

COVERSHEET	
Meeting	Board of Directors' meeting in PUBLIC
Paper Title	Guardian of Safe Working Quarterly Report (Q4) -1 May to 31 July 2020
Date of meeting	8 October 2020
Date paper was written	15 September 2020
Responsible Director	Dr Arne Rose - Medical Director
Author	Dr Bridget Barrowclough - Guardian of Safe Working Hours (GoSWH)
Presenter	Dr Arne Rose
EXECUTIVE SUMMARY	
<p>This report is presented to the Trust Board with the aim of providing the context and assurance around safe working hours for Doctors and Dentists in training (referred to as trainees or Junior doctors) in the Shrewsbury and Telford NHS Trust (SaTH). This does not include Trust doctors or Clinical fellows who work alongside doctors in training on the Junior Doctor rota.</p> <p>It highlights concerns to the Trust Board regarding safe working hours, missed rest periods and where issues have been raised in Exception Reports and forums regarding service commitments that impact our Junior doctors.</p> <p>It is noted that the COVID-19 interrupted the normal working practice in this period and rotas evolved as the Care Groups re-deployed doctors to manage the pandemic.</p> <p>There were nine Exception Reports in this period from Intermediate Foundation Year One doctors who had joined the Trust as a consequence of them completing their final year early.</p> <p>The well-being of trainees was supported as part of the Trust-wide effort for all staff. However, current work must be captured to produce a long term strategy to manage the impact of this pandemic and the ongoing concerns regarding well-being raised by Junior Doctors. The GoSWH is supported in this endeavour by the Medical Director.</p> <p>The dedication of the Junior Doctors to commit to changes in their work patterns at short notice despite the potential impact on their own well-being throughout this time is recognised and commended by the GoSWH.</p> <p>The Board is asked to read and approve this report and note the willingness of the Junior Doctors to adapt and commit to the rapidly changing work patterns throughout this significant period.</p>	
Previously considered by	N/A

<input type="checkbox"/> Approve	<input type="checkbox"/> Receive	<input type="checkbox"/> Note	<input checked="" type="checkbox"/> Take Assurance
To formally receive and discuss a report and approve its recommendations or a particular course of action	To discuss, in depth, noting the implications for the Board or Trust without formally approving it	For the intelligence of the Board without in-depth discussion required	To assure the Board that effective systems of control are in place

Link to CQC domain:				
<input checked="" type="checkbox"/> Safe	<input checked="" type="checkbox"/> Effective	<input checked="" type="checkbox"/> Caring	<input type="checkbox"/> Responsive	<input checked="" type="checkbox"/> Well-led

Link to strategic objective(s)	<input type="checkbox"/> PATIENT AND FAMILY Listening to and working with our patients and families to improve healthcare <input checked="" type="checkbox"/> SAFEST AND KINDEST Our patients and staff will tell us they feel safe and received kind care <input type="checkbox"/> HEALTHIEST HALF MILLION Working with our partners to promote 'Healthy Choices' for all our communities <input type="checkbox"/> LEADERSHIP Innovative and Inspiration Leadership to deliver our ambitions <input checked="" type="checkbox"/> OUR PEOPLE Creating a great place to work
Link to Board Assurance Framework risk(s)	BAF 859 BAF1771

Equality Impact Assessment	<input checked="" type="radio"/> Stage 1 only (no negative impact identified) <input type="radio"/> Stage 2 recommended (negative impact identified and equality impact assessment attached for Board approval)
Freedom of Information Act (2000) status	<input checked="" type="radio"/> This document is for full publication <input type="radio"/> This document includes FOIA exempt information <input type="radio"/> This whole document is exempt under the FOIA
Financial assessment	

SITUATION

In this quarter amid Covid-19 trainees in SaTH worked with dedication and vigorously adapted to the working patterns and conditions. Where working patterns were unacceptable these were discussed within Care Groups and any issues were resolved. Working patterns reverted to usual practice by the end July 2020.

The GoSWH continues to encourage the trainees to report exceptions to their working patterns and to highlight pauses in service commitment via the Exception Reporting process or directly to their Supervising Consultants and Supervisors or Freedom-to-Speak-Up-Guardians.

BACKGROUND

All trainee doctors at SaTH are employed under the Terms and Conditions of Service (TCS) of the 2016 Junior Doctor Contract.

Junior Doctors receive work schedules that adhere to the safe working limits for hours and rest. Any concerns regarding breaches in the work schedule with respect to working hours, rest breaks and service commitments are escalated to the Senior Medical Leadership Team via the Exception Reporting process and the GoSWH. All Exception Reports are copied into Senior Managers. The most serious breaches of safe working limits result in fines for the Care Group in which the breach occurred.

In June 2019 the TCS were revised and agreed nationally. In accordance with the revised 'Refresh Contract 2018', the Trust commenced an implementation schedule recognising the new limits.

In March 2020 significant changes were made to the working practices of Junior Doctors as a consequence of COVID-19.

In April 2020 NHS Employers and the British Medical Association agreed that during this time contractual provisions could be suspended where an employer was unable to meet its obligations under the definitions of safe and appropriate levels of cover within the limits of the 2016 and 2018 TCS. Working times Regulations 1998 became the fall-back position at the height of the pandemic. The GoSWH was not immediately aware of rota changes as they were often altered in response to the rapidly evolving clinical picture. However, the GoSWH maintained regular contact with rostering team in medical staffing, the Director of Medical Education and the Senior Medical Leadership Team (SLMT) to ensure rota co-ordinators adhered to the guidance.

Trainees were re-deployed, either at their own request or after considering their skill base. Most trainees worked a greater than 1-in-2 weekend frequency due to the rolling work pattern of three long shifts on duty alternating with three days off. Final year medical students became Intermediate Foundation Year 1 doctors and joined the Trust in May to supplement the workforce with additional support from 4th Year medical students from Keele University.

ASSESSMENT

1. Exception Reports

1.1 Nine Exception Reports were submitted in this period. All reports related to hours worked over and were submitted by Intermediate Foundation Year 1 trainees who had been briefed at induction with respect to the importance of reporting.

1.2 All reports were addressed but the compliance regarding the timelines for filing of the reviews by Clinical Supervisors lapsed in more than 50 % of cases.

1.3 In all reports time-off-in-lieu was the agreed outcome (Appx 1)

1.4 Issues were raised by the Less-than-Full time trainees in Paediatrics due to a disparity in their working hours compared to their full time colleagues.

2. Breach fines

2.1 No breach fines were applied in this time period.

3. Engagement

3.1 Junior Doctor forums and drop-in sessions were halted during this period although the GoSWH continued to engage with the doctors informally visiting the areas frequented by doctors in their natural breaks.

4. Risk

4.1 There is no supporting data other than completed Exception Reports to assure the GoSWH that all doctors in training work within the safe limits as defined within the TCS Junior Doctor Contract 2016 at all times.

4.2 A live rostering system may augment the data received via the Exception Reporting system in this respect. The GoSWH welcomes the introduction of this system purchased in October 2019.

4.3 The return to normal rotations and rotas will be monitored by the GoSWH to ensure restoration and compliance. Currently two rotas remain non-compliant with respect to the maximum weekend frequency (ED and Neonates).

4.4 The impact on well-being cannot be underestimated and ongoing support will be required in this respect.

RECOMMENDATION

The Board is asked to read and approve this report and note the willingness of the Junior Doctors to adapt and commit to the rapidly changing work patterns throughout this significant period.

Appendix 1

Exception Reports: 1 May-31 July 2020

Submitted	Grade	Speciality	No. of exceptions	Type	Breach type	Status	Outcome (TOIL - hours)
1/5/20	iFY1	Medicine	2	Hours	Overtime	Completed	2
1/5/20	iFY1	Medicine		Hours	Overtime	Completed	2
12/6/20	iFY1	T&O	2	Hours	Overtime	Completed	2
13/6/20	iFY1	T&O		Hours	Overtime	Completed	2
17/6/20	iFY1	Surgery	2	Hours	Overtime	Completed	1
18/6/20	iFY1	Surgery		Hours	Overtime	Completed	1
15/6/20	iFY1	Medicine	3	Hours	Overtime	Completed	3
16/6/20	iFY1	Medicine		Hours	Overtime	Completed	2
17/6/20	iFY1	Medicine		Hours	Overtime	Completed	3