

## Board of Directors (in Public)

### Item 2.2

**Subject:** Guardian of Safe Working Q3 Report 23/24  
**Date of Meeting:** 31<sup>st</sup> January 2024  
**Presented by:** Dr Raphael Perry – Medical Director  
**Purpose of Report:** For Assurance

BAF Reference	Impact on BAF
BAF 1	Trust compliant with exception reporting. No change to risk rating. Potential financial risk and risk of losing junior posts if not compliant.

Level of assurance (please tick one) To be used when the content of the report provides evidence of assurance					
<input checked="" type="checkbox"/>	<b>Acceptable assurance</b> Controls are suitably designed, with evidence of them being consistently applied and effective in practice	<input type="checkbox"/>	<b>Partial assurance</b> Controls are still maturing – evidence shows that further action is required to improve their effectiveness	<input type="checkbox"/>	<b>Low assurance</b> Evidence indicates poor effectiveness of controls

#### 1. Executive Summary

This is the 2023/2024 Q3 report on safe working hours following introduction of the 2016 contract for Junior Doctors.

At present LHCH has 52 trainees on the new contract currently on rotation at the Trust. All rotas are compliant with the rules within the 2016 Contract.

The Board of Directors is asked to note the safe working hours compliance.

#### 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):	52
Number of Doctors / Dentists in training on 2016 TCS (total):	52
Amount of time available in job plan for guardian to do the role:	0.25 PAs
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. Main Body of Report

##### a) Exception Reports (regarding working hours)

- There have been no exception reports in Q3. Only one exception has been received since August 2016.

#### **b) Issues Arising**

- Current gaps in Tier One rota for both Surgery and Cardiology are causing problems with on call cover due to sickness, vacancy gaps and LTFT trainees (Less Than Full Time).
- Issues with recruiting trust Doctors outside of the UK due to visa delays.
- Current gaps in the ICU rota due to pregnancy/maternity leave, and the number of doctors rotating to us through Lead Employer.

#### **c) Actions Taken**

- Weekly reminders are sent every Monday morning to key stakeholders, including ICU, Anaesthetics, Cardiology, of any gaps in the rota for the upcoming 3 weeks to allow time to cover.
- When gaps arise, an email and a message is sent to all Doctors to ask for support, either as a swap or paid time. Loop is also being utilised to contact Doctors.
- Recruiting Trust Drs to bridge gaps and to ensure all shifts are covered.
- Potentially recruiting more Trust Drs to help bridge the gap in the rota.

### **4. Junior Doctor Forum**

Junior Doctor Forum meetings have been booked in quarterly for 2024. Weekly reminders will be sent leading up to the date to advertise the forum date, time and location to reach as many doctors as possible. The last Forum was held on 27<sup>th</sup> June 2023. Due to the lack of attendees at the Junior Doctor Forum, the DME is working with GSW champion to find alternative methods.

### **5. GSW Comments**

No exception reports received.

- **Industrial action:** As IA has not been discontinued, all junior doctors who are taking part in industrial action not rostered to work (during period of industrial action) or rostered for after hours work should not be pressurised to come in to cover. They are entitled to full pay. Junior doctors at work at the start of industrial action must not leave until safe hand over is completed. They are entitled to exception report for any additional time required to complete safe hand over. No junior doctor should be left covering an unsafe number of patients. The Trust must ensure that staff levels during industrial action are safe which may mean curtailing activity and/or the onsite presence of seniors to support any junior not taking part in industrial action.
- **Non-Deanery Trainees:** The trust employs between twenty and thirty clinical fellows or trust doctors at any one time. The 2016 contract was only applied to deanery trainees and the non-deanery trainees are still on the old contract. It has been recommended that all hospital doctors in training are offered the Ts & Cs of the 2016 contract and transfer across. Several local trusts have already actioned this. The Medical Staffing department are developing a business case to support this with the aim of achieving this by August 2024.

### **6. Recommendations**

The Board of Directors is asked to note the report.