

REPORT TO THE TRUST BOARD- PUBLIC
19 OCTOBER 2017

Title	Quarterly Report on Safe Working Hours: Doctors and Dentists in Training 27 April 2017-19 October 2017
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Purpose of the Report:

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

Summary of Key Issues:

- All doctors in training in ELFT have now transitioned to the 2016 Junior Doctor Contract
- The mechanisms for Exception Reporting are now in place and in use with data provided in the report
- The main risk to the organisation is through gaps in rotas and monitoring is now being put in place to quantify this and so facilitate remediation

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

Improving service user satisfaction	<input checked="" type="checkbox"/>	
Improving staff satisfaction	<input checked="" type="checkbox"/>	
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

Glossary

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1.0 Introduction

1.1 This is the secondly quarterly report to be presented to the Board in 2017 (the first report was discussed at the April Trust Board Meeting on 27th April 2017). This report has been delayed because of lack of synchronicity with Trust Board meetings (which occur two monthly) and the fact that there was no available space on the agenda of the September Trust Board meeting. The main changes that the Board is asked to note are the following:

- Transition to the 2016 Junior Doctor Contract for all doctors in training in the Trust was completed in September 2017
- Changes to higher trainee rotas which aim to ensure compliance with safe working will be described in the paper
- Details of exception reports received to date will be outlined in this report
- The Board is asked to note that this report has been discussed in draft form at the Junior Doctor Forum meeting held on 10th August 2017
- Issues identified through the Junior Doctors Forum meeting were addressed by the Guardian of Safe Working and Medical Workforce Manager in a meeting with the Clinical Directors and Associate Medical Directors on 23.08.17
- The Board is asked to note the information contained in the report including risks associated with vacant trainee posts and associated rota gaps

2.0 High level data for ELFT Employed Trainees

2.1 Number of posts for doctors in training – ELFT as Lead Employer:

Grade	Number of posts for doctors / dentists in training (total):		
	London	Beds & Luton	Total
CT1-3	45	5	50
ST4-6	55	3	58
		TOTAL	108

Grade	Number of doctors / dentists in training on 2016 TCS (total):		
	London	Beds & Luton	Total
CT1-3	45	3	48
ST4-6	49	1	50
		TOTAL	92

- Amount of time available in job plan for guardian to do the role: Payment agreed through bank
- Admin support provided to the guardian (if any): None allocated
- Amount of job-planned time for clinical supervisors: None allocated

2.2 Additionally, there is one specialty doctor currently on the higher trainee rota between Tower Hamlets and Newham. This situation will last until February 2018. There are currently four specialty doctors on the higher trainee rotation in Luton and Bedfordshire

a) Exception reports (with regard to working hours)

Exception Reports (from 01.02.17- 04.10.17). There were 30 reports relating to hours and rest and 2 reports relating to education.

No fines are due and all reports have been closed.

Exception reports by Directorate				
Directorate	No. exceptions carried over from last report	No. exceptions raised	No. exceptions closed	No. exceptions outstanding
City and Hackney	0	1	1	0
Tower Hamlets	0	30	30	0
Luton	0	1	1	0
Total	0	32	11	0

Exception reports by Grade				
Directorate	No. exceptions carried over from last report	No. exceptions raised	No. exceptions closed	No. exceptions outstanding
CT1-3	0	24	24	0
ST4-6	0	8	8	
Total	0	32	32	0

Exception reports by Action				
Directorate	Payment	TOIL	Not agreed	N/A as no action required
City and Hackney	0	1	0	0
Tower Hamlets	20	6	0	2
Luton	0	1	2	0
Total	20	8	2	2

Exception reports (response time)				
	Addressed within 48 hours	Addressed within 7 days	Addressed in longer than 7 days	Still open
CT1-3	0	11	11	0
ST4-6	0	2	8	0
Total	0	13	19	0

b) Work schedule reviews

No Work Schedule Reviews were carried out in the reporting period

c) Locum bookings

The Guardian of Safe Working and Medical HR are currently unable to provide data for locum bookings (either internal trainee or bank) in terms of the following indices:

- Directorate
- Grade of staff
- Shifts requested and worked
- Number of hours requested and worked
- Reason for locum request

This is because data has not previously been collated in this format by the directorate rota coordinators. Nor is it yet possible to provide a cost summation of locum usage per quarter. A meeting has been requested with the clinical directors to agree that such data will be collated going forward to inform future Board reports.

d) Agency

Month	Grade	Reason	Total
Apr-17	FY2 (Formerly SHO)	Annual Leave	3
		Vacant rota slot	2
	CT1	Annual Leave	1
		Vacant post	2
	ST4	Annual Leave	1
May-17	FY2 (Formerly SHO)	Annual Leave	1
	CT1	Sickness	2
		Vacant post	1
	CT3	Sickness	1
	ST4	Other	1
Jun-17	CT1	Annual Leave	3
		Other	1
	CT3	Sickness	2
	ST4	Other	1
July - 17	CT1-3	Maternity	1
		Sickness	1
		Vacancy	1
	ST4-6	Vacancy	1
		Vacant post	1
August - 17	CT1-3	Vacancy	1
	ST4-6	Vacancy	1
Grand Total			29

e) Vacancies

Vacancies by month							
Directorate	Grade	May 2017	June 2017	July 2017	August 2017	(Total gaps average)	Number of shifts uncovered
City and Hackney (incl. Forensics)	CT	1	1	1	0		
	ST	2	2	2	3		
Newham	CT	1	1	1	0		
	ST	2	2	2	2		
Tower Hamlets	CT	1	1	1	0		
	ST	2	2	2	0		
Luton and Bedfordshire	CT	0	0	0	2		
	ST	0	1	1	2		
CAMHS	ST	n/a	n/a	n/a	n/a		
Total		9	10	10	9		

There is missing data on the total gaps and uncovered shifts caused by vacancies for a similar reason; that rota co-ordinators have not previously been asked to collate data in this format

f) Fines

This section should list all fines levied during the previous quarter, and the departments against which they have been levied. Additionally, the report should indicate the total amount of money levied in fines to date, the total amount disbursed and the balance in the guardian of safe working hours' account. A list of items against which the fines have been disbursed should be attached as an appendix¹.

Fines by Directorate		
	Number of Fines Levied	Value of Fines Levied
City and Hackney	0	N/A
Newham	0	N/A
Tower Hamlets	0	N/A
Luton and Bedfordshire	0	N/A
Total	0	N/A

Fines (cumulative)			
Balance at end of last quarter	Fines this quarter	Disbursements this quarter	Balance at end of this quarter
N/A			

¹ This information will be used to inform the organization's annual report, which must include clear detail on how the money has been spent (Schedule 5, para. 15).

3.0 Qualitative information

3.1 The following issues have been raised at the Junior Doctor Forum meeting on 10.08.17 and the Board is asked to note them and the actions planned against them:

- The ELFT higher trainees are concerned about the impact of implementation of the move to full shift rotas from August 2017: they note that there is a new shared rota between Tower Hamlets and Newham which will be hard to cover if core trainees are not present on one or other site and they are required to act down in contingency with the associated safety implications

Action: The Guardian of Safe Working has written to the two clinical directors concerned requesting assurance that the new full shift rota will be fully reviewed within the first six months of operation to evaluate the safety and efficacy of the new shift pattern

- Both core and higher trainees in Luton and Bedfordshire are finding it difficult to organize their annual leave with the increased number of shifts and the difficulty in swapping shifts without breaching safe working regulations

Action: The new rotas are currently being discussed in junior/senior meetings in Luton and Bedfordshire and this issue will be regularly reviewed through the Junior Doctor Forum. The problem is exacerbated by recruitment difficulties for the two directorates caused by a national shortage of psychiatric trainees which is more acute in Luton and Bedfordshire

- At a meeting between the Guardian of Safe Working, The Medical Workforce Manager and the Clinical Directors and Associate Medical Directors on 23.08.17: the following actions were agreed:
 - That the data sets on locum use required for Trust Board reports should be compiled by the Rota Co-ordinators as they are best placed to do so
 - That Junior Doctors should submit all Exception Reports to their Clinical Supervisors. Medical HR staff will review all exception reports and contact the relevant Clinical Director if the Clinical Supervisor is not available to sign off the exception report. The Clinical Director will then advise about alternative sign off. This has been agreed for an initial three month period subject to review
 - The implications of agreeing extra payment or Time Off In Lieu were discussed with the Clinical Directors in terms of service delivery and budgetary input
 - Other items discussed were the recording of work schedule reviews and any resulting work schedule revisions, the management of shift swapping, the use of internal locums and safe working rules and opting out
 - Finally the clinical directors have agreed to review the new shift patterns every three months

4.0 Issues arising

- 4.1 CAMHS higher trainees are working across 5 London Trusts, their rotas will remain non-resident, but have been reviewed to ensure compliance under the new terms and conditions, to which they transitioned in September 2017. A pan rota meeting between HR representatives, Guardians and the CAMHS higher trainees is planned for 22.11.17
- 4.2 The Luton and Bedfordshire higher trainees will remain non-resident, but rotas are currently being revised to ensure compliance under the new terms and conditions; including allocated handover time

5.0 Ongoing Risks

- 5.1 The Board is asked to note the ongoing risks to the organization identified in this report which the Guardian of Safe Working, Medical Workforce Manager, Director of Medical Education and Clinical Directors will keep under regular review and remediate wherever possible:
- Ongoing rota gaps in Luton and Bedfordshire (it is hoped that data will be available to precisely quantify this risk) for inclusion in the next Board Quarterly Report
 - It is clear that the more prescriptive rota rules outlined within the Terms and Conditions of Service in the 2016 Junior Doctor Contract will impact on the ability of ELFT trainees to internally cover rota gaps. Measures are being put in place to prospectively quantify any possible increase in rota gaps and data will be provided in the next quarterly report

6.0 Action Being Requested

- 6.1 The Board is asked **RECEIVE** and **NOTE** potential areas of concern and the plans in place to quantify risk and identify plans for remediation where necessary