

Public Trust Board Paper M1

Meeting title:	Public Trust Board				
Date of the meeting:	3 November 2022				
Title:	Junior Doctors Contract Guardian of Safe Working Report				
Report presented by:	John Jameson, Deputy Medical Director				
Report written by:	Jonathon Greiff, Guardian of Safe Working, Consultant Anaesthetist Joanne Tyler-Fantom, Deputy Chief People Officer Vidya Patel, Medical Human Resources Manager				
Action – this paper is for:	Decision/Approval		Assurance		Update x
Where this report has been discussed previously	Executive Board. People and Culture Committee				

To your knowledge, does the report provide assurance or mitigate any significant risks? If yes, please detail which
Compliance with national reporting requirements Looking after our people, Developing workforce capacity and capability and a compassionate and inclusive culture.

Impact assessment
Not applicable.

Acronyms used: ISC – Immediate Safety Concern
--

Where possible, report writers are asked to keep the full report to a maximum of 3 sides (this does not include the first page of the report). All information should be included in this report template. Additional documents should only be specific appendices or items for the “reading room”.

Purpose of the Report

This report has been presented for discussion at the Executive People and Culture Board (EPCB) and the People and Culture Committee (PCC), prior to submission to the Trust Board. At Trust Board this report is for noting without the need for discussion.

Recommendation

Board members are requested to note the information provided in this report and are requested to provide feedback on the paper as considered appropriate.

Summary

In line with the 2016 Junior Doctors Contract, the Guardian of Safe Working is required to provide a quarterly report on Exception Reporting to the Trust Board. At UHL all junior doctors (including Trust Grade Doctors) are encouraged to raise exception reports; therefore the figures provided in this report include both Trainees and Trust Grade doctors.

From 1st March to 31st May 2022, 65 exceptions reports have been recorded, which is a decrease of 121 from the previous quarter.

Main report detail

1. Introduction

- 1.1 In line with the requirements of the 2016 Junior Doctors Contract, the Guardian of Safe Working (GSW) will provide a quarterly report to the Trust Board with the following information:
- Management of Exception Reporting
 - Work pattern penalties
 - Data on junior doctor rota gaps
 - Details of unresolved serious issues which have been escalated by the GSW
- 1.2 The report is shared with the Local Negotiating Committee and the Trust Junior Doctors Forum for review and oversight management.

2. Management of Exception Reporting

- 2.1 In line with the Trust procedure for Exception Reporting, doctors that have transitioned to the 2016 contract will raise Exception Reports on work pattern or educational problems using a web based package.
- 2.2 At UHL all junior doctors (including Trust Grade Doctors) are encouraged to raise exception reports if there are concerns with their work patterns and/or education, therefore this report includes exceptions raised by junior doctors in training and Trust Grade Doctors.
- 2.3 This report will also include exception reports raised by F2 doctors working in GP Practice as they are contracted and employed by UHL (GP Practices do not have a mechanism to manage exception reporting).

3. High Level Data

Table 1 High Level Data

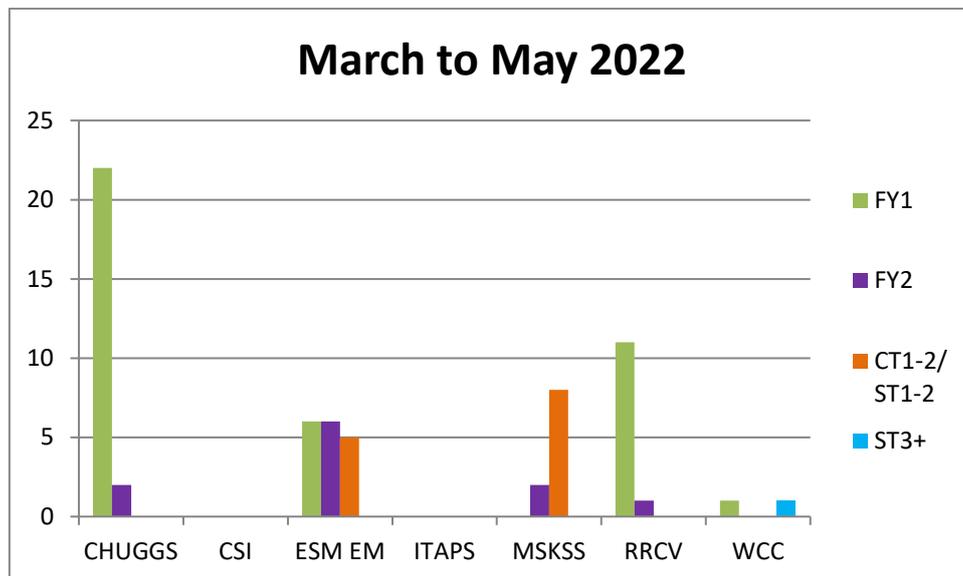
Established Number of Trainee and Trust Grade doctors / dentists	1024
Amount of time available in job plan for guardian to do the role:	1.25 PAs per week
Admin support provided to the guardian (if any):	0.5 WTE
Amount of job-planned time for educational supervisors:	0.25 per trainee, up to a maximum of 1 PA

4. Number of Exceptions Recorded in this Quarter

4.1 From 1st March to 31st May 2022, a total of 65 Exception Reports have been recorded, 63 of which related to Hours, Working Pattern and Service Support, of which 3 were Immediate Safety Concerns (ISCs). There were 2 Education exceptions during this period, which represents a decrease of 10 since the previous quarter. 1 Education exception was submitted in ESM EM and 1 in WCC.

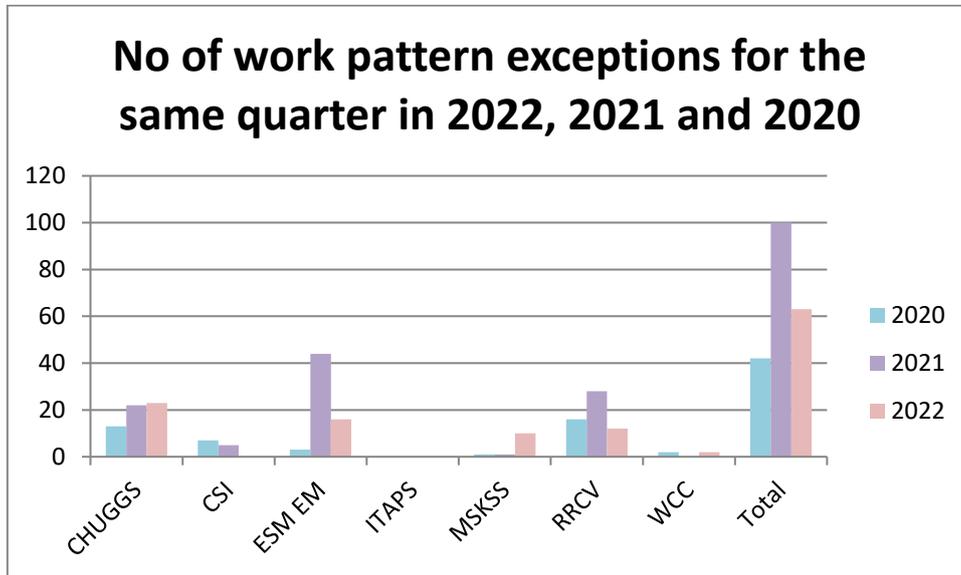
4.2 Graph 1 provides an overview of the number of Work Pattern exceptions received by grade in each CMG in the last quarter only. A high number of exceptions were raised in CHUGGS, potentially due to significant pressures across all teams as they experience a higher number of staff taking short notice sick leave (Covid and other).

Graph 1 Work Pattern Exception Reports by CMG and grade



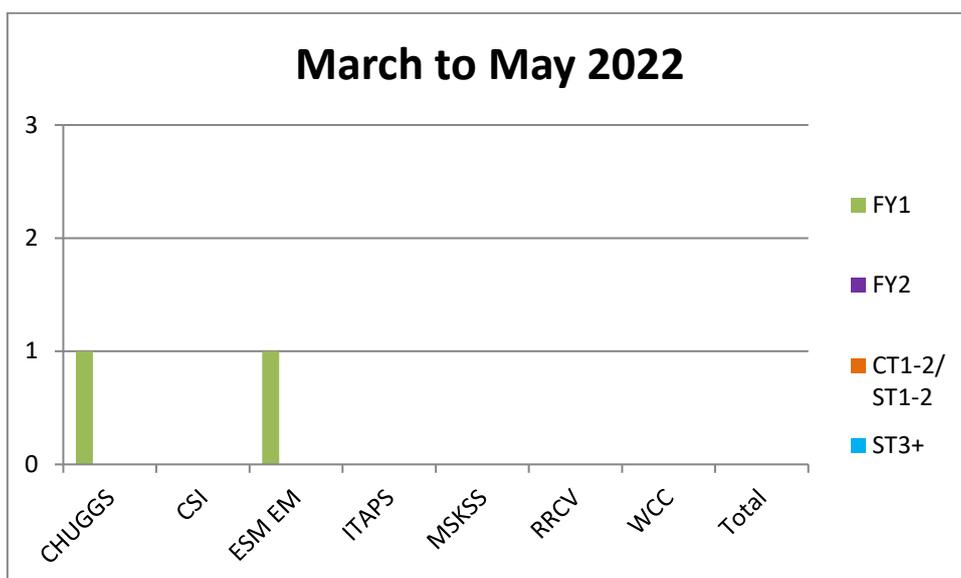
4.3 Graph 2 shows the number of exception reports for the same quarter in 2022, 2021 and 2020.

Graph 2 Number of Work Pattern Exception Reports for the Same Quarter in 2022, 2021 and 2020



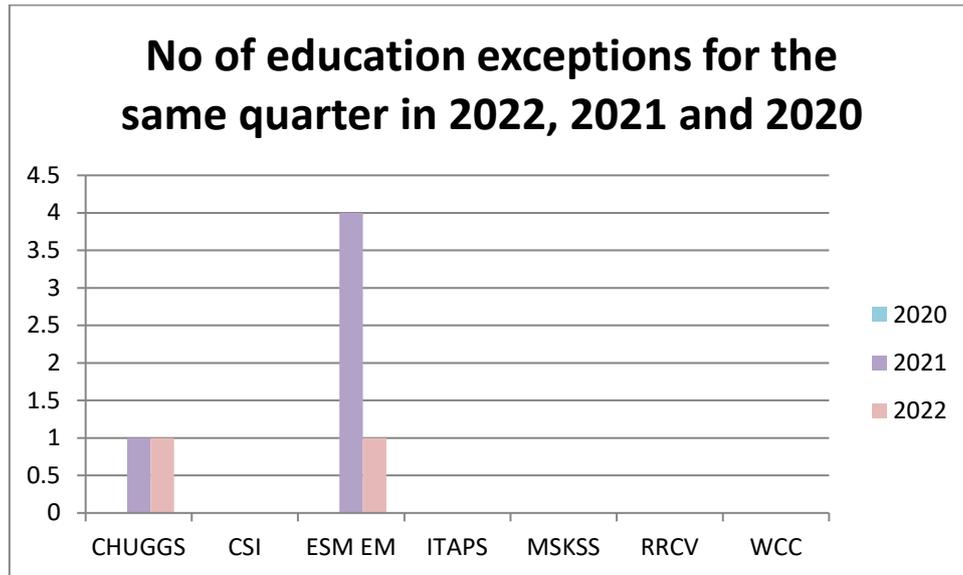
4.4 Graph 3 provides an overview of the number of Education exceptions received by grade in each CMG in the last quarter only. These were raised by F1 doctors unable to attend core teaching session.

Graph 3 Education Exception Reports by CMG and grade



4.5 Graph 4 shows the number of education exception reports for the same quarter in 2022, 2021 and 2020. There were no education exceptions for the same quarter in 2020.

Graph 4 Number of Education Exception Reports for the Same Quarter in 2022, 2021 and 2020



4.6 There were 3 Immediate Safety Concern (ISC) exceptions raised. A summary of the ISCs raised and service responses are provided below:

Table 2 Immediate Safety Concerns

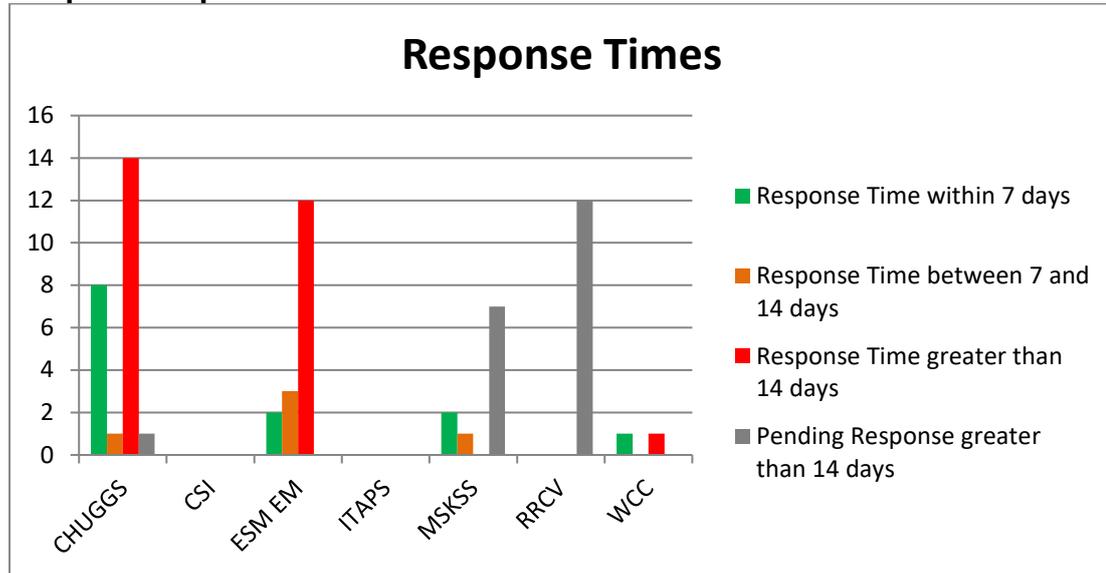
Date Occurred, Grade and Specialty	Issue	Summary of Concern Raised by the Doctor	Summary of Response from Service
FY1 General Surgery Occurred 08/03/2022 Submitted 10/03/2022		SHO was required to undertake post take ward round with the on call consultant and attend OPD Clinic from 1030-1200, leaving one doctor to cover ward for 3 teams. During the morning, SHO was responsible for all of the patients in urology and carried the bleep. This was very difficult situation and exposed the risk of severe patient	The Lead (Support) Consultant for junior doctors discussed and noted the issues raised by the trainees, which the trainees found to be supportive. Doctors were reminded to raise concerns verbally to the Lead Consultant for Junior Doctors, Head of Service, Clinical Supervisor Consultant on-call and/or the Manager.
FY2 Surgery Urology Occurred 08/03/22 Submitted 08/03/22			

	<p>safety issues. Doctors had raised the issue with a manager, on-call consultant and via WhatsApp group.</p> <p>This resulted in the doctors working late to complete jobs.</p>	<p>The Service sought to backfill the gaps, however it was difficult to find locum back fill.</p> <p>A number of actions to improve junior doctors' rotas and Service cover in Urology have been undertaken; this includes the implementation of all new rota templates from August 2022. Please refer to section 6 of this report. It is hoped that this will improve morale and service cover, and reduce the number of exceptions being raised.</p>
<p>CT2 Plastic Surgery Occurred 24/04/2022 Submitted 28/04/2022</p>	<p>Doctor worked two extra hours after the scheduled finish time of 8pm</p>	<p>There were not rota gaps on this day and the number of exceptions raised in Plastic Surgery remain low. However it is noted that the out of hours period is busier and therefore Service is piloting additional out of hours cover during the out of</p>

5. Outcome of the Exception Reports in this Quarter

- 5.1 For the majority of the Exception Reports time off in lieu (TOIL) is allocated. In the last quarter, out of the 65 work related exceptions received, TOIL has been allocated for 29 exceptions. 2 exceptions did not require any further action. There were 13 instances where exceptions raised resulted in payment being made for extra hours worked. There are 20 exceptions still open and requiring a response, the majority of these are for doctors in RRCV (12 pending) and MSKSS (7 pending). Action to provide responses is being sought through the CMG via Workforce meetings and JDAs.
- 5.2 Junior Doctors are required to raise Exception Reports with 14 days (7 days if payment is being requested) of the issue occurring. CMGs are required to provide a response to exceptions submitted within 7 calendar days, which has proven to be challenging, particularly over holiday periods/doctors' off-duty days. The response time for exceptions in the last quarter is detailed in Graph 5 below. Where there have been delays in responses these are being followed up for assurance of actions.
- 5.3 Exceptions shown as 'Pending Response greater than 7 days' indicate where the services are in the process of obtaining further information (often from the doctor who has submitted the exception).

Graph 5 Response Times



5.4 Table 6 in Appendix 1 shows raw data from Allocate with a breakdown of exceptions by specialty and grade.

6. Work Schedule Changes

6.1 There are a number of work schedule changes being implemented in the August 2022 changeover, in order to improve service cover and work-life balance in discussion with medical staff impacted. These include:

- **Urology;** there have been a number of exceptions raised in Urology, due to staffing difficulties. The following changes to all the Urology rotas will provide much improved Service cover with additional doctors on duty:
 - i. F1 Rota; additional post.
 - ii. F2/CT Rota; an additional full time doctor to replace F2 Transplant working out of hours only.
 - iii. ST3+ rota has changed from a 1 in 6 to a 1 in 10, incorporating an additional trainee, MTI, Trust Grade and SAS Doctors. This should improve intensity of work by rearranging on-call arrangements from 24 hour on-call to split daytime and out of hours on-calls.
- **Anaesthetics;** Following feedback from trainees, all the ST3+ rota templates in Anaesthetics have changed from 1 in 7 to 1 in 8 rotas, this will provide additional training opportunities.
- **Cardiothoracic and Vascular F2/CT Rota;** Due to the concerns with Service cover and ability to take leave, this rota was increased from a 1 in 9 to a 1 in 11. This was made possible with the increase in F2 training placements.
- ENT & Plastics Night – Increase in weekend night cover.

7. Penalty Payments

7.1 In this quarter (March to May 22) there were no penalty payments applied. Table 3 shows the penalty payments applied to date by the Guardian. There have been no disbursements from the Guardian's account to date.

Table 3 Penalty Payments to date

Grade	Specialty	Additional time worked	Date exception occurred	Penalty Payable by the Service	Penalty payable to the doctor	Amount payable to the GSW fund
FY1	Medicine	0.75 hrs	17/01/2022	£63.31	£24.48	£40.83
FY2	Medicine	0.75 hrs	17/01/2022	£75.59	£28.34	£47.24
ST6+	Urology	8.00 hrs	27/09/2021	£1,283.20	£481.20	£802.00
ST6+	Urology	8.00 hrs	22/10/2021	£1,283.20	£481.20	£802.00
TG ST3+	Plastic Surgery	8.00 hrs	22/01/2022	N/A	£453.44	N/A
TG ST3+	Plastic Surgery	8.00 hrs	23/01/2022	N/A	£453.44	N/A

8. Junior Medical Staff Vacancies

8.1 Both trainee and trust grade vacancies are provided as they work on joint rotas, therefore any vacancies at this level will have an impact on trainee doctors. Data is to be triangulated with establishment going forward. The number of junior medical staff known vacancies currently is provided in Table 4 below:

Table 4 Vacancy data for this quarter

CMG	Establishment	FY1	FY2	CT1/2	TG F2/CT1/2	ST3+	TG ST3+	Total	Percentage Vacancy
CHUGGS	133	0	0	0	1	3	0	4	3.00%
CSI	63	0	0	0	0	0	0	0	0.00%
ESM EM	287	0	0	0	0	11	9	20	6.96%
ITAPS	84	0	0	7	0	8	0	15	17.85%
MSKSS	129	0	0	0	1	2	0	3	2.32%
RRCV	153	0	0	0	1	3	0	4	2.61%
WCC	172	0	0	0	1	1	0	2	1.16%
Total	1024	0	0	7	4	28	9	48	4.68%

8.2 During this period there are a total of vacancies which equates to 4.68% of the total junior medical staff establishment. In April 2022, the vacancies were at 4.98% of the total junior medical staff establishment.

8.3 Retrospective data showing the number of junior medical staff vacancies for the same quarter in previous years is provided in Table 5 below.

Table 5 Vacancy data for this quarter in 2022, 2021 and 2020

CMG	Establishment	Sept21-Nov21		Dec21-Feb22		Mar22-May22	
		Total	Percentage Vacancy	Total	Percentage Vacancy	Total	Percentage Vacancy
CHUGGS	133	2	1.50%	3	2.25%	4	3.00%
CSI	63	0	0.00%	0	0.00%	0	0.00%
ESM EM	287	24	8.36%	28	9.75%	20	6.96%
ITAPS	84	14	16.66%	8	9.52%	15	17.85%
MSKSS	129	10	7.75%	9	6.97%	3	2.32%
RRCV	153	6	3.92%	2	1.30%	4	2.61%
WCC	172	14	8.13%	1	0.58%	2	1.16%
Total	1024	70	6.83%	51	4.98%	48	4.68%

8.4 Recruitment is being actively managed where gaps exist, to look to substantively fill posts and where possible avoid premium pay.

9. Conclusion

9.1 Exception reports are being reviewed and changes are being implemented as required, including enhancing Trust processes such as response time.

9.2 The next report for the period June to August 2022, will be presented to:

- Executive People and Culture Board on 18th October 2022
- People and Culture Committee on 27th October 2022
- Trust Board on 3rd November 2022

Supporting documentation

No supporting documentation is required

Appendix 1

Table 6 Reasons for ER over last quarter by specialty & grade

Reasons for ER over last quarter by specialty & grade						
ER relating to:	Specialty	Grade	No. ERs carried over from last report	No. ERs raised	No. ERs closed	No. ERs outstanding
Immediate patient safety issues	Cardiology	Foundation house officer 2	1	0	1	1
	Cardiology	Foundation house officer 2 *	1	0	1	1
	Cardiology	FY1	1	0	1	1
	Cardiology	FY1	2	0	1	1
	Cardiology	FY2	1	0	1	1
	Cardiology	ST1	1	0	1	1
	Cardiology	ST6	2	0	2	2
	General medicine	CT1	1	0	1	1
	General medicine	Foundation house officer 1	3	0	3	3
	General medicine	Foundation house officer 2	1	0	1	1
	General medicine	Foundation house officer 2 *	1	0	1	1
	General medicine	FY2	2	1	3	3
	General medicine	ST6	3	0	1	1
	General surgery	Foundation house officer 1	2	0	0	0
	General surgery	FY1	0	1	0	0
	General surgery	FY2	0	1	0	0
	Medical oncology	Foundation house officer 2	1	0	1	1
	Otolaryngology (ENT)	ST2	0	2	2	2
	Otolaryngology (ENT)	ST6 *	1	0	1	1
	Plastic surgery	CT2	0	1	0	0
	Plastic surgery	Specialist registrar	1	0	1	1
	Respiratory Medicine	FY2	1	0	0	0
	Surgical specialties	Foundation house officer 1	7	0	0	0

	Surgical specialties	FY1	5	1	5
	Surgical specialties	FY1 (2016)	2	0	0
	Urology	Foundation house officer 1	4	0	0
	Urology	FY1	1	2	3
	Unknown specialty	Unknown grade	9	0	1
	Total		54	9	32
	Accident and emergency	FY2 *	1	0	0
	Accident and emergency	Specialty registrar 4	2	0	2
	Accident and emergency	ST2	1	0	0
	Anaesthetics	Specialty registrar 4	2	0	2
	Anaesthetics	ST5	1	0	1
	Anaesthetics	ST6	1	0	0
	Cardiology	CT1	4	0	0
	Cardiology	Foundation house officer 1	3	1	0
	Cardiology	Foundation house officer 2	5	0	5
	Cardiology	Foundation house officer 2 *	3	0	3
	Cardiology	FY1	1	0	1
No. relating to hours/pattern	Cardiology	FY1	27	0	16
	Cardiology	FY1 *	1	0	1
	Cardiology	FY2	2	0	2
	Cardiology	FY2	12	0	6
	Cardiology	FY2 *	5	0	5
	Cardiology	FY2 (2016)	2	0	2
	Cardiology	Senior house officer	1	0	0
	Cardiology	ST1	8	0	8
	Cardio-thoracic surgery	FY2 *	1	0	0
	Clinical Oncology	Foundation house officer 1	0	1	0
	Clinical Oncology	Foundation house officer 2	4	0	3
	Clinical Oncology	FY2 *	0	4	4
	Diabetes & endocrinology	Foundation house officer 1	0	2	0

Gastroenterology	CT1	1	1	1
Gastroenterology	CT2	1	0	1
Gastroenterology	Foundation house officer 1	4	0	4
Gastroenterology	FY1	12	0	9
Gastroenterology	FY2	1	0	0
Gastroenterology	FY2	1	2	1
General medicine	CT1	2	9	3
General medicine	CT2	5	0	4
General medicine	Foundation house officer 1	36	3	30
General medicine	Foundation house officer 2	3	1	2
General medicine	Foundation house officer 2 *	13	2	9
General medicine	FY1	27	0	20
General medicine	FY1 *	5	0	4
General medicine	FY1 (2016) *	1	0	0
General medicine	FY1 *	1	0	0
General medicine	FY2	26	5	11
General medicine	FY2 (2016)	2	0	1
General medicine	FY2 *	1	0	0
General medicine	Specialty registrar 1	2	0	2
General medicine	ST1	3	1	1
General medicine	ST1 *	0	2	2
General medicine	ST3	2	0	0
General medicine	ST4	2	0	2
General medicine	ST6	10	0	0
General practice	FY2	0	0	0
General practice	FY2 *	3	0	0
General surgery	Foundation house officer 1	4	2	3
General surgery	Foundation house officer 2	2	0	1
General surgery	FY1	2	0	1
General surgery	FY1	8	7	6

General surgery	FY1 *	1	0	1
General surgery	FY1 (2016)	1	0	1
General surgery	FY2	8	2	5
General surgery	FY2 *	16	0	11
General surgery	Specialty registrar in core training 1	2	0	0
Geriatric medicine	Foundation house officer 2 *	1	0	1
Haematology	Foundation house officer 1	7	0	5
Haematology	FY1	3	0	3
Haematology	FY2	7	0	5
Haematology	FY2 *	1	1	1
Haematology	ST5	1	0	0
Histopathology	FY1	1	0	0
Medical microbiology and virology	ST3	4	0	0
Medical microbiology and virology	ST3 *	4	0	0
Medical oncology	Foundation house officer 1	4	0	4
Medical oncology	Foundation house officer 2	1	0	1
Medical oncology	FY1 *	1	0	1
Medical oncology	FY2 *	6	0	1
Neonatology	ST2	0	1	1
Nephrology	Foundation house officer 1	1	3	3
Nephrology	FY1	3	0	0
Nephrology	FY1 *	1	0	0
Nephrology	FY2	1	0	0
Obstetrics and gynaecology	Foundation house officer 1	3	3	3
Obstetrics and gynaecology	FY1	8	0	8
Obstetrics and gynaecology	FY1 *	1	0	1
Obstetrics and gynaecology	FY2	6	0	2
Obstetrics and gynaecology	Specialty registrar 3	1	0	0
Obstetrics and gynaecology	ST1	1	0	1
Obstetrics and gynaecology	ST4	1	0	0

Obstetrics and gynaecology	ST7	1	0	0
Ophthalmology	Specialty registrar 5	1	0	0
Ophthalmology	ST2	2	0	0
Ophthalmology	ST3	3	0	0
Ophthalmology	ST4	1	1	2
Ophthalmology	ST6	1	0	0
Ophthalmology	ST6	2	0	0
Ophthalmology	ST7	2	0	0
Ophthalmology	ST7 *	1	0	0
Ophthalmology	ST7 *	1	0	0
Otolaryngology (ENT)	CT1	0	5	0
Otolaryngology (ENT)	Senior registrar *	1	0	0
Otolaryngology (ENT)	ST2	0	3	3
Otolaryngology (ENT)	ST6 *	2	0	2
Paediatrics	Foundation house officer 1	0	1	1
Paediatrics	FY1	1	4	4
Paediatrics	ST3	3	0	1
Paediatrics	ST3 *	1	0	1
Paediatrics	ST4	1	0	1
Paediatrics	ST5	1	0	1
Paediatrics	ST6	4	2	4
Palliative medicine	ST6 *	2	0	2
Plastic surgery	CT2	0	3	0
Plastic surgery	Specialist registrar	1	0	1
Radiotherapy	CT2	4	0	0
Radiotherapy	FY1	0	1	0
Renal Medicine	Foundation house officer 1	0	1	1
Respiratory Medicine	CT1	4	3	7
Respiratory Medicine	CT2	1	0	1
Respiratory Medicine	CT2	3	0	1

Respiratory Medicine	CT2 (2016)	1	0	1
Respiratory Medicine	Foundation house officer 1	2	1	2
Respiratory Medicine	Foundation house officer 2 *	1	0	1
Respiratory Medicine	FY1	6	0	5
Respiratory Medicine	FY2	2	0	2
Respiratory Medicine	FY2	1	0	0
Respiratory Medicine	Senior house officer	1	0	1
Respiratory Medicine	Specialty registrar in core training 2	2	0	2
Respiratory Medicine	ST1	3	0	3
Respiratory Medicine	ST1 *	0	1	0
Surgical specialties	Foundation house officer 1	10	0	2
Surgical specialties	FY1	1	0	0
Surgical specialties	FY1	55	0	23
Surgical specialties	FY1 *	3	0	0
Surgical specialties	FY1 (2016)	4	0	0
Thoracic medicine	CT1	9	0	8
Thoracic medicine	CT2	1	0	1
Thoracic medicine	Specialty registrar in core training 2	1	0	1
Trauma & Orthopaedic Surgery	CT1	3	0	1
Trauma & Orthopaedic Surgery	Fixed term specialty registrar 3	1	0	0
Trauma & Orthopaedic Surgery	FY2	0	4	2
Trauma & Orthopaedic Surgery	ST1	1	0	0
Urology	Foundation house officer 1	17	8	5
Urology	Foundation house officer 2	1	0	0
Urology	FY1	20	4	10
Urology	FY1 *	1	0	1
Urology	FY2	2	0	0
Vascular Surgery	Foundation house officer 1	11	0	11
Vascular Surgery	FY1	1	0	1
Vascular Surgery	FY1	23	9	10

	Vascular Surgery	FY1 *	5	0	0
	Vascular Surgery	FY1 (2016)	4	0	4
	Unknown speciality	Unknown grade	140	0	51
	Total		740	104	419
No. relating to educational opportunities	Accident and emergency	ST6	3	0	0
	Anaesthetics	CT2	3	0	3
	Anaesthetics	Specialty registrar 4	5	0	5
	Anaesthetics	ST5	4	0	3
	Anaesthetics	ST6	1	0	1
	Cardiology	FY1	1	0	0
	Cardiology	FY2 (2016)	1	0	1
	Cardiology	ST6	1	0	1
	Clinical Oncology	FY1	0	1	0
	General medicine	Foundation house officer 1	2	1	1
	General medicine	FY2	1	0	0
	General medicine	ST6	2	0	2
	Geriatric medicine	FY1	1	0	0
	Haematology	FY1	1	0	0
	Medical oncology	Foundation house officer 2	2	0	2
	Medical oncology	FY1 *	1	0	1
	Nephrology	Foundation house officer 1	1	0	0
	Nephrology	FY1	1	0	0
	Obstetrics and gynaecology	FY2	1	0	0
	Paediatrics	FY1	1	0	0
	Paediatrics	Specialist registrar	1	0	1
	Paediatrics	ST7	2	0	2
	Respiratory Medicine	ST1	1	0	1
	Surgical specialties	FY1	1	0	0
	Surgical specialties	FY1 *	1	0	0
	Urology	FY1	1	0	0

	Unknown speciality	Unknown grade	2	0	2
	Total		42	2	26
	Cardiology	FY1	2	0	2
	Cardiology	FY2	0	1	0
	Cardiology	ST6	2	0	2
	Gastroenterology	FY1	4	0	4
	General medicine	CT1	1	0	1
	General medicine	FY1	0	1	1
	General medicine	FY2	2	0	2
	General medicine	FY2 (2016)	1	0	1
	General medicine	ST3	1	0	0
	General medicine	ST6	1	0	1
	General surgery	Foundation house officer 1	2	0	0
	General surgery	FY1	4	1	0
No. relating to service support available	Medical oncology	Foundation house officer 2	1	0	1
	Nephrology	Foundation house officer 2	1	0	1
	Ophthalmology	ST3	1	0	0
	Paediatrics	FY1	1	0	0
	Paediatrics	Specialty registrar 4 *	3	0	3
	Paediatrics	ST6	1	0	1
	Respiratory Medicine	Foundation house officer 1	1	0	0
	Respiratory Medicine	FY1	1	0	1
	Respiratory Medicine	FY2	1	0	0
	Surgical specialties	Foundation house officer 1	6	0	0
	Surgical specialties	FY1	0	1	1
	Surgical specialties	FY1 (2016)	2	0	0
	Urology	Foundation house officer 1	1	0	0
	Urology	FY1	1	1	2
	Vascular Surgery	FY1	0	1	0
	Unknown speciality	Unknown grade	7	0	1

Total

48

6

25