

Board of Directors (in Public)

Item 2.7

Subject: Guardian of Safe Working Report
Date of Meeting: 30th July 2019
Prepared by: Fiona Ross, HR Business Partner
Presented by: Dr Raphael Perry, Medical Director

BAF Ref	Impact on BAF
4.1	Trust compliant with exception reporting. No change to risk rating.

1. Executive Summary

This is the 19/20 Q1 report on safe working hours following introduction of the 2016 contract for junior doctors.

At present LHCH has twenty six trainees on the new contract currently on rotation at the Trust. All rotas are compliant with both the rules around the 2002 Junior Doctor Contract and also the 2016 Contract.

2. Background

The purpose of this report is to review the working hours of Doctors in training including exception reports, breaches of working hours, fines incurred and how these fines were levied.

Number of doctors / dentists in training (total):	42
Number of doctors / dentists in training on 2016 TCS (total):	26
Amount of time available in job plan for guardian to do the role: reviewed)	0 PAs (to be reviewed)
Admin support provided to the guardian (if any):	To be reviewed
Amount of job-planned time for educational supervisors:	0.25 PAs per trainee

3. Junior Doctor Contract 2016

a) Exception reports (with regard to working hours)

There have been no exception reports submitted by any of the trainees on the new 2016 TCS since commencement of placement in August 2017.

LHCH will continue to host doctors on the old 2002 contract for some time and therefore data from monitoring exercises will continue to be reviewed to ensure that assurance can be given for all doctors in training, not only those on the new TCS.

b) Issues arising

There have been gaps on majority of junior doctor rotas for quarter 1, however these have improved significantly since the beginning of the 18/19 year:

First On Call	0 Gap (1:17) – includes one long term locum
Cardiology	1 Gap (1:15) – Due to long term sickness
Surgery Junior	2 Gaps (1:8) – 1 gap April, 2 gaps May, includes 2 locums
Surgery Senior	1 Gap (1:9) - 1 gap due to Resignation (June), includes 1 locum
Anaesthesia	0 Gaps (1:9) – reduced rota in February due to rotation numbers

Trainee numbers/Trust Doctor Recruitment for August currently shows significant gaps in the Surgery Registrar rotas (5 out of 18). These are currently and will continue to be supported via agency use. Recruitment is ongoing to address these gaps with review of job description and advertising to ensure the correct seniority of doctor is captured in the application stages.

c) Actions taken to resolve issues

Recruitment continue to advertise posts, a working group has been arranged to explore any alternative options in order to resolve these issues.

Gaps in rotas are currently being filled using agency Doctors to ensure no patient safety concerns arise and also that trainees on the 2016 TCS are not breaching any of the rules that incur automatic fines.

Director of Medical Education monitors junior and Trust Doctor rotas to ensure service provision is safe, reducing and increasing First On Call rota accordingly.

4. Junior Doctor Forum

LHCH continues to hold quarterly Junior Doctor Fora which are a contractual requirement under the 2016 TCS. The most recent forum was held on 13th June 2019 and was chaired by Dr John Holemans in his capacity as Guardian of Safeworking. No concerns have been raised regarding working hours or educational opportunities but some helpful feedback was provided which led to some actions being taken away to improve conditions for juniors.

5. Revisions to the 2016 Junior Doctor Contract

Negotiations to introduce a number of improvements to the 2016 junior doctor contract in England have now concluded.

The deal we have agreed with NHS Employers and the Department of Health and Social Care brings a £90 million investment for junior doctors over the next four years.

- Increases to weekend and night shift (shifts ending after midnight and by 4am) pay
- £1,000 a year extra for all less than full time trainees
- A fifth nodal point on the payscale at the level of ST6
- 'Section 2' transitional pay protection extended until 2025
- Improved GP trainee mileage and confirmed supernumerary status
- Improvements in rest and safety entitlements, with no more pay-to-stay when too tired to drive
- Contractualised NROC(Non Resident On Call) and LTFT (Less Than Full Time) rostering guidance
- Exception reporting for all ARCP/portfolio requirements
- Guaranteed annual pay uplift of 2 per cent each year for the next four years.

The contract negotiations revised the restrictions set in working time for Juniors on the contract, include:

- Junior doctors will be entitled to 46 hours rest after any night shift – All junior Doctor shifts at LHCH currently have 48 hours rest after any night shift
- Trainees can be rostered for a maximum of 7 shifts on 7 consecutive days – all junior doctor shifts at LHCH are for a maximum of 7 days
- Trusts will now be required to pay for a trainees next journey to work, if their previous journey was paid for due to being too tired to drive home, and also provide free accommodation in certain circumstances where there are distance requirements for on-call doctors
- There are a number of new instances where a trainee can apply exception reporting and the scope for fines from guardians of safe working hours will be extended – no exceptions have been reported as yet
- Trusts are required to include local induction within work schedules – work schedules for LHCH trainees currently include local induction and EPR training.

6. Comments from Guardian of Safe Working

There have been no exception reports, but the Trust still has very few trainees on the new contract. The continuing rota gaps are being monitored regularly with steps being taken to resolve any concerns.