

**WORKFORCE COUNCIL COMMITTEE**

<b>Paper No:</b>				
<b>Title of paper:</b> Lead Employer Report on Safe Working Hours (GP Trainees, Public Health & Trusts with less than 10 Trainees)				
<b>Purpose:</b> 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.				
<b>Summary:</b> 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 October 2022 to December 2022. The data held within the report relates to Lead Employer Trainees based within setting such as GP Practice, Public Health, Sports Exercise Medicine, Palliative Medicine and Trusts with less than 10 Trainees who are employed under the Terms & Conditions of service for NHS Doctors and Dentists in training (England) 2016.				
<b>Corporate objectives met or risks addressed:</b> Safe working hours for medical workforce in training				
<b>Financial implications:</b> Potential incurrence of fines and/or penalties owing to unsafe working practices				
<b>Stakeholders:</b> Trust-wide				
<b>Recommendation(s):</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; padding: 5px;"><b>Discussion</b> <input style="width: 50px; height: 20px; border: 1px solid black;" type="checkbox"/></td> <td style="width: 50%; padding: 5px;"><b>Assurance</b> <input style="width: 50px; height: 20px; border: 1px solid black;" type="checkbox"/></td> </tr> <tr> <td style="padding: 5px;"><b>Information</b> <input checked="" style="width: 50px; height: 20px; border: 1px solid black;" type="checkbox"/></td> <td style="padding: 5px;"><b>Approval</b> <input style="width: 50px; height: 20px; border: 1px solid black;" type="checkbox"/></td> </tr> </table>	<b>Discussion</b> <input style="width: 50px; height: 20px; border: 1px solid black;" type="checkbox"/>	<b>Assurance</b> <input style="width: 50px; height: 20px; border: 1px solid black;" type="checkbox"/>	<b>Information</b> <input checked="" style="width: 50px; height: 20px; border: 1px solid black;" type="checkbox"/>	<b>Approval</b> <input style="width: 50px; height: 20px; border: 1px solid black;" type="checkbox"/>
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<b>Assurance Provided:</b> <b>Decisions Required:</b> <b>Risks Identified and action taken:</b> <b>Matters for escalation:</b>				
<b>Presenting officer:</b> Dr Peter Arthur, Guardian of Safe Working				
<b>Date of meeting:</b>				

## 1. 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, host organisation as appropriate and provide assurance to the Board of the employing organisation that Doctors' working hours are safe.

The following report covers the period from October 2022 – December 2022.

As part of the Terms and Conditions of Service for NHS Doctors and Dentists in training (England) 2016 all trainee Doctors are provided an opportunity to report exceptions to their standard work schedules, as set out below:

- Working beyond the average weekly hours limit
- Extended hours of work beyond their expected shift length
- Breaches of weekend or night work frequency
- Failure of opportunity to take adequate natural rest breaks
- Failure of opportunity to attend formal teaching sessions in their work schedule
- Lack of support available to doctors during service commitments

## 2. High Level Data

<b>Number of Doctors/Dentist in training on 2016 Terms and Conditions (total)</b>	11,629
<b>Number of Doctors/Dentist based within a placement with less than 10 Trainees</b>	5013
<b>Amount of time available in job plan for guardian role</b>	1.5 PA
<b>Admin support provided to the guardian</b>	1.0 WTE

## 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.

Where a trainee raises an exception report this must be acted upon by Educational Supervisors (delegated to Clinical Supervisors.) This may result in no further action, time off in lieu (TOIL) or recommendation for payment for extra hours worked. In addition, there are certain breaches which necessitate a fine for the involved department which is reinvested in part back to the trainee and in part in training and educational activity.

Region	Number Raised / Closed		Decision Outcome			No. that are on-going
	Raised	Closed	TOIL	Payment	Other	
North West	0	0	0	0	0	0
West Midlands	0	0	0	0	0	0
East Midlands	0	0	0	0	0	0
East of England	11	0	0	0	0	11
London & South East	0	0	0	0	0	0
Thames Valley	1	0	0	0	0	1
<b>Total</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>12</b>

#### 4. Work schedule reviews

The work schedule is a document distributed to trainees before they commence their placement within their host trust/organisation. It includes generic information relating to the placement such as learning opportunities, Rota template information and pay details.

In this reporting period there has been no work schedule reviews for any of the regions.

#### 5. Fines

There were no fines Levied in this reporting period.

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

The last junior doctor forums were held in December 2022. The attendance at the forums has overall improved.

Dr Arthur believes that individuals usually only attend the JDFs he leads if they have an issue to raise, otherwise they are generally happy in their placement.

#### 7. Summary .

Exception reporting figures are low within the period of October 2022 – December 2022.

#### 8. Conclusion and Recommendations

The Guardian is assured with the overall safety of working hours across the host organisations for trainees under the 2016 Terms & Conditions based on evidence from the exception reports submitted thus far. The Guardian would ask the Board to note this report and to consider assurances provided thus far.

**END**