

**AGENDA ITEM – GUARDIAN OF SAFE WORKING
BOARD OF DIRECTORS November 2022**

Report title	Guardian of Safe Working Report
Report from	Louisa Wickham, medical director
Prepared by	Andrew Scott, guardian of safe working
Attachments	N/A
Link to strategic objectives	We will attract, retain and develop great people

Brief summary of report

The guardian of safe working report summarises progress in providing assurance that doctors are safely rostered, and their working hours are compliant with the 2016 terms and conditions of service (TCS) for doctors in training. This report covers the period from 19/05/2022 – 16/11/2022.

Exception Reports:

During this period, there has only been 1 **Exception Report** by an ST3 on the St Georges rota. This reported two extra hours of work during a busy Friday afternoon casualty shift in May 2022. Since then, it has been recognised that Friday afternoon casualty clinics can get very busy at St Georges and more than one junior doctor as well as a consultant is now scheduled for this session.

I am pleased to report that during this period, there have been no reported instances of breach of the minimum 8 hours rest requirement between shifts; no instances of a breach of the 48-hour average working week (across the reference period agreed); no instances of a breach of the maximum 72-hour limit in any seven days. Consequently, no financial penalties have been levied during this period. There have been no reports of any trainee missing greater than 25% of their natural breaks.

Feedback from the last Junior Doctor Forum (JDF):

Locum Pay

The current and previous trainee cohort have put forward a case for increased rates of locum pay. There have been several instances of shortages of junior doctor staffing in accident and emergency and subspecialty services over the past year due to unfilled locum vacancies, arising from clinician sickness or increased patient attendances in A&E. Some have led to breaches in working conditions as some trainees have had to work with no rest between shifts. Trainees believe that increasing locum rates, particularly when short-notice vacancies need to be filled (so-called 'break-glass provisions'), will ensure safe staffing and service provision.

The present rates for locum registrar (ST3-7) clinical shifts are £50 per hour from 07:00-19:00 Monday-Friday, and £75 per hour from 19:00-07:00 Monday-Friday and all hours Saturday-Sunday. Registrar locum rates have not been increased from the present level for over 10 years and it should be noted that the in hours A&E rate offered at MEH is below that suggested by the pan-London agreement.

Cumulative inflation since 2012 is presently 27.98% (consumer price index). As the present cost of living crisis worsens, and as junior doctors' pay has decreased in real terms by 26.1% since 2008², locum hours should be fairly compensated to allow junior doctors to maintain living standards. Take-home pay as a percentage of gross pay is lower for the present generation of junior doctors than ever before, with larger student loans (university tuition fees £9000 per year for current ST3 doctors who have not taken time out

of training), 40% tax banding, and increased National Insurance contributions. If locum rates had increased in line with inflation since 2012, present rates would be £64 per hour in hours and £96 per hour out of hours.

IT issues:

Several trainees have reported IT issues that have affected working conditions. Many have not had usernames and passwords available when starting their rotation at Moorfields. Frequent failures of the network are resulting in extra hours of work as trainees are having to stay overtime to complete letters and clinical notes. In some instances, they have also affected surgical training opportunities as trainees are having to chase surgical paperwork rather than focus on their surgical training.

High level data

Number of doctors in training (total):	58
Amount of time available in job plan for guardian to do the role:	1 PA/week
Admin support provided to the guardian (if any):	Ad Hoc provided by HR
Amount of job-planned time for educational supervisors:	1 PA per week

Actions/Discussions taking place:

- Exception reporting is low, and this reflects trainees’ wellbeing and satisfaction in working conditions.
- Consider increasing rates of pay for locum shifts to attract more trainees to fill locum vacancies and ensure safe staffing
- Prioritise IT network performance to improve working conditions and training

Summary

All Moorfields trainees are safely rostered in compliant rota patterns with no breaches of the terms and conditions of service occurring during this reporting period. Most trainees are familiar with the process of exception reporting and there are systems in place to ensure prompt compensation payment for excessive hours worked. Trainee morale is high and working conditions good with all exception reports resolved.

Quality implications

There are clear implications for patient care if the trust does not make sure it is adhering to the new contract and stricter safer working limits, reduction in the maximum number of sequential shifts and maximum hours that a junior doctor is able to work.

Financial implications

The guardian of safe working may impose fines if specific breaches of the terms of conditions of service occur where doctor safe working has been compromised.

Risk implications

The risk implications are detailed in the report in terms of reasons for exception reporting and potential

impacts on the quality of care provided to patients if there are breaches in the contract.

Action required

The board is asked to consider the report for assurance.

For Assurance	✓	For decision		For discussion		To note	✓
----------------------	---	---------------------	--	-----------------------	--	----------------	---