

WORKFORCE COUNCIL COMMITTEE

Paper No:		
Title of paper: Lead Employer Report on Safe Working Hours: Doctors and Dentists in Training (April 2021 – July 2021)		
<p>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.</p> <ul style="list-style-type: none"> •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. •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. 		
<p>Summary:</p> <p>From 105 organisations; return rate 82%</p> <p>6525 doctors under LE</p> <p>Exception reporting (ER) rates range from 1-5% between regions with the most represented region returning 2% ER rate</p> <p>Work schedule reviews – 1 within the East of England region.</p> <p>Fines issued – none</p>		
Corporate objectives met or risks addressed: safe working hours for medical workforce in training		
Financial implications: Potential incurrence of fines and/or penalties owing to unsafe working practices		
Stakeholders: Trust-wide		
<p>Recommendation(s):</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>Discussion <input style="width: 60px; height: 20px; border: 1px solid black;" type="checkbox"/></p> <p>Information <input checked="" style="width: 60px; height: 20px; border: 1px solid black;" type="checkbox"/></p> </td> <td style="width: 50%; vertical-align: top;"> <p>Assurance <input style="width: 60px; height: 20px; border: 1px solid black;" type="checkbox"/></p> <p>Approval <input style="width: 60px; height: 20px; border: 1px solid black;" type="checkbox"/></p> </td> </tr> </table>	<p>Discussion <input style="width: 60px; height: 20px; border: 1px solid black;" type="checkbox"/></p> <p>Information <input checked="" style="width: 60px; height: 20px; border: 1px solid black;" type="checkbox"/></p>	<p>Assurance <input style="width: 60px; height: 20px; border: 1px solid black;" type="checkbox"/></p> <p>Approval <input style="width: 60px; height: 20px; border: 1px solid black;" type="checkbox"/></p>
<p>Discussion <input style="width: 60px; height: 20px; border: 1px solid black;" type="checkbox"/></p> <p>Information <input checked="" style="width: 60px; height: 20px; border: 1px solid black;" type="checkbox"/></p>	<p>Assurance <input style="width: 60px; height: 20px; border: 1px solid black;" type="checkbox"/></p> <p>Approval <input style="width: 60px; height: 20px; border: 1px solid black;" type="checkbox"/></p>	
<p>Assurance Provided: No concern regarding patterns or proportions of exception reporting.</p> <p>Decisions Required: Continued observation</p> <p>Risks Identified and action taken: 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>Matters for escalation: None</p>		
Presenting officer: Mr Michael Chadwick, Guardian of Safe Working		
Date of meeting: 17 th November 2021		

Contents

- 1.Introduction
- 2.High level data
- 3.Exception reports (with regard to working hours)
- 4.Work schedule reviews
- 5.Fines
- 6.Issues arising and actions taken to resolve issues
- 7.Conclusion and Recommendations
- 8.Appendix 1 –Exception Reports by Region
- 9.Appendix 2 – Table of Exception Reports by Host organisation

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 April 2021 – July 2021.

2. High level data

Total number of host organisations	105	
Total number of host organisations returned exception report data	Number of organisations	% return rate
	87	82%

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	5650	4675
West Midlands	1499	661
East Midlands	1047	422
East of England	1262	513
LaSe	58	27
Thames Valley	497	227
TOTAL	10,013	6525

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 was 1 work schedule review within Essex Partnership Foundation Trust between the periods of April 2021 – July 2021.

4. Exception reports

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 April 2021 – July 2021. This includes the number of exception reports that have been raised and closed, what outcome was given and how many are outstanding/ on-going.

Across the country exception report (ER) rates for each region remain low at on average 2% (1-5%), Almost all relate to excess hours of work. Most are raised at CT level rather than ST level although this trend is reversed in Thames Valley. Similarly the vast majority of ERs appear to be resolved and signed off with TOIL as compensation with the exception of Thames Valley compensating with payment. This is could be due to a situation where TOIL would result in unsafe staffing levels and/or ERs cannot be signed off before end of rotation. ERs not processed will in general amount to automatic payment as compensation for extra hours worked, whether necessary or not if not cleared by the end of a rotation. Engagement by educational/clinical supervisors is improving but trainee signoff agreeing the outcomes is persistently lacking on reporting systems. This may be influenced by a preference for additional payment by trainees, as seen locally.

5. Fines

There were no fines levied within the period of April 2021 – July 2021.

6. Issues arising and actions taken to resolve issues

The Guardian has seen a rise in difficulties experienced by host guardians when faced with differing expectations of GP trainees when working in specialties within host Trust hospitals as part of their training rotations. The Guardian has applied a consistent approach across all regions suggesting that all trainees within a given specialty in a particular grade should experience the same working conditions, educational opportunities and distribution of elective and non-elective work as the colleagues with whom they share the same rota for the duration of that specialty experience, and that the rota must serve the service needs of that department for the safety of patients. The general work may differ greatly to that they may have experienced in primary care. This matter will be brought up for wider discussion at the forthcoming National Guardians meeting 8th December 2021

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.

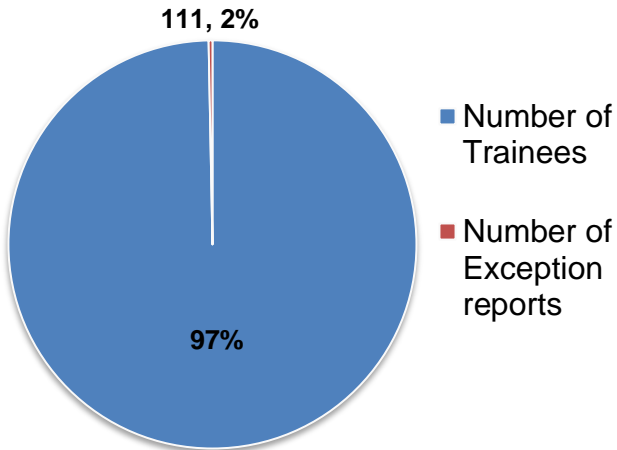
END

Appendix 1 – Exception Reports by Region

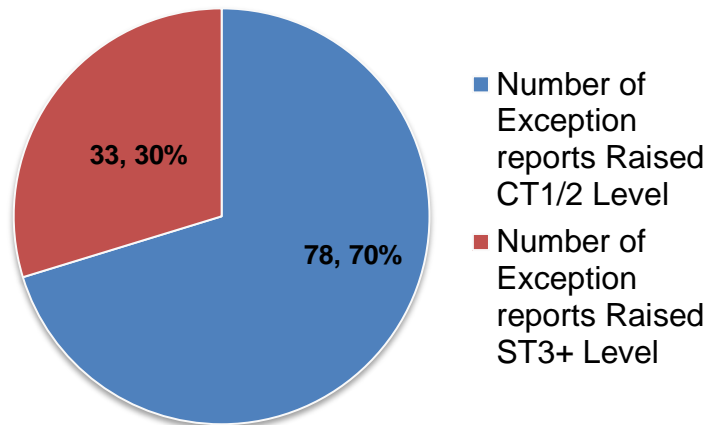
There was no exception reports submitted within LaSE

North West

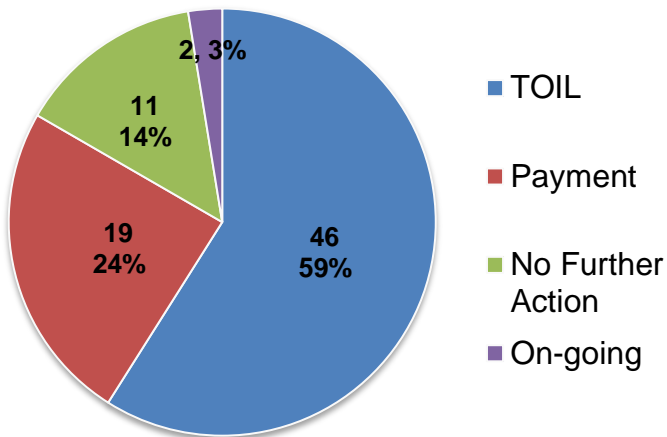
Number of Exception Reports Submitted



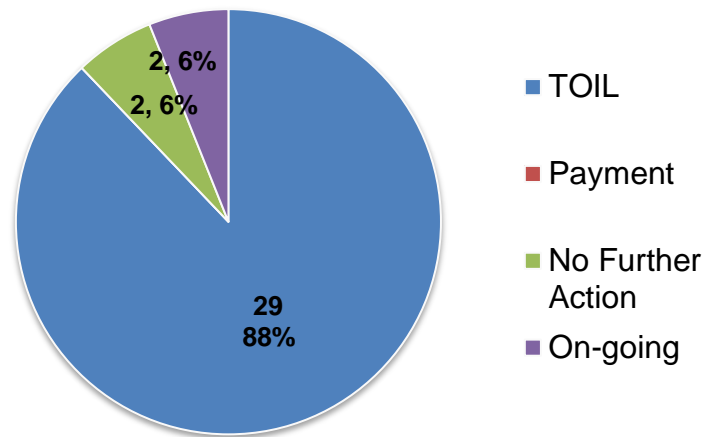
Level of Exception Reports Raised



Outcome of Exception Reports CT1/2 Level

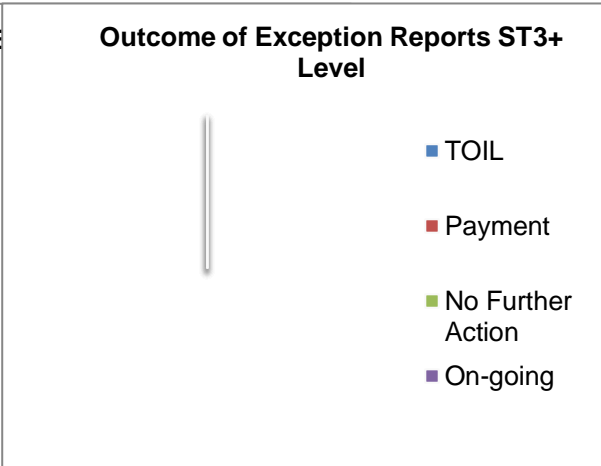
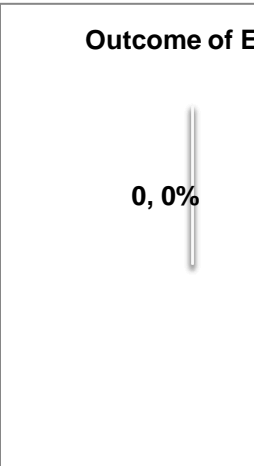
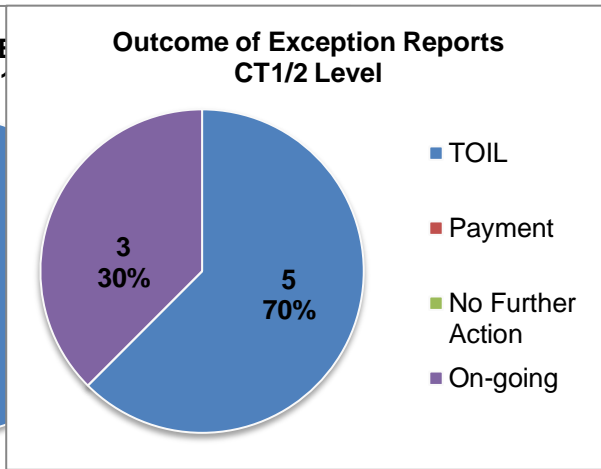
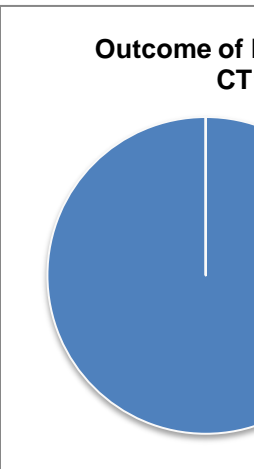
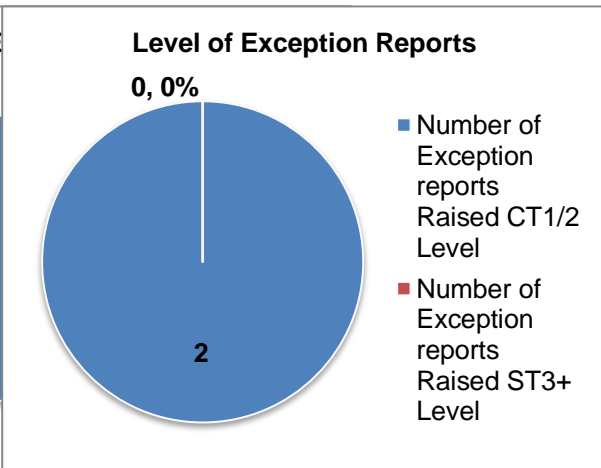
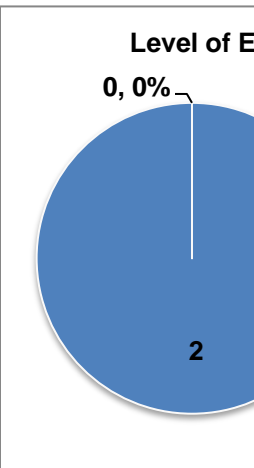
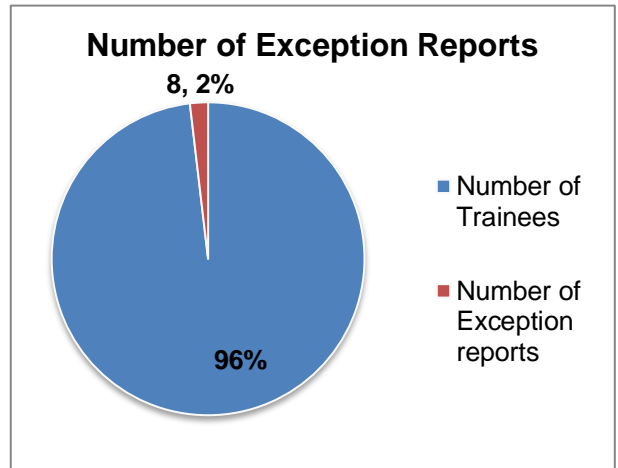
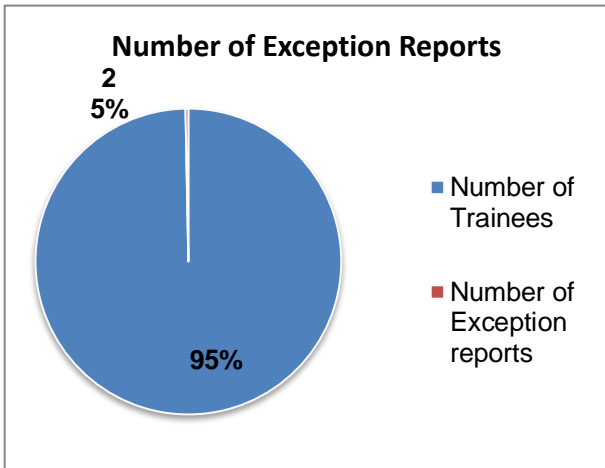


Outcome of Exception Reports ST3+ Level

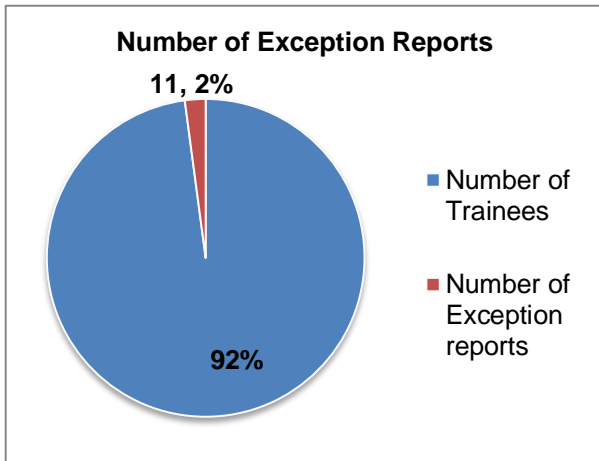


West Midlands

East Midlands



East of England



Thames Valley

