

PEOPLE COUNCIL COMMITTEE

<b>Paper No:</b>	
<b>Title of paper:</b> Lead Employer Report on Safe Working Hours: Doctors and Dentists in Training (January 2023 – March 2023)	
<p><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.</p> <ul style="list-style-type: none"> <li>•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 St Helens and Knowsley Teaching Hospital NHS Trust is the LE.</li> <li>•LE Trainees based within a GP Practice and host organisations with less than 10 trainees are subject to a separate report. FY1/2 ERs are a matter for local host guardians and are not included in this report.</li> </ul>	
<p><b>Summary:</b></p> <p>From 103 organisations; return rate 66.99%</p> <p>Affects 5,932 doctors under LE arrangements</p> <p>Work schedule reviews – 14 within the North-West region.</p> <p>Fines issued - 25 within the North-West region.</p>	
<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>	
<b>Discussion</b> <input type="checkbox"/>	<b>Assurance</b> <input checked="" type="checkbox"/>
<b>Information</b> <input type="checkbox"/>	<b>Approval</b> <input type="checkbox"/>
<p><b>Assurance Provided:</b> No concern regarding patterns or proportions of exception reporting.</p> <p><b>Decisions Required:</b> Continued observation</p> <p><b>Risks Identified and action taken:</b> We are seeing steady return rates from host trusts; some guardians have left their positions, and some have no administrative support but the Lead Employer are working to ensure we have a definitive list of local GoSW contacts.</p> <p><b>Matters for escalation:</b> None</p>	
<b>Presenting officer:</b> Mr Michael Chadwick, Guardian of Safe Working	
<b>Date of meeting:</b>	

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### 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 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 2023– March 2023.**

### 2. 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>69</b>	<b>66.99%</b>

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	5781	4451
West Midlands	1578	410
East Midlands	1189	365
East of England	1434	516
LaSE	43	29
Thames Valley	463	152
<b>TOTAL</b>	<b>10,488</b>	<b>5,932</b>

*The above figures do not include Trainees currently OOP*

### 3. 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.

**There were 12 work schedule reviews within Manchester University NHS Foundation Trust, 1 work schedule review undertaken by Liverpool University Hospitals and 1 at Warrington and Halton Hospitals NHS FT between the period of January 2023 – March 2023.**

### 4. 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 2023– March 2023. This includes the number of exception reports that have been raised and closed, what outcome was given and how many are outstanding/ on-going.

### 5. Fines

**Breakdown of GoSW fines levied during January 2023 – March 2023.**

Trust	No.of fines levied	Values of fines levied
Alder Hey Children's NHS Foundation Trust	2	£1,245.80
Greater Manchester Mental Health FT	2	£238.50
Manchester University NHS Foundation Trust	20	£16,064.53
Morecambe Bay Hospitals NHS Trust	1	£186.33
<b>Totals</b>	<b>25</b>	<b>£17,735.16</b>

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

N/A

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