

Meeting Title	People Academy		
Date	Wednesday 27 <sup>th</sup> September 2023	Agenda item	PA.9.23.11

## GUARDIAN OF SAFE WORKING HOURS DOCTORS AND DENTISTS IN TRAINING QUARTER 1 2023-24

Presented by	Dr Ray Smith, Chief Medical Officer		
Author	Dr Joanna Glascodine, Guardian of Safe Working Hours		
Lead Director	Dr Ray Smith, Chief Medical Officer		
Purpose of the paper	Provide assurance that doctors and dentists in training are working safe hours		
Key control	High Level Control for Objective 1 & 3		
Action required	For assurance		
Previously discussed at/informed by			
Previously approved at:	Committee/Group	Date	
Key Options, Issues and Risks			
The 2016 junior doctor contract requires the Guardian of Safe Working Hours to submit a quarterly report to the board to provide assurance that doctors and dentists in training are working safe hours. Information on exception reporting, work schedule reviews, rota gaps and fines levied will be presented. This report covers the period 1 Apr – 30 June 2023.			
Analysis			
Trainees submit exception reports if working beyond contracted hours or educational opportunities are missed. The Guardian monitors hours-related reports, while the Director of Education monitors training-related reports.			
In Quarter 1 there were 22 exception reports. 17 of these were related to hours/working patterns, 1 was education related and 4 exception reports were relating to the service support available to the doctor. In addition 6 reports were flagged as an immediate safety concern.			
In total, 14.75 additional hours were reported.			
Recommendation			
Palliative medicine remains the only non-compliant rota (due to weekend working pattern). The trainees in post are happy with their current pattern. This will be discussed every time a new trainee rotates and approved at JDF.			
The highest number of additional hours claimed this quarter was from Obstetrics and Gynaecology Foundation doctors.			
6 of the 22 reports that were flagged as an immediate safety concern. These were from Plastics ST and Foundation doctors in General Surgery and Medicine.			

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Risk assessment						
Strategic Objective	Appetite (G)					
	Avoid	Minimal	Cautious	Open	Seek	Mature
To provide outstanding care for patients			g			
To deliver our financial plan and key performance targets			g			
To be in the top 20% of NHS employers					g	
To be a continually learning organisation				g		
To collaborate effectively with local and regional partners					g	
The level of risk against each objective should be indicated. Where more than one option is available the level of risk of each option against each element should be indicated by numbering each option and showing numbers in the boxes.	Low		Moderate	High	Significant	
	Risk (*)					
Explanation of variance from Board of Directors Agreed General risk appetite (G)						

<b>Benchmarking implications (see section 4 for details)</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
Is there Model Hospital data relevant to the content of this paper?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is there any other national benchmarking data relevant to the content of this paper?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is the Trust an outlier (positive or negative) for any benchmarking data relevant to the content of this paper?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>Risk Implications (see section 5 for details)</b>	<b>Yes</b>	<b>No</b>
Corporate Risk register and/or Board Assurance Framework Amendments	<input type="checkbox"/>	<input type="checkbox"/>
Quality implications	<input type="checkbox"/>	<input type="checkbox"/>
Resource implications	<input type="checkbox"/>	<input type="checkbox"/>
Legal/regulatory implications	<input type="checkbox"/>	<input type="checkbox"/>
Diversity and Inclusion implications	<input type="checkbox"/>	<input type="checkbox"/>
Performance Implications	<input type="checkbox"/>	<input type="checkbox"/>

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<b>Regulation, Legislation and Compliance relevance</b>
<b>NHS Improvement: (please tick those that are relevant)</b> <input type="checkbox"/> Risk Assessment Framework <input type="checkbox"/> Quality Governance Framework <input type="checkbox"/> Code of Governance <input type="checkbox"/> Annual Reporting Manual
<b>Care Quality Commission Domain:</b> Choose an item.
<b>Care Quality Commission Fundamental Standard:</b> Choose an item.
<b>NHS Improvement Effective Use of Resources:</b> Choose an item.
<b>Other (please state):</b>

Relevance to other Board of Director's academies: (please select all that apply)			
People	Quality	Finance & Performance	Other (please state)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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## **QUARTER 1**

### **1 PURPOSE/ AIM**

To provide a quarterly update report to give assurance that doctors and dentists in training are working safe hours.

### **2 BACKGROUND/CONTEXT**

The 2016 junior doctor contract requires the Guardian of Safe Working Hours to submit a quarterly report to the board to provide assurance that doctors and dentists in training are working safe hours.

### **3 PROPOSAL**

Information on exception reporting, work schedule reviews, rota gaps and fines levied will be presented. This report covers the period 1 Apr – 30 June 2023. No fines were levied within this period.

### **4 RISK ASSESSMENT**

Risks have been identified but actions have been taken and continue to be taken to mitigate against the risk.

### **5 RECOMMENDATIONS**

Palliative medicine remains the only non-compliant rota (due to weekend working pattern). The trainees in post are happy with their current pattern. This will be discussed every time a new trainee rotates and approved at JDF. One potential solution has been proposed sharing on-calls with Airedale and will be looked into to see if this is feasible. There are no further updates on this as of yet.

The additional hours claimed this quarter was only 14.75 hours in total with 6.5 hours claimed by the Obstetrics Foundation trainees. These hours appear to be from especially busy shifts and inability to handover due to the on-call team being in theatre or with an unwell patient.

There were 6 immediate safety concerns this quarter. 3 came from Plastics higher trainees who did not achieve adequate rest during their non-resident on-call and the other 3 from foundation doctors in General Medicine and Surgery who did shifts that were not fully staffed so felt this could have led to a patient safety issue.

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## 6 Appendices

### Introduction

The 2016 junior doctor contract requires the Guardian of Safe Working Hours to submit a quarterly report to the board to provide assurance that doctors and dentists in training are working safe hours. Information on exception reporting, work schedule reviews, rota gaps and fines levied will be presented. This report covers the period 1 Apr – 30 June 2023.

### Exception reports

Trainees submit exception reports if working beyond contracted hours or educational opportunities are missed. The Guardian monitors hours-related reports, while the Director of Education monitors training-related reports. In Quarter 1 there were 22 exception reports. 17 of these were related to hours/working patterns, 1 was education related and 4 exception reports were relating to the service support available to the doctor. This is half of the reports submitted in the previous quarter. In addition 6 reports were flagged as an immediate safety concern. This is selected as an option on an exception report if the trainee feels that they saw something that could have led to an issue for patient safety. This is most commonly due to understaffing for that shift.

The highest number of exception reports came from Foundation doctors in General Medicine. Some of the reasons for reports included missing a break due to a busy shift and missing an educational opportunity due to less staff on an Elderly on-call. There was not one theme.

The highest number of overtime was from Obstetrics and Gynaecology Foundation doctors at 6.5 hours. This was mostly due to staying late with an unwell patient or not having someone to handover to as they were scrubbed in theatre for an emergency.

There were only 6 potential immediate safety concerns this quarter. Half of them came from one Plastics' higher trainee who did not get the adequate rest time during non-resident on-calls which he felt would put patients at risk if he was to work the next day. Time off in lieu was requested within the department.

The other 3 were from Foundation doctors in General Medicine and Surgery who felt that there was a potential patient safety issue due to understaffing of their shift.

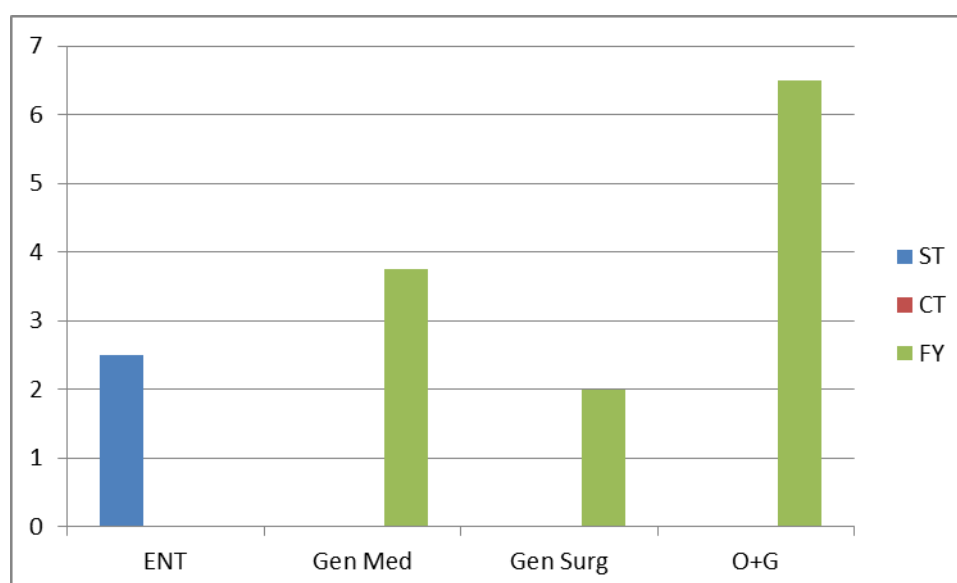
The 5 specialities with the most reports are shown below in table 1 and additional hours claimed by speciality and grade in Figure 1.

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Table 1: Number of exception reports by top 5 specialties April – June 2023.

Exceptions by Specialty	Hours/work pattern	Educational	Service support	Patient safety
General Medicine	5	1	0	1
General Surgery	2	0	3	2
Plastics	3	0	0	3
O+G	5	0	0	0
ENT	2	0	1	0

Fig 1: Exception reports (hours) by specialty and training grade April – June 2023



### Work schedule reviews

Every trainee agrees a work schedule with their educational supervisor. A work schedule review takes place when changes are needed to ensure safe working hours or to provide better training opportunities. There were no work schedule reviews this quarter.

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### Rota gaps

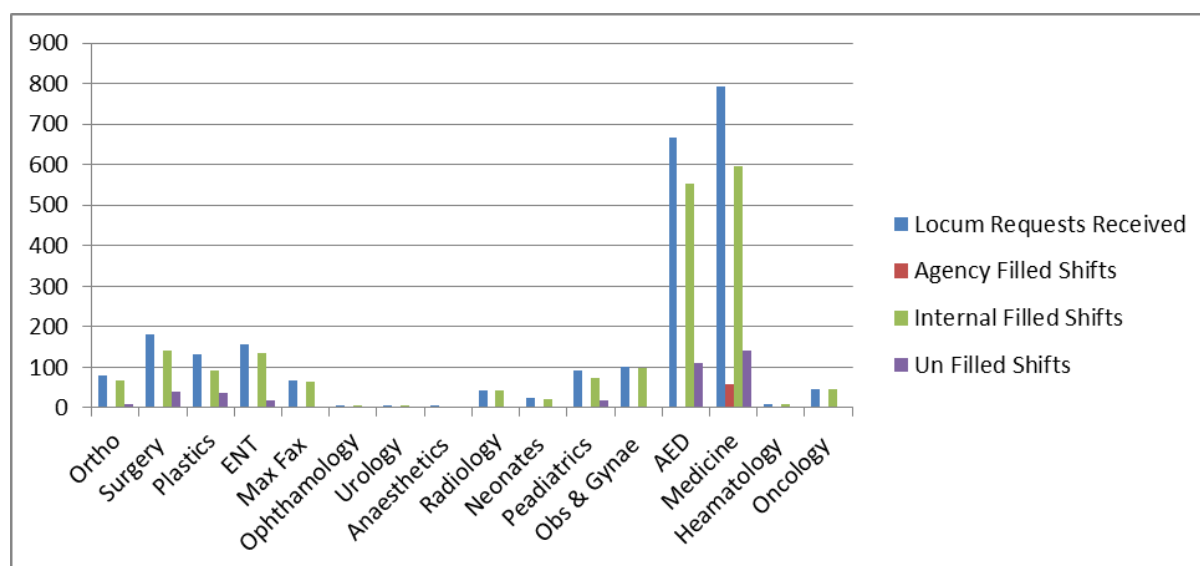
A gap on a rota results from a post not being filled or from long term sickness. Gaps may be filled by doctors who are not in training. There are currently 67 unfilled training posts out of a total of 497.

The trust employs 14 post-foundation fellows, 7 post-core fellows and 52 locally employed doctors to help cover the rota gaps and enhance the junior medical workforce.

### Locum bookings

Rota gaps may be filled by bank or agency locums via the flexible workforce team. This quarter there was a 25% decrease in locum requests with around 16% remaining unfilled. The two departments requesting the highest numbers of trainee doctor locums were as always; the Emergency Department and Medicine (see figure 2).

Figure 2: Locum shifts by department April – June 2023



### Fines

The Guardian levies a fine against a department if contract rules on hours or breaks are broken. Some is paid to affected doctors with the remainder being disbursed via the Junior Doctor Forum to improve the working lives of junior doctors during their time in Bradford. No fines have been levied in this quarter.

### Issues arising and actions taken

The highest number of exception reports came from Foundation trainees in General Medicine and General Surgery. There was no particular theme to these reports and mostly came from genuinely busy shifts, staying late / missing breaks to stay with unwell patients and some poorly staffed shifts due to sickness. The individual trainees discussed each case

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with their supervisors but I don't think their needs to be further escalation for such small numbers.

The most immediate safety concerns came from one Plastics' registrar who did not get the adequate rest time during a non-resident on-call. He claimed for time in lieu from the department to make up for the rest time. This is an ongoing issue in Plastics and due to a gap on the rota when the on-call registrar needs to come in late or leave early (so they don't breach their hours) this leaves the day team further stretched leading to missed educational time in clinics and theatre lists. I have discussed this with current trainees and the Lead Plastics Clinicians.

The February 2020 TCS requirement for maximum weekend frequency working of 1:3 has been achieved across all rotas with the exception of palliative medicine (Marie Curie Hospice) although there is agreement from the hospice, the trust, the guardian and trainees on the rota that this will continue and will remain under review. There has been one suggestion of shared on-call with Airedale and we will see if this is a workable option for trainees. There are no new updates.

## Summary

- There was a 50% reduction in exception reports in quarter 4. This is the lowest number of reports for 21 months.
- The highest reporting group of doctors were Foundation doctors from General Medicine and General Surgery. There were many reasons cited for staying late / missing breaks including unwell patients and reduced staffing on certain shifts.
- The highest amount of overtime is from Foundation trainees in Obstetrics and Gynaecology but this is still low at only 7.5 hours.
- There has been a 25% increase in locum requests this quarter with around 16% going unfilled. ED and Medicine remain the departments in need of most locums.
- Palliative medicine remains the only non-compliant rota (due to weekend working pattern). The trainees in post are happy with their current pattern whilst we work to find a long-term solution.