

**REPORT TO THE TRUST BOARD - PUBLIC**

<b>Title</b>	Quarterly Report on Safe Working Hours: Doctors in Training <b>Quarter 2 2020 / 2021</b> 1 July 2020 – 30 September 2020
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<b>Accountable Executive Director</b>	Dr Paul Gilluley, Chief Medical Officer

**Purpose of the Report:**

The Committee is asked to note quarterly report from the ELFT Guardian of Safe Working Hours which provides data about the number of junior doctors in training in the Trust and any issues arising from transition to the 2016 Junior Doctor contract which was fully implemented in ELFT in September 2017. The report details arrangements made to ensure Safe Working within the new contract and arrangements in place to identify, to quantify and remedy any risks to the organisation.

**Executive summary of key issues:**

- Work schedules at ELFT are compliant with the junior doctor contract.
- In this period 4 fines were issued due to breach of working hours safeguards
- Exception reporting has returned to average levels after very low reporting in the first 3 months of the covid-19 pandemic.
- The number of shifts requiring cover has dropped slightly. More than ¾ are covered by doctors on the rota.

**Strategic priorities this paper supports (Please check box including brief statement)**

Improving service user satisfaction	<input type="checkbox"/>	
Improving staff satisfaction	<input checked="" type="checkbox"/>	Provides assurance about monitoring of working hours with impact on junior doctor staff satisfaction.
Maintaining financial viability	<input type="checkbox"/>	

**Committees/Meetings where this item has been considered:**

Date	Committee/Meeting
N/A	N/A

**Implications:**

Equality Analysis	This report has no direct impact on equalities.
Risk and Assurance	Risks are associated with rota gaps and assurance will be provided through monitoring.
Service User/Carer/Staff	No concerns noted at present.
Financial	There are no financial implications attached to this report.
Quality	No concerns noted at present.

**Supporting Documents and Research material**

a. N/A
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## 1.0 Introduction

1.1 This is the 9th report of Guardian of Safe Working Hours at ELFT to be presented to the Committee. The report has been prepared by the Guardian and covers reporting submitted from date of last report 1 July 2020 to 30 September 2020.

1.2 The Committee is asked to note the information contained in the report.

## 2.0 High level data for ELFT Employed Trainees

2.1 Number of posts for doctors in training and number of vacancies (as of August 2020) are listed in the table below.

	Posts for doctors on 2016 contract			Doctors in training on 2016 contract		
	London	Luton / Beds	Total	London	Luton / Beds	Total
<b>FY 1 - 2</b>	17	9	26	14	5	19
<b>GPSTR</b>	15	7	22	14	4	18
<b>CT1-3</b>	48	8	56	48	8	56
<b>ST4-6</b>	46	8	66	35	7	42
	<b>126</b>	<b>32</b>	<b>170</b>	<b>111</b>	<b>24</b>	<b>135</b>

3.1 **Exception reports (01.07.2020 – 30.09.2020).** There were 44 reports in total in this quarter.

Exception reports by Directorate				
Directorate	No. exceptions carried over	No. exceptions raised	No. exceptions closed	No. exceptions outstanding
City and Hackney	0	5	5	0
Tower Hamlets	0	30	30	0
Luton	0	4	4	0
Bedfordshire	0	3	3	0
Newham	0	2	2	0
CAMHS	0	0	0	0
<b>Total</b>	<b>0</b>	<b>44</b>	<b>44</b>	<b>0</b>

3.2 Reports by grade of doctor

Exception reports by Grade				
Directorate	No. exceptions carried over	No. exceptions raised	No. exceptions closed	No. exceptions outstanding
FY	0	0	0	0
GP VTS	0	0	0	0
CT1-3	0	36	36	0
ST4-6	0	8	8	0
<b>Total</b>	<b>0</b>	<b>44</b>	<b>44</b>	<b>0</b>

3.3 Action taken on reports

Directorate	Exception reports by Action				
	Guardian Fine	Payment	TOIL	Not agreed	N/A as no action required
City and Hackney	1	0	1	0	3
Tower Hamlets	2	17	9	0	2
Newham	0	1	1	0	0
Luton + Beds	1	0	2	0	4
CAMHS	-	-	-	-	-
<b>Total</b>	<b>4</b>	<b>18</b>	<b>13</b>	<b>0</b>	<b>9</b>

### 3.4 Response time on reporting.

Exception reports (response time)				
	Addressed within 48 hours	Addressed within 7 days	Addressed in longer than 7 days	Still open
FY2	0	0	0	0
CT1-3	2	11	23	0
ST4-6	0	1	7	0
<b>Total</b>	<b>2</b>	<b>12</b>	<b>30</b>	<b>0</b>

3.5 Reports continue to take longer to be signed off than is acceptable. Response times of 7 days are contractual. Faster response has been facilitated only by Guardian sign off.

### 4.0 Locum bookings

4.1 Locum bookings are made to cover vacant shifts on on-call rotas, the result of vacancies and sickness absence. The vast majority of locum shifts are taken by doctors working on the rota already, including staff grade doctors, and very few shifts are covered by agency doctors (see Appendix 2). On 6 occasions shifts could not be filled. The rate covered by agency staff has remained stable.

Directorate	Grade	July 2020	August 2020	September 2020	Agency	Total n. shifts
City and Hackney (incl. Forensics)	CT	35	13	7	18	55
Tower Hamlets	CT	8	7	10	3	25
Newham	CT	25	30	24	11	79
City and Hackney (incl. Forensics)	HT	17	10	14	7	41
Newham / TH	HT	15	21	6	0	42
Luton	CT	14	24	12	8	50
Beds	CT	10	18	12	17	40
Luton / Beds	HT	16	13	11	17	40
CAMHS	HT	3	3	3	8	9
Total		143	139	99	89	381

### 5.0 Work schedule reviews

5.1 No Work Schedule Reviews were carried out in the reporting period.

### 6.0 Fines

6.1 4 new fines have been levied in the period – 3 minor breaches of the 13 hour max shift, and 1 breach of the 8 hour rest on a 24 hour non resident rota.

### 7.0 Qualitative information

7.1 The 2016 junior doctor contract includes safeguards relating to working hours. Work schedules and on call rotas are designed to comply with the contract rules, including rest rules. Trainees report breaches in work schedules by exception reporting. Work schedule reviews can take place if there is a need. In particular circumstances, fines can be levied. The role of Guardian of safe working hours is to ensure compliance with the safeguards, act on issues as they arise, and assure the Trust Committee that working hours are safe. Guardians are independent of trust management. Exception reporting is considered a sign of a healthy training environment. Reports dropped in the initial pandemic period, but have returned to average levels in Q2 2020 / 2021 (see Appendix 1).

7.2 The Trust runs a Junior Doctor Forum on a bi-monthly basis chaired by the Guardian and including BMA, medical staffing and medical education representation. The purpose of the

forum is to consider any and all issues related to a supportive working environment for junior doctors. The forum is very well attended.

Separate meetings have also been held for core trainees, for CAMHS trainees, for trainees in Luton and Beds, and for less than full time trainee representatives. All meetings have gone ahead as planned and have been positively received. All trainees have access to channels to report on patient safety issues and local concerns directly.

The Guardian of Safe Working is linked in with Freedom to Speak Up Guardian over any reports from junior doctors of safety or training concerns. There have been 5 contacts to FTSU from doctors in the year between October 1 2019 and 30 September 2020. It is not recorded whether these were from doctors in training or consultants (reporting is due to change so that this can be recorded in future). None of the concerns are currently live. FTSU Guardian will kindly speak to the junior doctor group at the next Junior Doctor Forum in November 2020.

7.3 Between 1 July 2020 and 30 September 2020 (3 months) 44 exception reports were raised. This is in line with average. 4 fines were issued.

7.4 Themes include:

- Over-running on calls
- Missing education
- Carrying 2 bleeps
- Shortage of staff on wards
- Poor timetabling of an LTFT post
- Issues with new ward at East Ham Care Centre

## **8.0 Issues arising**

8.1 It is likely that trainees are still under-reporting on exceptions.

## **9.0 Actions taken to resolve issues**

9.1 Reports are back to the average level after a low reporting rate in quarter 1. An update on reporting rationale and process has been issued as a guidance document. Reporting guidance is being added to Medical Education web pages.

9.2 The Guardian continues to work with individual trainees and consultants to address issues with timetabling and workload, and with clinical directors over operational issues.

## **10.0 Ongoing Risks**

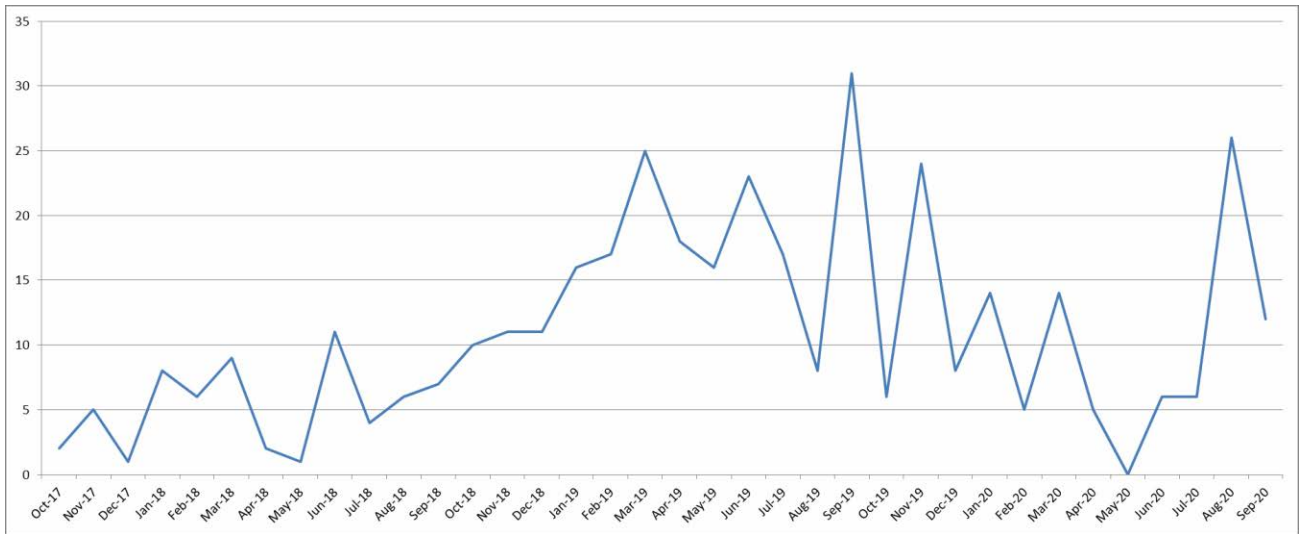
10.1 The Committee is asked to note the ongoing risks to the organization identified in this report which the Guardian of Safe Working Hours, Medical Workforce Manager, Director of Research, Innovation and Medical Education and Clinical Directors will keep under regular review and remediate wherever possible:

## **11.0 Action Being Requested**

11.1 The Committee is asked RECEIVE and NOTE potential areas of concern and the plans in place to quantify risk and identify plans for remediation where necessary.

## Appendix 1

Total exception reports, by number, by month, October 2017 - September 2020  
East London NHS FT



## Appendix 2

Total number of vacant shifts offered as locums, April 2019 – June 2020  
East London NHS FT

