Title of Meeting	HR (	Commercial Services Council Date 23 <sup>rd</sup> July 2024										
Agenda Item	HRC	HRCSC0724/7										
Report Title		Lead Employer Report on Safe Working Hours: Doctors and Dentists in Training (January 2024 – March 2024)										
<b>Executive Lead</b>	Clair	Claire Scrafton, Deputy Director of HR and Governance										
Presenting Officer	Joar	ne Redhead, Assistant Director of HR	(Lead	l Employer)								
Action Required	·	To Approve	X	To Note								

#### **Purpose**

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.

#### **Executive Summary**

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.

Of the 107 organisations expected to submit a return; data return rate for this quarter has increased to 97.2% from 91.7% the previous months and a substantial increase from historical dat which was previously around 66%.

The papers data reflects the Guardian of Safe Working information for 6,044 doctors under the LE arrangements for Doctors in training in secondary care placements. Within the quarter 12 work schedule reviews were requested and reported to LE with a total of 20 fines issued over the same period.

#### **Financial Implications**

Potential incurrence of fines and/or penalties owing to unsafe working practices

#### Quality and/or Equality Impact

Not Applicable

#### Recommendations

The HR Commercial Services Council is asked to note the contents of this report.

- 1. Assurance that the Lead Employer is complying with its contractual obligations under the 2016 terms and conditions (T&Cs).
- 2. Assurance that doctors and dentists in training are not working excessive hours and are getting appropriate access to educational opportunities.

Stra	ategic Objectives
	SO1 5 Star Patient Care – Care
Х	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 - January 2024 - March 2024

#### Introduction

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 and host organisation as appropriate and provide assurance to the Board of the employing organisation that doctors' working hours are safe.

This report covers the period of January 2024 – March 2024.

## 1. High level data

Total number of host organisations	107				
Total number of host organisations returned exception report data	Number of organisations	% return rate			
	104	97.2%			

The table below shows the number of trainees split by region on the 2016 contract:

Region	Total number of Doctors employed under the 2016 Terms & Conditions of Service	Total number of Doctors employed under the 2016 Terms & Conditions of Service based within acute host organisations
North-West	6,682	4,502
West Midlands	1,746	487
East Midlands	1,329	333
East of England	1,620	502
LaSE	50	50
Thames Valley	511	134
York & Scarborough	124	36
TOTAL	12,062	6,044

#### 3. Exception reports (regarding working hours)

Exception reporting is the mechanism used by trainees subject to the Terms and Conditions of Service for NHS Doctors and Dentists in training (England) 2016 to notify the trust when their day-to-day work varies significantly, or regularly from their agreed work schedule.

Of those host organisations who have returned exception report data, Appendix 1 sets out the exception reports made during January 2024 – March 2024. This includes the number of exception reports that have been raised and closed, what outcome was given and how many are outstanding/on-going.



# 4. Fines Breakdown of GoSW fines levied during January 2024 – March 2024

Trust	No.of fines levied	Values of fines levied
Manchester University NHS Foundation Trust	11	£10,449.04
Birmingham And Solihull Mental Health NHS FT	1	£178.88
Central & NW London NHS FT	7	£1,700.32
Tees, Esk and Wear Valleys NHS Foundation Trust	1	£194.53
Totals	20	£12,522.77

# 5. Work Schedule Reviews

The non-elective service rota and work schedule (which is a pattern of work during elective duties) is a document distributed to trainees before they commence their placement with the host Trust. It includes generic information relating to the placement, such as learning opportunities, the rota template and pay details. The work schedule is adjusted locally by clinical/educational supervisors to suit the individual training needs of the trainee. If sufficient evidence from ERs suggests a trainee's work schedule is considered too onerous or likely to significantly affect training then a review is recommended so as to effect a change more suitable to the training needs of the trainee, either as an individual or in the case of the department as a whole a rota change.

Trust	No.of work schedule reviews
Manchester University NHS Foundation Trust	5
The Royal Wolverhampton NHS Trust	4
University Hospital Birmingham NHS Foundation Trust	1
Bedfordshire Hospital NHS Trust	2
Totals	12

#### 6. Issues arising and actions taken to resolve issues

As the rate of return has been low across previous reports, work has been undertaken by the Lead Employer Team to ensure requests for return of information are being received by the appropriate colleagues locally; this



included ensuring our list of trust-based Guardians remains current and the appropriate administrative staff are also in receipt of information requests to ensure responses are received by Lead Employer when absence may occur.

As a result of this work rates of return have increased from historic rates of ca.66% and for this quarter from 91.7% to 97.2%. This means that the data can be regarded as representative allowing for more reliable monitoring of trends across the patch.

Lead Employer continues to work with organisations with no return received to ensure an understanding of our reporting responsibilities as the employer. Lead Employer are also undertaking some further work with trusts who consistently report zero/low exceptions to ensure that log in details for applicable system are provided locally upon rotation.

#### 7. Conclusion and Recommendations

The GOSW is assured with the overall safety of working hours across the host organisations for trainees under the 2016 Terms and & Conditions based on evidence from the exception reports submitted thus far. Concern for the safety of patients and wellbeing of their doctor providers is paramount and departments, whilst presenting increased opportunities for experience and learning (particularly in "craft specialties"), should be mindful of the need to control the hours limits set for these individuals despite the need to apply additional work as part of the NHS recovery plan.

The GOSW would ask the Board to note this report and to consider the assurances provided thus far.

**END** 

# Appendix 1 - Table of Exception Reports by Host organisation

	No.at CT	No.at CT1/2 Level		o. given TOIL	or payment	CT1/2		t ST3+ evel	No. given TOIL or Payment ST3+			
Trust	Raised	Closed	TOIL	Payment	Other Please Specify	No. that are on-	Raised	Closed	TOIL	Payment	Other - Please Specify	No. that are on-going
				No	orth Wes	t						
Alder Hey Children's NHS Foundation Trust	1		1			0	_	7		2	4 - no action	0
Blackpool Teaching Hospitals NHS FT	1	1	1	0	0	0	7	7	0	3	required	0
	0	0	0	0	0	0	0	0	0	0	0	0
Betsi Cadwaladr	0	0	0	0	0	0	0	0	0	0	0	0
Bolton Hospital NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0
Bridgewater Community Healthcare NHS Trust	16	15	4	3	8 x no action require d	1	0	0	0	0	0	0
Cheshire and Wirral Partnership NHS	10	10										
Trust	2	2	2	0	0	0	0	0	0	0	0	0
The Christie Hospital NHS FT					1 x No further action require							
	6	5	4	0	d	1	0	0	0	0	0	0
The Clatterbridge Centre	2	2	0	2	0	0	0	0	0	0	0	0
The Countess of Chester NHS FT	13	13	1	10	2 x no action	0	0	0	0	0	0	0

					require d							
East Cheshire NHS Trust	5	5	0	5	0	0	3	2	0	2	0	1
East Lancashire Hospitals NHS Trust	2	2	1	1	0	0	6	6	6	0	0	0
Greater Manchester Mental Health FT	_				1 x no							
					action						1 x No	
					require						action	
	3	2	0	1	d	1	12	4	1	2	required	8
Lancashire Care & South Cumbria	1	0	0	0	0	1	1	1	1	0	0	0
Lancashire Teaching Hospitals NHS FT					6 x							
					Missed							
					teachin							
					g -							
					protecte d time							
	11	11	5	0	given	0	21	21	4	17	0	0
Liverpool Heart and Chest Hospitals	11	11	,	U	giveii	0	21	21	4	17	0	0
NHS FT	0	0	0	0	0	0	0	0	0	0	0	0
Liverpool University Hospitals (Aintree												
/ Royal Lpool)	9	9	5	4	0	0	7	7	2	5	0	0
Liverpool Women's NHS FT					1 x No							
					further							
	17	12	7	4	action	5	4	0	0	0	0	4
Manchester University NHS					2x no							
Foundation Trust					further							
	41	37	9	26	action	4	49	42	11	31	0	7
Mersey Care / Mid Mersey NHS FT	7	7	6	1	0	0	0	0	0	0	0	0
Mid Cheshire Hospitals NHS FT	0	0	0	0	0	0	0	0	0	0	0	0
Morecambe Bay Hospitals NHS Trust	6	1	0	1	0	5	0	0	0	0	0	0
Nobles Hospital											1 x No	
	_			_		_					action	
	2	0	0	0	0	2	1	1	0	0	required	0

											and 1x no	
											no action	
											required	
	10	6	4	2	0	4	31	12	8	1		19
St Helens & Knowsley NHS FT (MWL												
NHS Trust)	9	9	9	0	0	0	5	3	3	0	0	2
Stockport NHS Foundation Trust	2	0	0	0	0	2	0	0	0	0	0	0
Tameside & Glossop Acute NHS Trust					1 x no						3 x no	
					action						action	
					require d and 7						required and 2 x	
					x not						not	
	31	26	2	16	agreed	5	17	17	1	11	agreed	0
Walton Centre for Neurology NHS Trust	0	0	0	0	0	0	11	6	2	4	0	5
Warrington and Halton Hospitals NHS				-		-		_				
FT	6	2	2	0	0	4	2	2	2	0	0	0
Wirral University Hospitals NHS Trust											1 x No	
					3 x Not						action	
	8	5	0	2	agreed	3	3	3	2	0	required	0
Wrightington, Wigan and Leigh NHS FT					2 x no							
					further							
					action 1x							
					incorrec							
					tly							
		I								1		
					submitt							

Birmingham And Solihull Mental												
Health NHS FT	2	2	2	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
Birmingham Community Healthcare												
NHS Trust	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
Coventry And Warwickshire												
Partnership NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0
University Hospital Derby & Burton												
Hospitals NHS FT	3	3	3	0	0	0	0	0	0	0	0	0
George Eliot Hospital NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0
Midlands Partnership NHS FT	0	0	0	0	0	0	0	0	0	0	0	0
North Staffordshire Combined NHS	0	0	0	0	0	0	0	0	0	0	0	0
Robert Jones & Agnes Hunt												
Orthopaedic Hospital NHS	0	0	0	0	0	0	0	0	0	0	0	0
Sandwell And West Birmingham												
Hospitals NHS Trust	1	1	1	0	0	0	0	0	0	0	0	0
Shrewsbury And Telford Hospital NHS												
Trust	0	0	0	0	0	0	0	0	0	0	0	0
South Warwickshire NHS Foundation												
Trust	0	0	0	0	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
The Royal Orthopaedic Hospital NHS FT	0	0	0	0	0	0	0	0	0	0	0	0
The Royal Wolverhampton NHS Trust	0	0	0	0	0	0	4	2	0	0	0	2
University Hospital Birmingham NHS												
Foundation Trust	0	0	0	0	0	0	0	0	0	0	0	0
University Hospitals Coventry and												
Warwickshire NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0
University Hospitals of North Midlands												
NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0
Walsall Healthcare NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0

Worcestershire Acute Hospitals NHS		1					1					
Trust	0	0	0	0	0	0	0	0	0	0	0	0
Worcestershire Health and Care NHS												
Trust												
Wye Valley NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0
				Eas	t Midland	ls						
Derbyshire Healthcare NHS FT	0	0	0	0	0	0	0	0	0	0	0	0
Chesterfield Royal Hospital NHS Trust	1	1	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
Leicestershire Partnership NHS Trust	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
Northampton General Hospital NHS												
Trust	0	0	0	0	0	0	0	0	0	0	0	0
Northamptonshire Healthcare NHS FT												
Nottingham University Hospitals NHS												
Trust	1	1	0	1	0	0	0	0	0	0	0	0
Nottinghamshire Healthcare NHS FT	0	0	0	0	0	0	0	0	0	0	0	0
Sherwood Forest Hospitals NHS FT	0	0	0	0	0	0	0	0	0	0	0	0
United Lincolnshire Hospitals NHS												
Trust	0	0	0	0	0	0	0	0	0	0	0	0
University Hospitals of Leicester NHS Trust					1 x No further							
					action							
					require							
	2	2	1	0	d	0	0	0	0	0	0	0
				East	Of Engla	nd						
Bedford Hospital NHS Trust	15	15	0	15	0	0	18	11	0	11	0	7
Cambridge University Hospitals NHS FT	0	0	0	0	0	0	0	0	0	0	0	0
Cambridgeshire and Peterborough NHS												
FT	0	0	0	0	0	0	0	0	0	0	0	0
East and North Hertfordshire NHS Trust	2	0	0	0	0	2	3	0	0	0	0	3
East London Foundation Trust	0	0	0	0	0	0	0	0	0	0	0	0

Hertfordshire Partnership NHS FT					1 x Clinics							
					cancelle							
	5	2	1	0	d	3	0	0	0	0	0	0
East Suffolk and North Essex NHS FT	1	1	0	1	0	0	0	0	0	0	0	0
James Paget University Hospitals NHS											1 x No	
FT											action	
	5	5	1	4	0	0	8	8	3	4	required	0
Luton & Dunstable University Hospital												
NHS FT	0	0	0	0	0	0	0	0	0	0	0	0
Mid & South Essex Hospital Services												
NHS Trust	2	2	0	2	0	0	0	0	0	0	0	0
Norfolk and Norwich University			_		_	_	_	_	_	_	_	_
Hospitals NHS FT	10	10	0	10	0	0	0	0	0	0	0	0
Norfolk and Suffolk NHS FT	1	1	0	1	0	0	0	0	0	0	0	0
North-West Anglia NHS FT					2 x No							
			_		Further		_	_			_	_
5 0 1 1: 11: 1: 1: 1: 1: 1: 1: 1:	41	28	2	24	Action	13	0	0	0	0	0	0
Essex Partnership University NHS FT	0	0	0	0	0	0	0	0	0	0	0	0
Basildon & Thurrock University					1 x no							
Hospital (Mid & South Essex Trust					action							
Reporting separately)	12	12	6	5	require d	0	0	0	0	0	0	0
The Princess Alexandra Hospital NHS			_			_	_	_	_			0
· · · · · · · · · · · · · · · · · · ·	0	0	0	0	0	0	1	1	0	1	0	0
The Queen Elizabeth Hospital, King's Lynn, NHS FT	0	0	0	0	0	0	0	0	0	0	0	0
Southend University Hospital (Mid &	0	U	U	U	U	U	U	U	U	U	U	U
South Essex Trust Reporting separately)												
West Hertfordshire Hospitals NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0
West Suffolk NHS FT					2 x no							-
					action							
					require							
	2	2	0	0	d	0	0	0	0	0	0	0

					LaSE							
Central & NW London NHS FT	0	0	0	0	0	0	15	15	14	0	1 x No action required	0
Chelsea & Westminster Hospital NHS											·	
Trust	0	0	0	0	0	0	0	0	0	0	0	0
Guy's & St Thomas' NHS FT	0	0	0	0	0	0	5	5	0	5	0	0
King's College Hospital NHS FT	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
Royal Free London NHS FT	0	0	0	0	0	0	0	0	0	0	0	0
Royal Surrey County Hospital NHS FT	0	0	0	0	0	0	0	0	0	0	0	0
St George's University Hospitals NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0
Barts Health NHS FT	0	0	0	0	0	0	0	0	0	0	0	0
University College London NHS FT	0	0	0	0	0	0	0	0	0	0	0	0
Thames Valley												
Buckinghamshire Healthcare NHS Trust	10	10	2	8	0	0	0	0	0	0	0	0
Frimley Health Foundation Trust	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
Oxford Health NHS FT	0	0	0	0	0	0	0	0	0	0	0	0
Oxford University Hospital FT	1	1	1	0	0	0	0	0	0	0	0	0
Royal Berkshire Healthcare FT	1	1	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
Berkshire Healthcare FT	0	0	0	0	0	0	0	0	0	0	0	0
Yorkshire & Humber												
Tees, Esk and Wear Valleys NHS FT	1	1	0	1	0	0	0	0	0	0	0	0
York & Scarborough Teaching Hospitals NHS FT	0	0	0	0	0	0	0	0	0	0	0	0

### KEY:

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