

**WORKFORCE COUNCIL COMMITTEE**

<b>Paper No:</b>		
<b>Title of paper:</b> Lead Employer Report on Safe Working Hours: Doctors and Dentists in Training (August 2021 – November 2021)		
<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 80%</p> <p>6874 doctors under LE</p> <p>Exception reporting (ER) rates appear to have reached approximately 8% consistent across regions.</p> <p>There appear to be more equal number of ERs from CTs and STs.</p> <p>In the North west the proportion of ER outcomes appears similar between grades suggesting a similar work hours experience.</p> <p>Work schedule reviews – 5 within the North West region.</p> <p>Fines issued – 3 within the North West region, 1 within Thames Valley 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>		

**Presenting officer:** Mr Michael Chadwick, Guardian of Safe Working

**Date of meeting:**

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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 August 2021 – November 2021.**

### 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>83</b>	<b>80%</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	6168	4945
West Midlands	1715	674
East Midlands	1218	446
East of England	1429	551
LaSE	63	28
Thames Valley	539	230
<b>TOTAL</b>	<b>11,132</b>	<b>6874</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 2 work schedule reviews within Manchester University Hospital and 3 work schedule reviews within Warrington and Halton Hospitals between the periods of August 2021 – November 2021.**

### **4. Exception reports (with regard to 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 August 2021 – November 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.

### **5. Fines**

There were 2 fines levied within Manchester University Hospital, 1 fine levied within East Cheshire NHS Trust and 1 fine levied within Oxford University Hospital the period of August 2021 – November 2021.

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

Fines issued and work schedule reviews generated suggest the system is working appropriately.

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

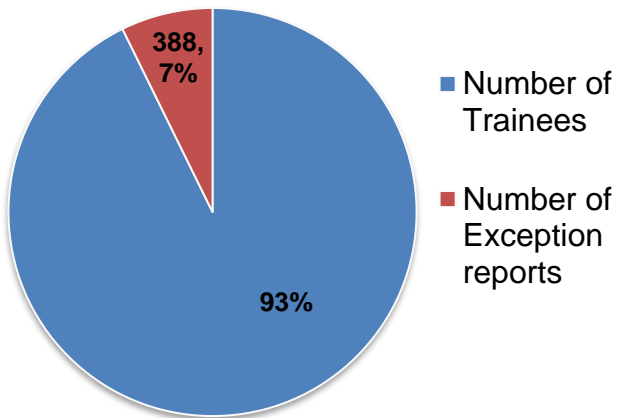
The GOSW is assured with the overall safety of working hours across the host organisations for trainees under the 2016 Terms and Conditions based on evidence from the exception reports submitted thus far. Concern for the safety of patients and wellbeing of their doctor providers is paramount and departments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

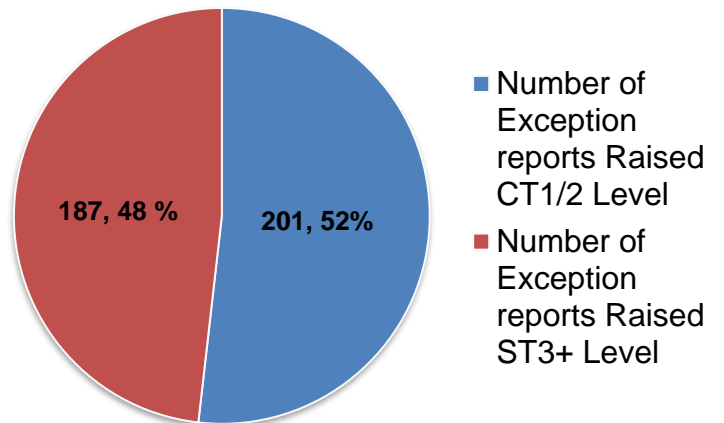
### Appendix 1 – Exception Reports by Region

#### North West

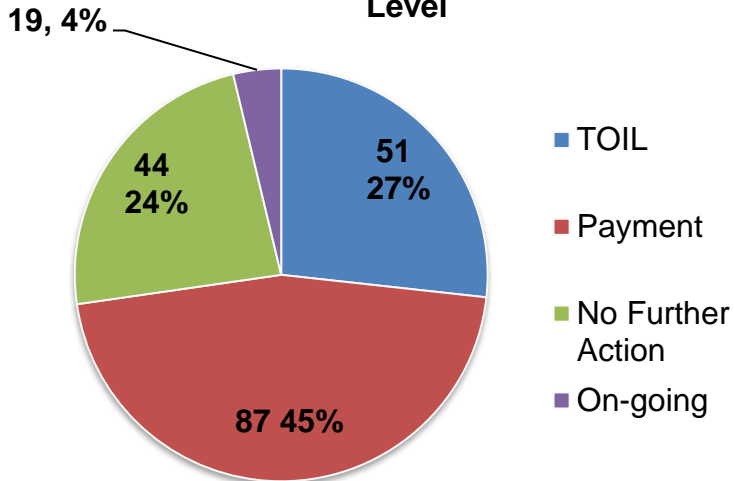
#### Number of Exception Reports Submitted



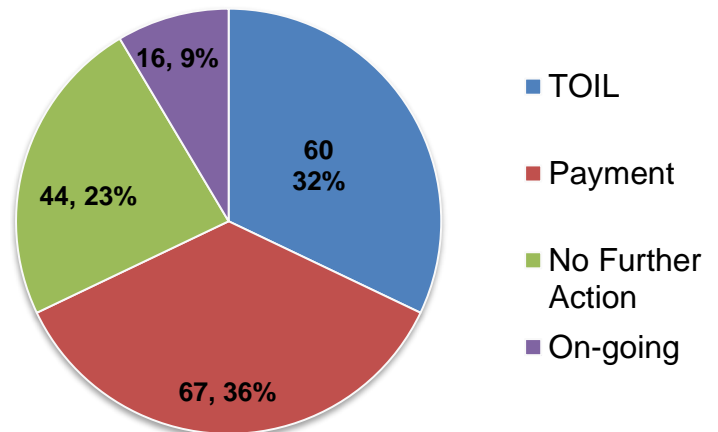
#### Level of Exception Reports Raised



#### Outcome of Exception Reports CT1/2 Level

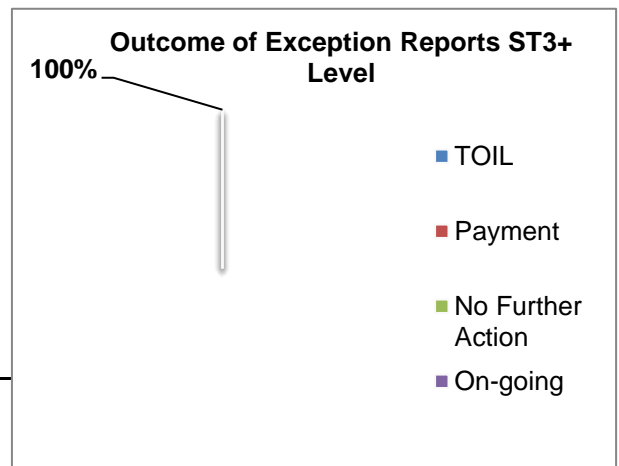
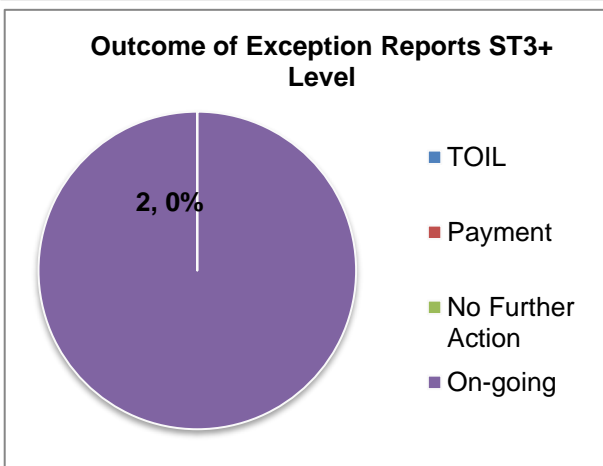
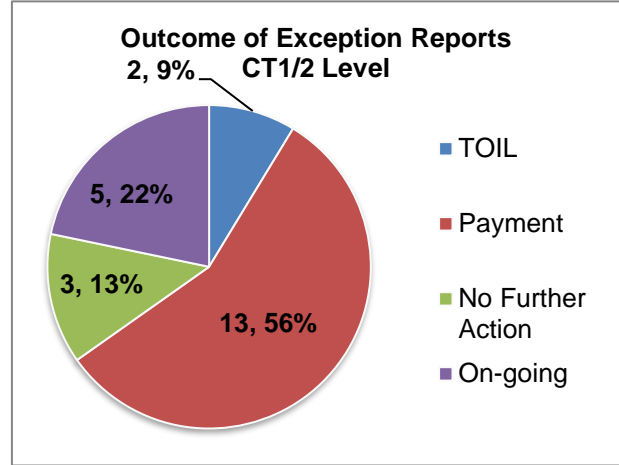
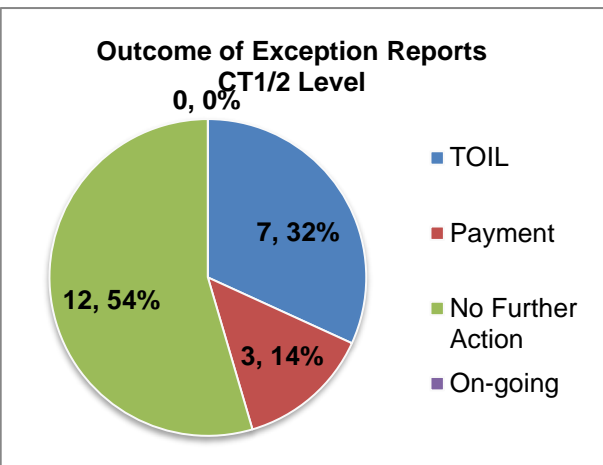
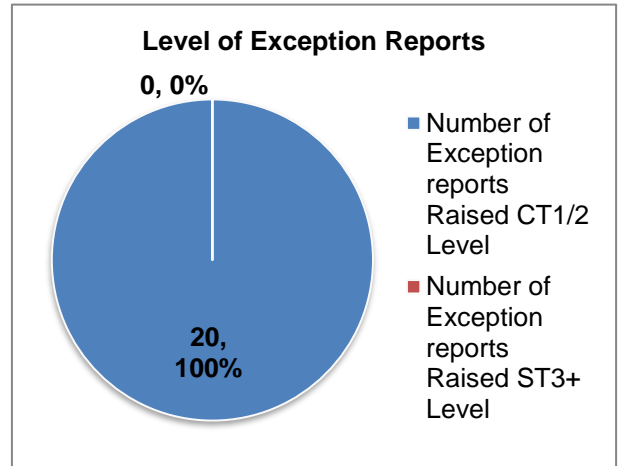
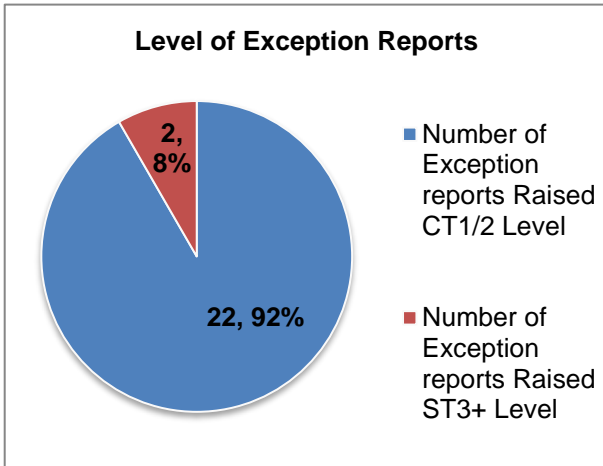
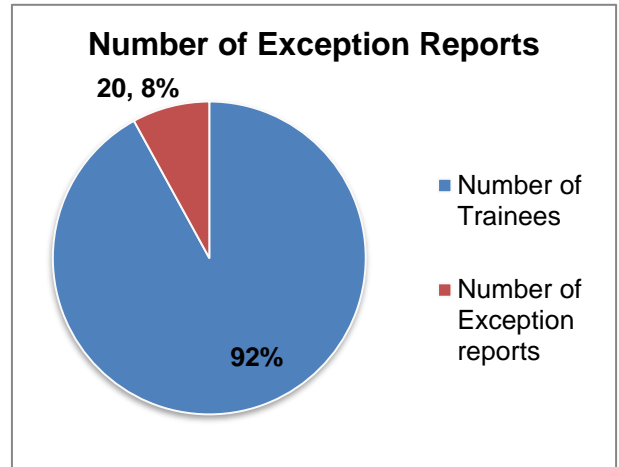
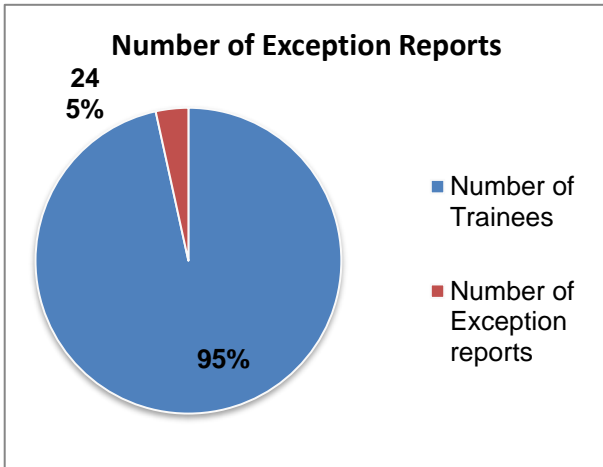


#### Outcome of Exception Reports ST3+ Level



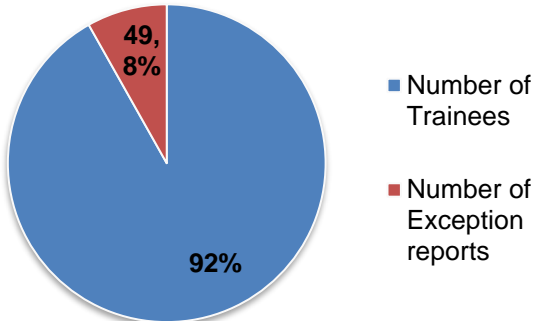
### West Midlands

### East Midlands

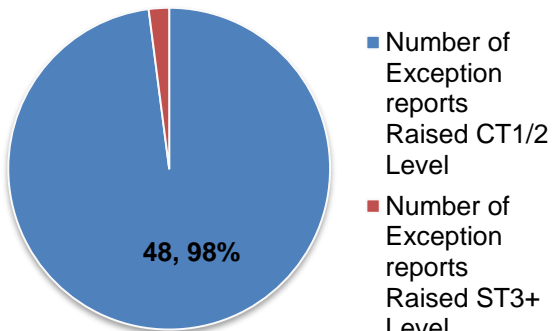


### East of England

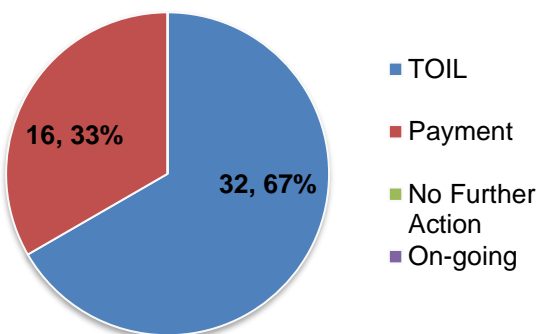
Number of Exception Reports



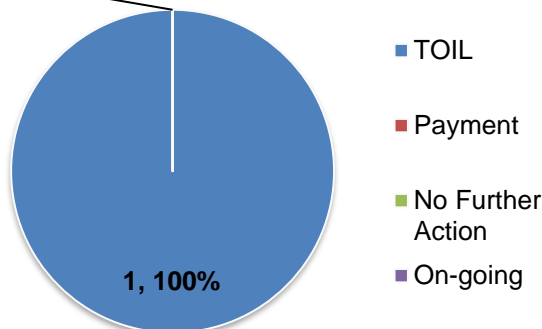
Level of Exception Reports



Outcome of Exception Reports  
CT1/2 Level

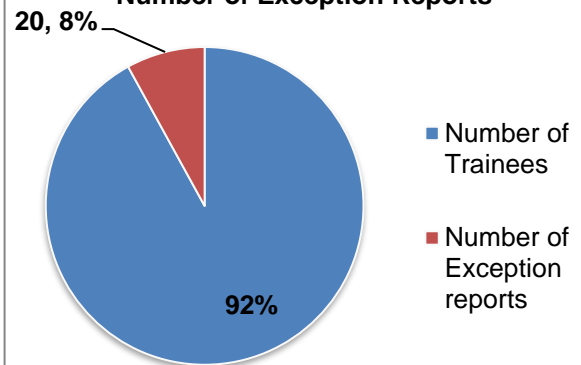


Outcome of Exception Reports  
ST3+ Level

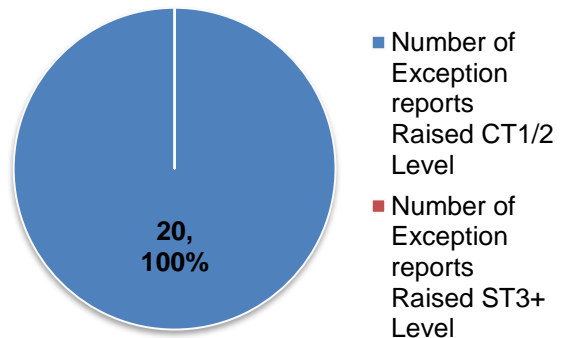


### Thames Valley

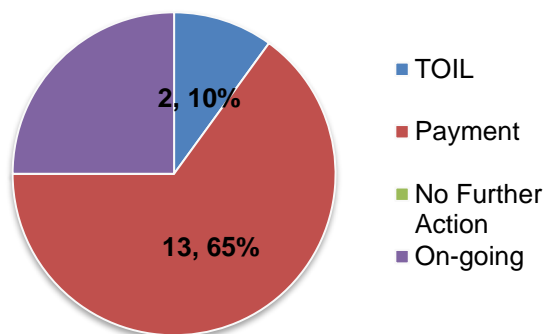
Number of Exception Reports



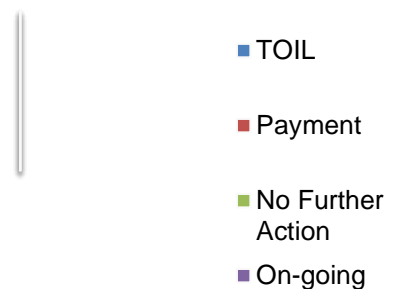
Level of Exception Reports



Outcome of Exception Reports  
CT1/2 Level



Outcome of Exception Reports  
ST3+ Level



# LaSE

