

**WORKFORCE COUNCIL COMMITTEE**

<b>Paper No:</b>		
<b>Title of paper:</b> Lead Employer Report on Safe Working Hours: Doctors and Dentists in Training (July 2022 – September 2022)		
<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 105 organisations; return rate 65.7%</p> <p>Affects 5958 doctors under LE</p> <p>Work schedule reviews – 5 within the North-West region.</p> <p>Fines issued - 11 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		
<p><b>Recommendation(s):</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p><b>Discussion</b>    <input style="width: 80px; height: 25px; border: 1px solid black;" type="checkbox"/></p> <p><b>Information</b>    <input checked="" style="width: 80px; height: 25px; border: 1px solid black;" type="checkbox"/></p> </td> <td style="width: 50%; vertical-align: top;"> <p><b>Assurance</b>    <input style="width: 80px; height: 25px; border: 1px solid black;" type="checkbox"/></p> <p><b>Approval</b>    <input style="width: 80px; height: 25px; border: 1px solid black;" type="checkbox"/></p> </td> </tr> </table>	<p><b>Discussion</b>    <input style="width: 80px; height: 25px; border: 1px solid black;" type="checkbox"/></p> <p><b>Information</b>    <input checked="" style="width: 80px; height: 25px; border: 1px solid black;" type="checkbox"/></p>	<p><b>Assurance</b>    <input style="width: 80px; height: 25px; border: 1px solid black;" type="checkbox"/></p> <p><b>Approval</b>    <input style="width: 80px; height: 25px; border: 1px solid black;" type="checkbox"/></p>
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<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> Reduced return rates from host trusts; some guardians have left their positions; some have no administrative support exacerbated by the effects of the pandemic.</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 July 2022 – September 2022.**

### 2. High level data

Total number of host organisations	<b>105</b>	
Total number of host organisations returned exception report data	Number of organisations	% return rate
	<b>69</b>	<b>65.7%</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	6182	4147
West Midlands	1791	622
East Midlands	1335	400
East of England	1572	576
LaSE	46	29
Thames Valley	535	184
<b>TOTAL</b>	<b>11,461</b>	<b>5,958</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 5 work schedule reviews within Warrington and Halton Hospitals NHS FT between the periods of April 2022 – June 2022.**

### **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 July 2022 –September 2022. 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**

There were 6 fines levied within Alder Hey Children's Hospital, 3 fines levied at Manchester University NHS Foundation Trust and 2 fines levied at Morecambe Bay Hospitals NHS Trust within the period of July 2022 – September 2022.

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

### **7. Conclusion and Recommendations**

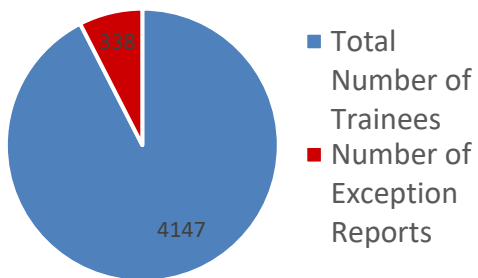
The GOSW is assured with the overall safety of working hours across the host organisations for trainees under the 2016 Terms and Conditions based on evidence from the exception reports submitted thus far. Concern for the safety of patients and wellbeing of their doctor providers is paramount and departments 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.

**END**

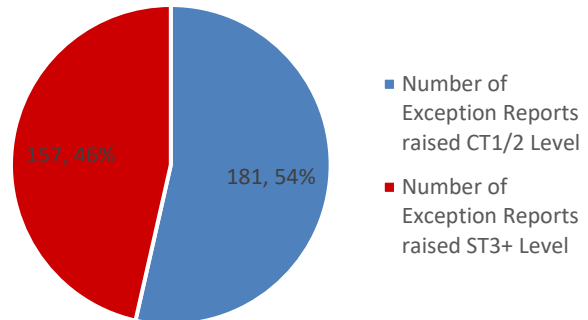
## Appendix 1 – Exception Reports by Region

### North West

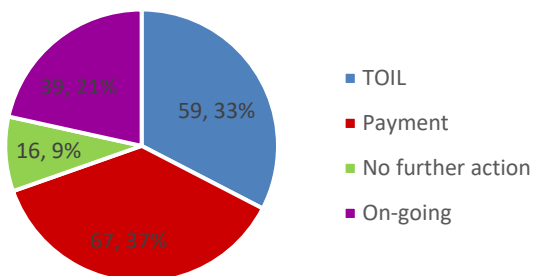
Number of Exception Reports Submitted



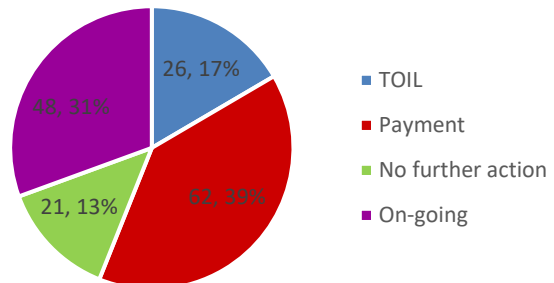
Level of Exception Reports Raised



Outcome of Exception Report CT1/2 Level



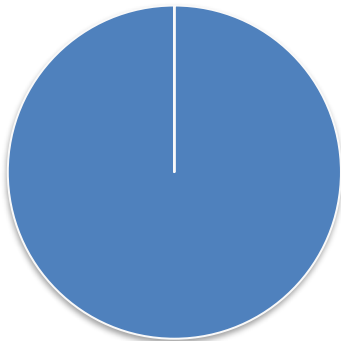
Outcome of Exception Reports ST3+ Level



## West Midlands

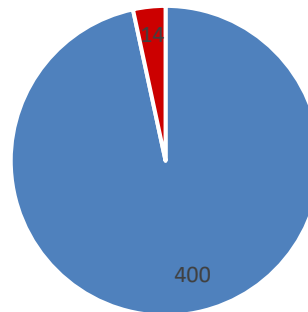
## East Midlands

Number of Exception Reports Submitted



- Number of Trainees
- Number of Exception reports

Number of Exception Reports Submitted



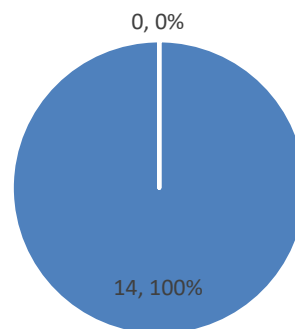
- Total Number of Trainees
- Number of Exception Reports

Level of Exception Reports Raised



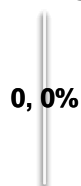
- Number of Exception reports Raised CT1/2 Level
- Number of Exception reports Raised ST3+ Level

Level of Exception Reports Raised



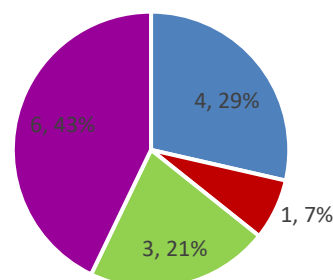
- Number of Exception Reports raised CT1/2 Level
- Number of Exception Reports raised ST3+ Level

Outcome of Exception Reports CT1/2 Level



- TOIL
- Payment
- No Further Action
- On-going

Outcome of Exception Reports raised CT1 / 2 Level

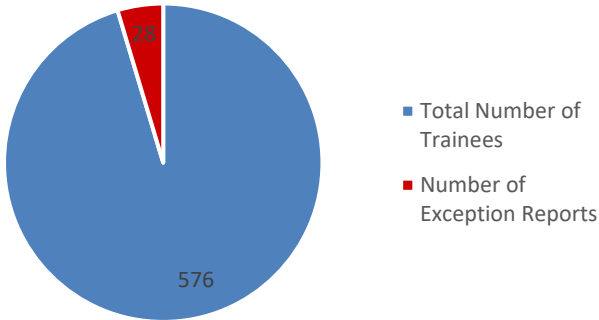


- TOIL
- Payment
- No further action
- On-going

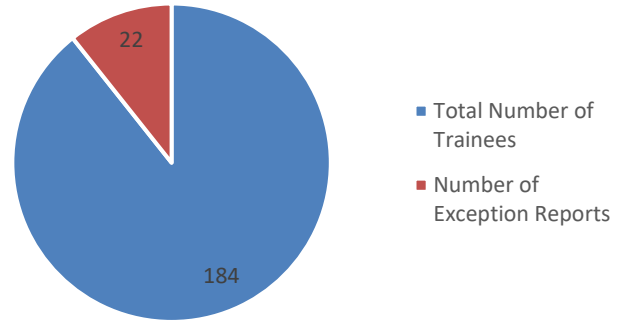
## East of England

## Thames Valley

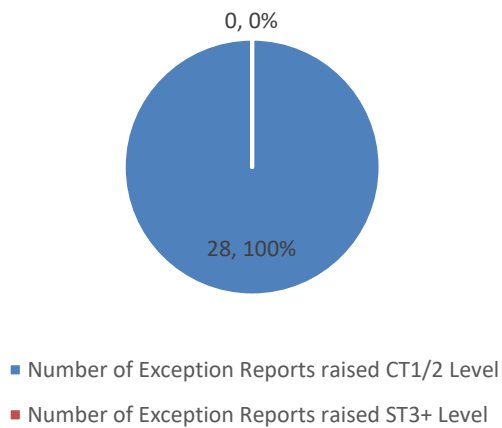
### Number of Exception Reports Submitted



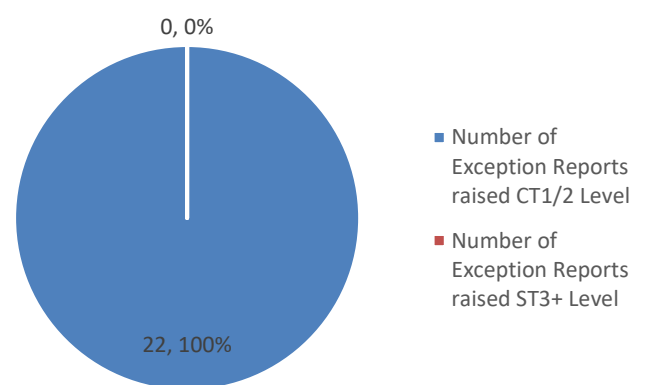
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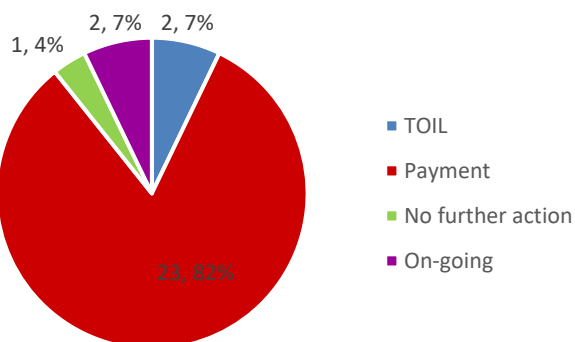
### Level of Exception Reports Raised



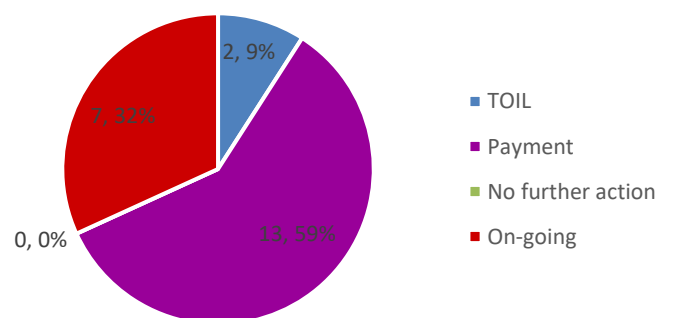
### Level of Exception Reports Raised



### Outcome of Exception Reports CT1 / 2 Level



### Outcome of Exception Reports CT1 / 2 Level



## London and South-East (LaSE)

