

BOARD OF DIRECTORS MEETING (Open)

Date: 10 October 2018

Item Ref:

11

TITLE OF PAPER	Guardian of Safe Working - 2018/19 Quarter 1 Report
TO BE PRESENTED BY	Dr Mike Hunter, Executive Medical Director
ACTION REQUIRED	For Trust Board to receive the Q1 18/19 Guardian of Safe Working Report

OUTCOME	For Board to be aware and assured that junior doctors in SHSC have working hours which comply with the European Working Time Directive and rota rules as prescribed by their work schedule are met.
TIMETABLE FOR DECISION	October Board of Directors meeting
LINKS TO OTHER KEY REPORTS/ DECISIONS	Monthly Safe Staffing Report
STRATEGIC AIM STRATEGIC OBJECTIVE	Strategic aim: People Strategic Objective: A2 02 – We will develop a strategic approach to enable workforce transformation
BAF RISK NUMBER & DESCRIPTION	BAF Risk Number: A202 - Failure to understand the Trust's future workforce requirements in addition to current capacity and financial constraints may compromise implementation of the Trust's Integrated Workforce Strategy
LINKS TO NHS CONSTITUTION & OTHER RELEVANT FRAMEWORKS, RISK, OUTCOMES ETC	Junior Doctor Contract Terms and Conditions 2016
IMPLICATIONS FOR SERVICE DELIVERY & FINANCIAL IMPACT	The role of the Guardian of Safe Working is to protect patients and doctors by making sure doctors do not work unsafe hours.
CONSIDERATION OF LEGAL ISSUES	Compliance with the European Working Time Directive and contractual requirements

Author of Report	Dr. Mike Atter
Designation	Guardian of Safe Working
Date of Report	27/09/2018

SUMMARY REPORT

Report to: BOARD OF DIRECTORS

Subject: Guardian of Safe Working - 2018/19 Quarter 1 Report

Author: Dr Mike Atter, Guardian of Safe Working

1. Purpose

<i>For Approval</i>	<i>For a collective decision</i>	<i>To report progress</i>	<i>To seek input from</i>	<i>For information</i>	<i>Other (please state below)</i>
				X	

2. Summary

This quarterly report (April to June 2018) by the Guardian of Safe Working is required by the Junior Doctor Contract (2016) Terms and Conditions. It reports on the number of exception reports raised and how they have been dealt with. It also reports on reasons for absence and the use of locums to staff the out of hours rota.

The report shows no issues in relation to working hours or the delivery of education.

Two exception reports were raised in relation to working hours and both were closed with a successful outcome. However one of those reports exceeded the two week resolution target due to annual leave on the part of the trainee.

3 Next Steps

For the Board of Directors to receive the report.

4 Required Actions

For the Board of Directors to be assured that the medical trainees are working safely within the remit of the Guardian of Safe Working.

5 Monitoring Arrangements

The Board of Directors will continue to receive reports on a quarterly basis.

6 Contact Details

For further information please contact:

Dr Mike Atter – Guardian of Safe Working

Jo Wilson – Medical Education and Staffing Manager



QUARTERLY REPORT ON SAFE WORKING HOURS

April, May & June 2018

Executive Summary

This quarterly review covers April to June 2018. There is a robust arrangement for current and new staff to be made aware of the process of exception reporting. The number of reports has been low in this quarter despite the increased awareness. Of the two exception reports in this period, one is about working above 50 % of the time that is compensated for. One is relating to a busy on call day shift where breaks were not taken. These themes were discussed in the Junior Doctor forum on 23rd May. The intensity of the foundation doctor's work out of hours has been raised, with a view that trainees work more than the 50% they are compensated for. Exception reports cannot adequately capture the detail of the on call intensity, and a repeat of hours monitoring has been completed. The hours monitoring exercise at end of April 2018 had a high response rate of 90% from intermediate trainees and 82% from higher trainees. The monitoring showed an average of 50% work during out of hours shifts.

Introduction

The 2016 terms and conditions of service (TCS) for doctors in training introduced a new role regarding working hours, the Guardian of Safe Working (GOSW), in all organisations that employ or host NHS training doctors. The roles of the GOSW include being a champion for safe working hours, attending induction to explain the guardian role to new doctors, to oversee safety relating to exception reports and to monitor compliance, to escalate issues for actions when not addressed locally, to require work schedule reviews to be undertaken where necessary, to intervene to mitigate safety risks and to intervene where issues are not being resolved satisfactorily. The GOSW also distributes monies received as a result of fines for safety breaches, as directed by the trainees through the junior doctor's forum and provides assurances to both the Trust Board of Directors and the doctors in training on safe working and compliance with terms and conditions. The role also includes a quarterly report and annual report to the Trust Board of Directors and a responsibility for providing information to external national bodies. There is also a requirement that the guardian convenes junior doctor forums on a regular basis.

High level data

	No of doctors in training	No of doctors on new contract
Apr-18	41 (36.2 WTE)	21
May-18	41 (36.2 WTE)	21
Jun-18	41 (36.2 WTE)	21

- Amount of time available in job plan for guardian to do the role: 0.5PAs
- Admin support provided to the guardian (if any): 0.25
- Amount of job-planned time for educational supervisors: 0.25

a) Exception reports (with regard to working hours)

	No of exceptions raised	No of exceptions closed	No of exceptions outstanding
Apr-18	1	1	0
May-18	1	0	1
Jun-18	0	0	0

Grade	Submission Date	Initial Review	Total Days Expired	Status
FY2	01-APR-2018	05-JUN-2018	66	Complete
CPT	24-MAY-2018	-	-	Completed in Q2

Monitoring exercises of trainee doctors working hours have taken place in March 2018. The intermediate response rate was 90%. The higher rota response rate was 82%. Analysis showed trainees to be working 50% of out of hours shifts.

b) Work schedule reviews

No Work Schedule Reviews have currently been undertaken.

c) Locum bookings

Month	Internal	Agency	Total Locum spend
Apr-18	£1,636.03	£6,418.00	£8,054.03
May-18	£4,424.65	£7,474.50	£11,899.15
Jun-18	£4,434.46	£11,636.88	£16,071.34

Locum Bookings (Agency)				
Month	Shifts		Hours	
	Number Requested	Number Worked	Number Requested	Number Worked
Apr-18	13	10	157.5	120
May-18	13	12	153.5	141
Jun-18	20	18	232	225
Locum Bookings (Agency) by Grade - April				
Specialty	Shifts		Hours	
	Number Requested	Number Worked	Number Requested	Number Worked
FY/CT1-3	5	2	57.5	20
ST4+	8	8	100	100
Locum Bookings (Agency) by Grade - May				
Specialty	Shifts		Hours	
	Number Requested	Number Worked	Number Requested	Number Worked
FY/CT1-3	7	6	87.5	75
ST4+	6	6	66	66
Locum Bookings (Agency) by Grade - June				
Specialty	Shifts		Hours	
	Number Requested	Number Worked	Number Requested	Number Worked
FY/CT1-3	5	3	44.5	37.5
ST4+	15	15	187.5	187.5

Locum Bookings (Agency) by Reason - April				
Reason	Shifts		Hours	
	Number	Number Worked	Number	Number Worked
Vacancy	7	4	87.5	50
Sickness	1	1	7.5	7.5
Other	5	5	62.5	62.5
Locum Bookings (Agency) by Reason - May				
Reason	Shifts		Hours	
	Number	Number Worked	Number	Number Worked
Vacancy	0	0	0	0
Sickness	3	2	37.5	25
Other	10	10	116	116
Locum Bookings (Agency) by Reason - June				
Reason	Shifts		Hours	
	Number	Number Worked	Number	Number Worked
Vacancy	0	0	0	0
Sickness	5	3	44.5	37.5
Other	15	15	187.5	187.5

(Other includes: doctor on an 'Act Up' & maternity)

Locum Work by Trainees

Month	Grade	Number of shifts worked	Number of hours worked	Number of hours rostered per week	Actual hours worked per week	Opted out of Working Time Regulations?
Apr-18	CPT	1	12.5	40	52.5	No
Apr-18	FY	1	12.5	40	52.5	No
Apr-18	CPT	1	3.5	40	43.5	No
Apr-18	CPT	1	4.5	40	44.5	No
Apr-18	SAS	1	4.5	40	44.5	No
Apr-18	CPT	1	4.5	24	28.5	No
Apr-18	SAS	1	4.5	40	44.5	No
Apr-18	SPR	1	4.5	40	44.5	No
May-18	CPT	1	4.5	40	44.5	No
May-18	CPT	3	29.5	24	53.5	No
May-18	CPT	1	12.5	24	36.5	No
May-18	SAS	1	4.5	40	44.5	No
May-18	SPR	1	4.5	40	44.5	Yes
May-18	SPR	1	4.5	40	44.5	Yes
May-18	CPT	1	3.5	40	43.5	No
May-18	SAS	1	4.5	24	28.5	No
May-18	SAS	1	4.5	40	44.5	No
May-18	CPT	1	4.5	40	44.5	No
May-18	CPT	2	25	24	49	No
May-18	CPT	1	4.5	40	44.5	No
May-18	SPR	1	4.5	40	44.5	Yes
Jun-18	SPR	1	4.5	32	36.5	No
Jun-18	CPT	1	4.5	24	28.5	No
Jun-18	CPT	1	4.5	40	44.5	No
Jun-18	SPR	1	4.5	40	44.5	No
Jun-18	CPT	1	12.5	40	52.5	No
Jun-18	CPT	1	12.5	24	36.5	No
Jun-18	SPR	1	4.5	40	44.5	No
Jun-18	Cons	1	12.5	40	52.5	No
Jun-18	GP-StR	1	3.5	40	43.5	No
Jun-18	Cons	1	3.5	40	43.5	Yes
Jun-18	SPR	1	4.5	40	44.5	Yes
Jun-18	SPR	1	12.5	40	52.5	No
Jun-18	Cons	1	12.5	40	52.5	No
Jun-18	SPR	1	4.5	40	44.5	No

The rotas are adequately staffed with gaps, due to unpredicted changes such as short notice sickness, doctors 'acting up' & maternity covered by locums.

d) Fines

No Fines have yet been levied.

Qualitative information

The Trust started using the allocate exception reporting software from August 2017 and new trainees were given training in exception reporting and were introduced to the system in induction. The Trust also offered that the opportunity to exception report to all trainees on the old contract although the outcomes in terms of time owing in lieu or payment are not available to them. It was felt that this would offer a helpful summary of the current working conditions.

The intensity of the on call work is the subject of one report. The new contract is such that out of hours duties on the ward are paid on the understanding that trainees would be working on average 50% of the time and would be resting for at least 25% of the time. Exception reports indicate times when staff had worked above the average of 50%. Unfortunately the exception report does not provide any clarity as to when trainees are working under the average of 50%. Discussions at supervision and in the JDF are aimed at supporting trainees to manage workload, and seek support where needed

The one overdue exception reports relates to not being able to take breaks due to a busy on call shift. This was not resolved in the two week time scale because of annual leave on the part of the trainee concerned. This exception report has since been closed, after the reporting period covered by this report.

Actions taken to resolve issues

Informal feedback indicates that junior trainees are using the on call handover system effectively to avoid extended working.

The issue of cross cover was discussed at the Junior Doctor's Forum in May 2018.

Summary

During this period of time, the exception reporting procedures were well known to trainees. Exception reports were resolved between the trainees and their clinical supervisor, apart from one report which was closed outside of this reporting period due to annual leave. I am comfortable with the overall safety of working hours in the organization, and that satisfactory progress is being made to address issues as they arise.