

Board of Directors

SUMMARY REPORT

Meeting Date: 24th May 2023
 Agenda Item: 12

Report Title:	Guardian of Safe Working Annual Report – 2022/2023	
Author(s):	Dr Raihan Talukdar	
Accountable Director:	Dr Mike Hunter	
Other meetings this paper has been presented to or previously agreed at:	Committee/Tier 2 Group/Tier 3 Group	N/A
	Date:	
Key points/ recommendations from those meetings	N/A	

Summary of key points in report

This is the Annual Report from the Guardian of Safe Working (GoSW) to the Board of Directors, which provides information highlighting issues managed by the GoSW in the last year. These include:

1. Delays in notification of new starters causing issues with publication of the on-call rota
2. Trainee short-term sickness leading to vacancies on the on-call rota
3. Parental Leave leading to vacancies on the on-call rota
4. Other health issues and reasonable adjustments leading to vacancies on the on-call rota

Vacancies are managed by the Medical Education team sourcing internal and external locums to ensure a safe service is provided.

Throughout the year, there have been low numbers of exception reports, indicating trainees are working in compliance with their contracted hours. Engagement has been undertaken with supervisors and trainees to continue to reinforce the importance of exception reporting as a key intervention to ensure safe working hours.

Recommendation for the Board/Committee to consider:

Consider for Action		Approval		Assurance	✓	Information	
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The Guardian of Safe Working assures Board of Directors that trainee doctors in SHSC continue to keep safe working hours and the exception reporting process continues to support safe working and enable the appropriate compensation of any additional hours worked.

Please identify which strategic priorities will be impacted by this report:				
Recover services and improve efficiency	Yes	✓	No	
Continuous quality improvement	Yes	✓	No	
Transformation – Changing things that will make a difference	Yes		No	✓
Partnerships – working together to make a bigger impact	Yes		No	✓
Is this report relevant to compliance with any key standards?		State specific standard		
Care Quality Commission Fundamental Standards	Yes	✓	No	Links to Care Quality Commission Quality and Safety Standards: Safety and Quality of service provision, Staffing, Supporting Workers
Data Security and Protection Toolkit	Yes		No	✓
Any other specific standard?				
Have these areas been considered? YES/NO		If yes, what are the implications or the impact? If no, please explain why		
Service User and Carer Safety, Engagement and Experience	Yes	✓	No	The duty of the Guardian of Safe Working is to ensure that doctors in training work safe hours. Assurance is provided that from April 2022 to March 2023, trainee doctors in SHSC worked safe hours.
Financial (revenue & capital)	Yes		No	✓ Although information is provided on utilisation of locums to staff the out of hours rota the implications of spending on locums are not considered in this report.
Organisational Development /Workforce	Yes	✓	No	This report provides assurance around the working hours of trainee doctors.
Equality, Diversity & Inclusion	Yes	✓	No	The Guardian of Safe Working will consider the individual circumstances of all issues raised and that the principles of ensuring equality, diversity and inclusion are adhered to.
Legal	Yes	✓	No	All trainee doctors continue to work hours that are compliant with their contracts and all relevant legislation.
Environmental sustainability	Yes		No	✓

GUARDIAN OF SAFE WORKING ANNUAL REPORT ON SAFE WORKING HOURS FOR DOCTORS IN TRAINING 2022/2023

Summary

This Annual Report on Safe Working Hours for doctors in training (2022/23) is presented to the Board with the aim of providing context and assurance around safe working hours for SHSC Doctors in Training; to provide an annual update on the work of the Guardian of Safe Working; and to note areas of concern in terms of exception reporting, work schedules and fines paid.

Introduction

The 2016 terms and conditions of service for doctors in training introduced the role of the Guardian of Safe Working (GoSW) in all organizations that employ or host NHS training doctors. The role includes being a champion for safe working hours, attending induction to explain the GoSW role to new doctors, overseeing safety relating to exception reports, monitoring compliance, escalating issues for actions when not addressed locally, requiring work schedule reviews to be undertaken where necessary and intervening to mitigate safety risks where issues are not being resolved satisfactorily. The GoSW provides assurances to both the Board of Directors and the doctors in training on safe working and compliance with terms and conditions. The role also involves providing a quarterly report to the Board of Directors and the Local Negotiating Committee, an annual report to the Board of Directors and a responsibility for providing information to external national bodies. There is also a requirement that the GoSW convenes Junior Doctors' Forums on a regular basis. The GoSW distributes monies received as a result of fines for safety breaches as directed by the trainees through the Junior Doctors' Forum.

In SHSC, the current Guardian of Safe Working is Dr Raihan Talukdar (Consultant in Liaison Psychiatry), supported by the Medical Education Team.

High level data

Number of doctors in training (total):	46
Number of doctors in training on 2016 T&Cs (total):	46
Annual vacancy rate among this staff group:	4%

Trainees within the Trust

Specialty- April 2022- March 2023	Grade	Quarter 1 (Apr-Jun)	Quarter 2 (Jul-Sep)	Quarter 3 (Oct-Dec)	Quarter 4 (Jan-Mar)
Psych	F1	8	8	8	8
Psych	F2	5	5	5	5
Psych	GP	4	3	3	3
Psych	CT1-CT3	13	14	14	15
Psych	ST4-ST6	16	15	15	13
Total		46	45	45	44

Issues arising for the Guardian of Safe Working

1. A delay in Medical Education being notified of new starters by Health Education England.

Medical Education are required to publish the on-call rota 8 weeks prior to rotation. There are often delays in HEE informing Medical Education of the final trainees allocated. This has a consequence that rotas need to be re-drawn, potentially leading to inconvenience for those trainees who have made plans.

2. Trainee sickness leading to gaps on the on-call rota.

There were 100 covered shifts by locums (61 internal, 39 agency) and 6 shifts that were not covered due to trainee sickness at short notice and no locum could be sourced via internal or agency. This is a coverage rate of over 94% for short notice absence. It is important to emphasise that several doctors are on-call at a given time, and therefore the minority of gaps not covered by a locum are covered by working flexibly across the on-call team.

3. Parental leave leading to gaps on the on-call rota.

Occupational Health generally advise avoidance of the on-call rota for pregnant trainees. There were 8 trainees off for maternity leave in 2022/2023 as well as 3 more for parental leave. Eighty-three shifts were covered by locums (39 internal, 44 agency).

4. Trainees being advised by Occupational Health (OH) to not work on-call rota leading to gaps.

Trainees are referred to OH if an underlying health condition would be impacted by being on the on-call rota. There were 4 trainees who were advised by OH to not partake in the on-call rota in 2022/2023, compared to 1 in 2021/2022.

Overall on-call rota vacancies

The SHSC trainee doctor on-call rota is organized in such a way that there are 1825 individual shifts per year. From April 2022 to March 2023, there were 346 (19%) vacancies on the Out of Hours Rota. Of these, 217 (63%) were filled by internal locums (our own trainees) who were approached prior to agency locums, who filled 120 (35%). The small number of unfilled vacancies (0.5%) were covered by doctors working flexibly across different responsibilities on the rota.

Exception Reports

There were 47 exception reports completed in 2022/2023. The majority of these were for staying over contracted hours to ensure continuity and patient safety, and where the outcome was time given in lieu. By way of comparison, in 2021/22, there were 14 exception reports. However, during 2022/23, significant engagement was undertaken with supervisors and trainees to raise the profile of exception reporting because of the historically low numbers in SHSC. The overall numbers remain low as a proportion of the total number of medical shifts worked in SHSC in 2022/2023.

Actions taken to resolve issues:

1. All Trusts have fed back to HEE regarding their recruitment timeline not fitting with Trust's medical staffing obligations.
2. Trainees are involved in co-production of the on-call rota in collaboration with the Medical Education Team. This initiative aimed to provide assurance to trainees that shifts are allocated equally and to accommodate trainee preferences.
3. Locums are employed when there is sickness from substantive staff to ensure that patient care is not compromised as well as protecting the well-being of the trainee.
4. SHSC promotes referral to Occupational Health of those who are pregnant and will continue to take advice as to whether working on-call remains suitable. Once this is established, a locum is employed to ensure that patient care is not compromised as well as protecting the well-being of the trainee.
5. There have been several trainees who have been advised by Occupational Health not to partake in on-call work. SHSC follows this advice and locums are employed if required. Medical Education regularly reviews whether circumstances have changed and appropriateness to return to the on-call rota. This ensures that trainees are not missing out on clinical opportunities out of hours.
6. The issues around the low numbers of exception reports were regularly discussed in the Junior Doctors' Forum (JDF). Trainees were informed of the process and rationale for completing these during induction, where a video walkthrough of the process is presented by a trainee. The GoSW has recently attended a regional event where barriers and positive experiences of Exception Reports (ER) were shared.
7. The Medical Education Team have worked with other teams including Estates and Procurement in collaboration with the trainees to further improve the facilities to promote well-being.

Summary

The Medical Education team continue to work effectively to fill gaps in workforce in 2022/2023. Trainee doctors have been flexible to cover on-call shifts (within agreed, safe hours) to ensure patient safety was not compromised.

Whilst relatively few, the exception reports received continue to help identify areas within the junior doctors' work where conditions may not always be met, in order that interventions can be made if necessary.

The broader issue with trainee recruitment to psychiatry remains a national concern and SHSC will continue to proactively engage in initiatives including local, regional and national recruitment events.