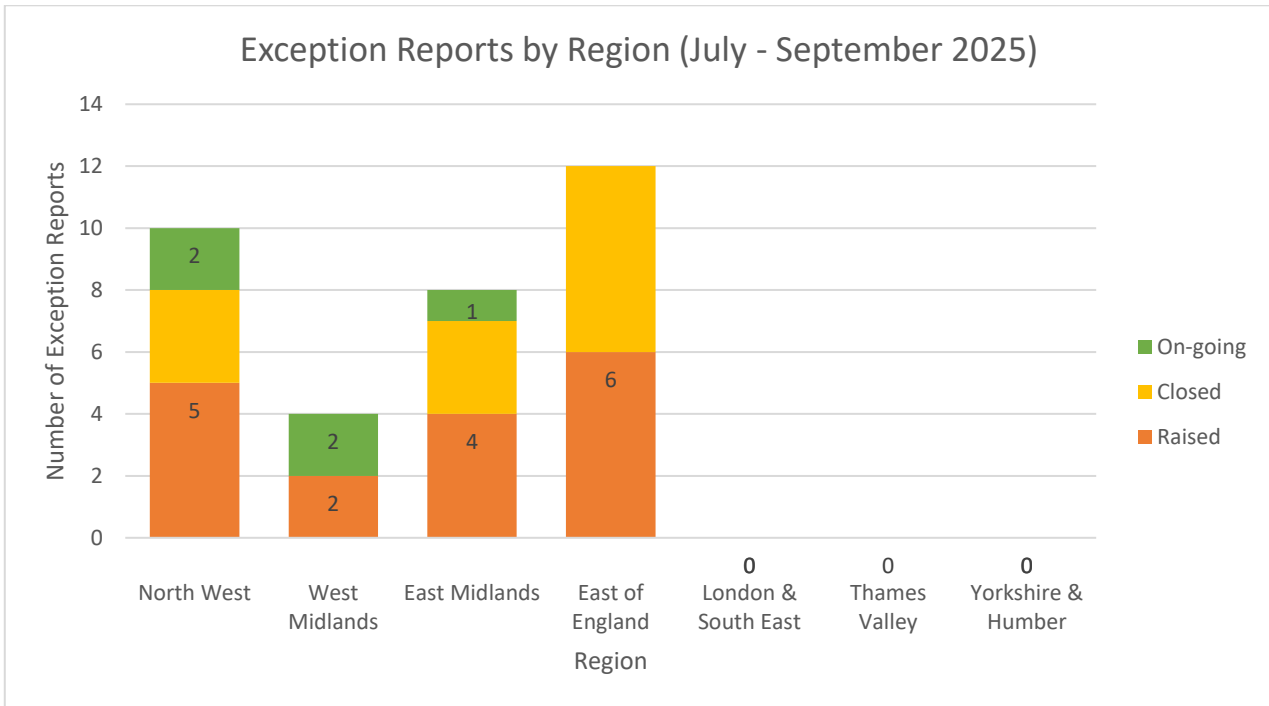
Number of Doctors/Dentist in training on 2016 Terms and Conditions (total)	12,089
Number of Doctors/Dentist based within a placement with less than 10 colleagues in training	6314
Amount of time available in job plan for guardian role	1.5 PA
Admin support provided to the guardian	1.0 WTE

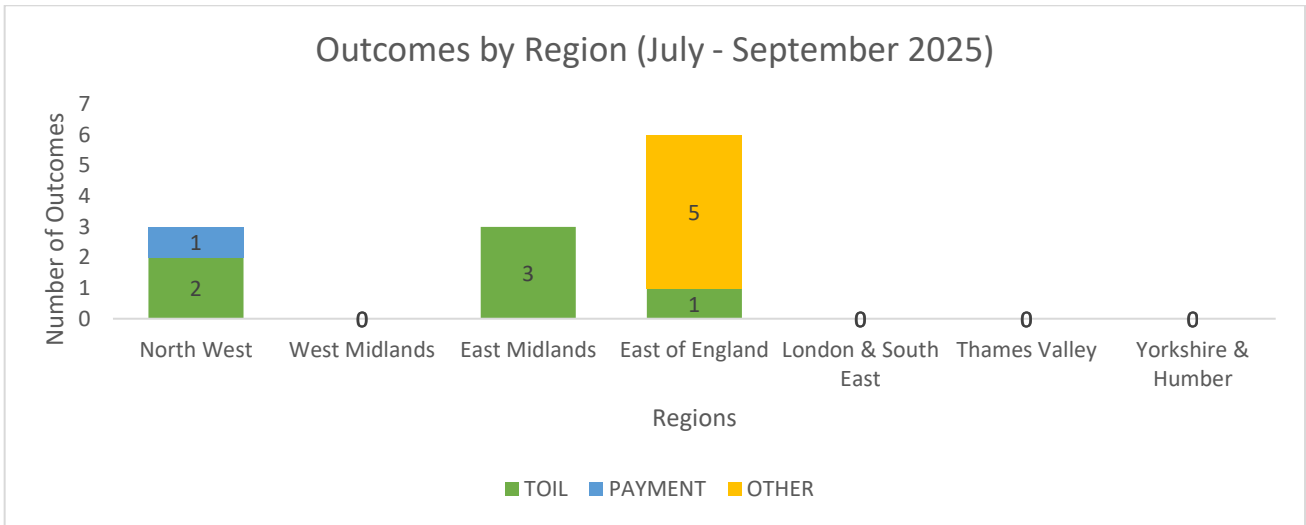
3. Exception Reporting Activity

Exception reports are submitted when a resident Doctors actual work deviates significantly from their agreed schedule. These are currently reviewed by Educational and Clinical Supervisors and may result in:

- Time of in Lieu
- Payment
- No further Action

Changes are currently being developed to this process by NHS Employers following government agreement as part of the 2024 pay deal, details of which can be found in section 7 of this report.





4. Work Schedule Reviews

No work schedule reviews were conducted during this reporting period.

Fines

No fines were issued between July and September 2025.

5. Issues and Actions

Resident Doctor Forums (RDFs) were held in September 2025; attendance was low despite proactive communication efforts. Dr Arthur notes that attendance typically correlates with the presence of person specific concerns- indicating a level of general satisfaction amongst those not attending.

6. New Proposed Process

The new NHS rules regarding the Guardian of Safe Working Hours (GOSW) and exception reporting, were due to come into effect on 12th September 2025, aiming to streamline the process and introduce fines for non-compliance. Key changes include removing clinical supervisors from the exception reporting review process, shifting responsibility to HR and the GOSW for greater confidentiality, and implementing fines for access and information breaches. The date to implement these changes has been delayed from 12th September 2025 to 4th February 2026 and are now published in version 13 of the 2016 Medical and Dental Terms and Conditions of employment. Employers are expected to begin preparations, if they have not already done so. All Resident Doctors based within GP Practices, Public Health settings and Trusts with less than 10 Colleagues in training will exception report via the Lead Employer Exception Reporting process. As implementation was due to take place on 12th September 2025 Lead Employer have already commenced processes to support the new contractual regulations however a local process is currently under development to reflect requirements on trainees, hosts, Lead Employer and others in relation to delivering on this reform. As these changes remove some of the local scrutiny around exception reporting and are aimed at addressing the 'fear of detriment', it is yet unknown what the response will be once these changes go live in terms of numbers of exception reports and costs to NHSE.

Summary

Under the current process exception reporting remains low and stable most issues are resolved locally and promptly.

7. Conclusions and Recommendations

The Guardian is confident that working hours across host organisations remain safe and compliant under the current process. It should however be noted that currently the volume of exception reporting is low despite frequent communication efforts to raise awareness of the exception reporting process and RDFs.