

<b>Title of Meeting</b>	HR Commercial Services Council		<b>Date</b>	14 <sup>th</sup> January 2025
<b>Agenda Item</b>	HRCS0125/8b			
<b>Report Title</b>	Lead Employer Report on Safe Working Hours: Resident Doctors and Dentists in Training (July 2024 – September 2024)			
<b>Executive Lead</b>	Claire Scrafton, Deputy Director of HR and Governance			
<b>Presenting Officer</b>	Joanne Redhead, Assistant Director of HR (Lead Employer)			
<b>Action Required</b>		<b>To Approve</b>	<b>X</b>	<b>To Note</b>
<b>Purpose</b>				
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.				
<b>Executive Summary</b>				
<p>This paper pertains data relating to all Lead Employer (LE) Resident Doctors including those in GP, Public and Mental Health specialities who are based within acute host organisations, for which Mersey &amp; West Lancashire NHS Trust is the Lead Employer.</p> <ul style="list-style-type: none"> <li>From 103 organisations; data return rate 97.1%</li> <li>Affects 6883 doctors under LE arrangements.</li> <li>Work schedule reviews – 10 North West 1 East Midlands</li> <li>Fines issued – 20 within North-West 1 within West Midlands 5 within East Midlands</li> </ul>				
<b>Financial Implications</b>				
Potential incurrence of fines and/or penalties owing to unsafe working practices				
<b>Quality and/or Equality Impact</b>				
Not Applicable				
<b>Recommendations</b>				
<p>The HR Commercial Services Council is asked to note the contents of this report.</p> <ol style="list-style-type: none"> <li>Assurance that the Lead Employer is complying with its contractual obligations under the 2016 terms and conditions (T&amp;Cs).</li> <li>Assurance that resident doctors and dentists in training are not working excessive hours and are getting appropriate access to educational opportunities.</li> </ol>				

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

## GoSW Lead Employer Report – Mr Mike Chadwick – July 2024 – September 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 July 2024 – September 2024.**

#### 1. High level data

Total number of host organisations	<b>103</b>	
Total number of host organisations returned exception report data	Number of organisations	% return rate
	<b>100</b>	<b>97.1%</b>

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

Region	Total number of Doctors/Dentists employed under the 2016 Terms & Conditions of Service	Total number of Doctors/Dentists employed under the 2016 Terms & Conditions of Service based within acute host organisations
North-West	6448	4108
West Midlands	1721	502
East Midlands	1284	288
East of England	1539	461
LaSE	50	27
Thames Valley	485	130
York & Scarborough	118	34
<b>TOTAL</b>	<b>11,645</b>	<b>5550</b>

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

Exception reporting is the mechanism used by resident doctors 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 July 2024 – September 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 July 2024 – September 2024

Trust	No.of fines levied	Values of fines levied
Manchester University NHS Foundation Trust	18	£8546.99
Warrington and Halton Hospitals NHS FT	2	£899.55
Shrewsbury And Telford Hospital NHS Trust	1	£32.64
Leicestershire Partnership NHS Trust	5	£804.96
<b>Totals</b>	<b>26</b>	<b>£10,284.14</b>

#### 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 resident doctors 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 resident doctor. If sufficient evidence from educational reviews suggests a resident doctor's work schedule is considered too onerous or likely to significantly affect training then a review is recommended to effect a change more suitable to the training needs of the resident doctor, either as an individual or in the case of the department as a whole a rota change.

Trust	No.of work schedule reviews
East Lancashire Hospitals NHS Trust	1
Manchester University NHS Foundation Trust	6
Liverpool University Hospitals (Aintree / Royal Lpool)	2
Warrington and Halton Hospitals NHS FT	1
Derbyshire Healthcare NHS FT	1
<b>Totals</b>	<b>11</b>

## **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 we have maintained a return of 97.1% for this quarter. 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.

## **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.

## 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
<b>North West</b>														
Alder Hey Children's NHS Foundation Trust	0	3	3	0	3	0	0	0	10	6	4	0	5	1
Betsi Cadwaladr	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Blackpool Teaching Hospitals NHS FT	1	4	4	1	4	0	0	0	3	3	0	0	3	0
Bolton Hospital NHS Trust	6	6	12	0	9	2	1	2	3	5	0	3	2	0
Cheshire and Wirral Partnership NHS Trust	0	2	1	1	0	1	0	0	1	1	0	0	0	1
The Christie Hospital NHS FT	0	8	6	2	6	0	0	0	4	4	0	4	0	0
The Clatterbridge Centre	0	0	0	0	0	0	0	0	0	0	0	0	0	0
The Countess of Chester NHS FT	0	6	5	1	3	0	2	0	9	2	7	0	2	0
East Cheshire NHS Trust	11	8	5	14	2	3	0	2	6	8	0	4	2	2
East Lancashire Hospitals NHS Trust	0	6	4	2	1	2	1	0	0	0	0	0	0	0
Greater Manchester Mental Health FT	0	8	3	5	2	1	0	0	0	0	0	0	0	0
Lancashire Care & South Cumbria	0	2	1	1	1	0	0	0	4	4	0	1	0	3
Lancashire Teaching Hospitals NHS FT	2	10	12	0	12	0	0	0	14	14	0	14	0	0

Liverpool Heart and Chest Hospitals NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liverpool University Hospitals (Aintree / Royal Lpool)	6	2	8	0	0	8	0	0	0	0	0	0	0	0
Liverpool Women's NHS FT	2	10	4	8	1	2	1	3	0	3	0	0	0	3
Manchester University NHS Foundation Trust	0	45	43	2	16	19	8	0	33	33	0	4	22	7
Mersey Care / Mid Mersey NHS FT	0	1	1	0	1	0	0	0	1	1	0	1	0	0
Mersey & West Lancashire Teaching Hospitals NHS Trust	0	33	18	15	10	5	3	0	0	0	0	0	0	0
Mid Cheshire Hospitals NHS FT	0	1	1	0	1	0	0	0	0	0	0	0	0	0
Morecambe Bay Hospitals NHS Trust	0	1	1	0	1	0	0	0	0	0	0	0	0	0
Nobles Hospital	0	2	0	2	0	0	0	0	0	0	0	0	0	0
Northern Care Alliance (Pennine Acute / Salford Royal)	7	9	8	8	3	4	1	25	10	8	27	3	0	5
Pennine Care Foundation Trust NHS FT	0	4	1	3	1	0	0	0	6	1	5	1	0	0
Stockport NHS Foundation Trust	0	0	0	0	0	0	0	0	1	0	1	0	0	0
Tameside & Glossop Acute NHS Trust	0	7	7	0	0	6	0	0	9	9	0	4	3	0
Walton Centre for Neurology NHS Trust	0	0	0	0	0	0	0	0	18	8	4	0	8	0
Warrington and Halton Hospitals NHS FT	4	6	10	0	7	3	0	3	8	10	1	3	7	0
Wirral University Hospitals NHS Trust	3	12	7	8	0	4	3	0	19	19	0	0	18	1

Wrightington, Wigan and Leigh NHS FT	<b>4</b>	<b>6</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>
<b>West Midlands</b>														
Birmingham And Solihull Mental Health NHS FT	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Birmingham Women & Children's Hospital NHS FT														
Birmingham Community Healthcare NHS Trust	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Black Country Healthcare FT	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Coventry And Warwickshire Partnership NHS Trust	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
University Hospital Derby & Burton Hospitals NHS FT	<b>0</b>	<b>22</b>	<b>22</b>	<b>0</b>	<b>17</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
George Eliot Hospital NHS Trust	<b>3</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Midlands Partnership NHS FT	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
North Staffordshire Combined NHS	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Robert Jones & Agnes Hunt Orthopaedic Hospital NHS	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Sandwell And West Birmingham Hospitals NHS Trust	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Shrewsbury And Telford Hospital NHS Trust	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
South Warwickshire NHS Foundation Trust	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



The Dudley Group NHS FT	1	3	4	0	2	2	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	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	0	0
University Hospitals of North Midlands NHS Trust	0	0	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	0	0
Worcestershire Acute Hospitals NHS Trust	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Worcestershire Health and Care NHS Trust	0	1	1	0	1	0	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
<b>East Midlands</b>														
Derbyshire Healthcare NHS FT	0	5	5	0	0	5	0	0	0	0	0	0	0	0
Chesterfield Royal Hospital NHS Trust	0	4	2	2	0	0	2	0	0	0	0	0	0	0
Kettering General Hospital NHS FT	0	1	1	0	0	1	0	0	0	0	0	0	0	0
Leicestershire Partnership NHS Trust	0	7	6	1	1	5	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	9	8	1	0	8	0	0	0	0	0	0	0	0

Northamptonshire Healthcare NHS FT														
Nottingham University Hospitals NHS Trust	0	1	1	0	0	1	0	0	0	0	0	0	0	0
Nottinghamshire Healthcare NHS FT	22	5	3	24	8	0	0	0	0	0	0	0	0	0
Sherwood Forest Hospitals NHS FT	0	1	0	1	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	0	0
University Hospitals of Leicester NHS Trust	0	7	7	0	7	0	0	0	0	0	0	0	0	0
<b>East of England</b>														
Bedford Hospital NHS Trust	0	5	0	5	0	0	0	0	0	0	0	0	0	0
Cambridge University Hospitals NHS FT	1	0	1	0	0	1	0	0	0	0	0	0	0	0
Cambridgeshire and Peterborough NHS FT	0	1	1	0	1	0	0	0	0	0	0	0	0	0
East and North Hertfordshire NHS Trust	20	10	2	28	1	1	0	26	10	1	35	1	0	0
East London Foundation Trust	0	15	13	2	1	12	0	0	2	2	0	0	2	0
Hertfordshire Partnership NHS FT	3	1	4	0	4	0	0	0	5	5	0	5	0	0
East Suffolk and North Essex NHS FT	0	1	1	0	0	0	0	0	0	0	0	0	0	0
James Paget University Hospitals NHS FT	0	7	7	0	2	5	0	0	2	2	0	0	2	0
Luton & Dunstable University Hospital NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Mid & South Essex Hospital Services NHS Trust	0	6	6	0	0	6	0	0	0	0	0	0	0	0
Norfolk and Norwich University Hospitals NHS FT														
Norfolk and Suffolk NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
North-West Anglia NHS FT	0	14	10	4	1	6	3	0	0	0	0	0	0	0
Essex Partnership University NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
The Princess Alexandra Hospital NHS	0	27	27	0	9	18	0	0	0	0	0	0	0	0
The Queen Elizabeth Hospital, King's Lynn, NHS FT	0	0	0	0	0	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	0
West Suffolk NHS FT	0	5	2	3	0	1	1	0	0	0	0	0	0	0
<b>London and South East</b>														
Central & NW London NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Chelsea & Westminster Hospital NHS Trust	0	3	3	0	1	0	2	0	0	0	0	0	0	0
Guy's & St Thomas' NHS FT	0	0	0	0	0	0	0	0	6	6	0	0	6	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	0	0	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	0	0
St George's University Hospitals NHS Trust	0	0	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	0	0
University College London NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Thames Valley</b>														
Buckinghamshire Healthcare NHS Trust	0	14	14	0	7	7	0	0	0	0	0	0	0	0
Frimley Health Foundation Trust	0	2	2	0	0	2	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	0	0	0	0	0	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	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Yorkshire and Humber</b>														
Tees, Esk and Wear Valleys NHS FT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
York & Scarborough Teaching Hospitals NHS FT	0	6	5	1	5	0	0	0	0	0	0	0	0	0

KEY:

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