



Board of Directors - Public

SUMMARY REPORT

Meeting Date: 25 September 2024
Agenda Item: 14

| | | | |
|---|--|-----|--|
| Report Title: | Guardian of Safe Working Report Quarterly Report – Quarter 1 April – June 2024 | | |
| Author(s): | Dr Raihan Talukdar, Guardian of Safe Working | | |
| Accountable Director: | Dr Helen Crimlisk, Medical Director | | |
| Other meetings this paper has been presented to or previously agreed at: | Committee/Tier 2 Group/Tier 3 Group | N/A | |
| | Date: | N/A | |
| Key points/recommendations from those meetings | N/A | | |

Summary of Key Points

This is the Quarterly Report from the Guardian of Safe Working to the Board of Directors which provides assurance that trainee doctors at Sheffield Health and Social Care are working safe hours and that exception reports are reaching a timely and satisfactory resolution. The report also provides information on reasons for absence and the use of locums to staff the out-of-hours rota.

In the quarter of April 2024 to June 2024 there were 2 exception reports completed by one higher trainee doctor (compared to 7 exception reports submitted in the previous quarter by four doctors. Both of these exception reports were resolved with Time off in lieu (TOIL).

Recommendation for the Board/Committee to consider:

| | | | | | | | |
|----------------------------|--|-----------------|--|------------------|----------|--------------------|--|
| Consider for Action | | Approval | | Assurance | x | Information | |
|----------------------------|--|-----------------|--|------------------|----------|--------------------|--|

The Guardian of Safe Working can provide assurance to Board of Directors that trainee doctors at Sheffield Health and Social Care continue to keep safe working hours. The exception reporting process continues to support safe working and enable the appropriate compensation of additional hours worked.

Please identify which strategic priorities will be impacted by this report:

| | | | | |
|----------------------------|-----|----------|----|--|
| Effective Use of Resources | Yes | x | No | |
| Deliver Outstanding Care | Yes | x | No | |

| | | | | | | | | |
|--|-----|---|----|---|---|---|----|--|
| Great Place to Work | | | | | Yes | x | No | |
| Ensuring our services are inclusive | | | | | Yes | x | No | |
| Is this report relevant to compliance with any key standards? State specific standard | | | | | | | | |
| Care Quality Commission Fundamental Standards | Yes | x | 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 | x | | | | |
| Any other specific standard? | Yes | | No | x | | | | |
| 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 | x | No | | The duty of the Guardian of Safe Working is to ensure that doctors in training work safe hours. Assurance is provided that in April 2024 to June 2024, trainee doctors at Sheffield Health and Social Care worked safe hours. | | | |
| Financial (revenue & capital) | Yes | | No | x | Although information is provided on the utilisation of locums for the out of hours rota, the implications of spending on locums are out of the scope of this report. | | | |
| Organisational Development /Workforce | Yes | x | No | | This report provides assurance around the working hours of trainee doctors. | | | |
| Equality, Diversity & Inclusion | Yes | x | 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 | x | No | | All trainee doctors continue to work hours that are compliant with their contracts and all relevant legislation. | | | |
| Environmental sustainability | Yes | x | No | | Doctors are provided opportunities to use digital tools (Allocate) and engage meetings online in order to reduce the carbon footprint | | | |

QUARTERLY REPORT ON SAFE WORKING HOURS

April May and June 2024

Summary

This quarterly review covers April, May and June of 2024. There are robust arrangements for current and new staff to be made aware of the process of exception reporting.

A Junior Doctor Forum was held on 3rd April 2024. The date for the next meeting is 4 July 2024.

Introduction

The 2016 Terms and Conditions of service (TCS) for doctors in training introduced a new role regarding safe working, the Guardian of Safe Working (GOSW) in all organisations that employ or host NHS training doctors. The role of the Guardian of Safe Working includes being a champion for safe working hours, attending induction to explain the Guardian of Safe Working 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, intervening to mitigate safety risks and where issues are not being resolved satisfactorily. The GOSW also distributes monies received as a result of fines for safety breaches as directed by the trainees through the Junior Doctors' Forum and 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 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 Guardian of Safe Working convenes Junior Doctor Forums on a regular basis.

High Level Data for Sheffield Health and Social Care

| | |
|--|----------|
| Number of Doctors in Training (Total) | 46 |
| Number of Doctors in Training on 2016 TCS (Total) | 46 |
| Amount of time available in job plan for Guardian to do role | 0.5 PA |
| Admin Support provided to the Guardian | 0.25 WTE |
| Amount of job-planned time for Educational Supervisors | 0.25 PA |

Exception Reports (with regard to working hours)

| | FY1 | FY2 | CT | HT | TOTAL |
|------------|-----|-----|----|----|-------|
| April 2024 | 0 | 0 | 0 | 2 | 2 |
| May 2024 | 0 | 0 | 0 | 0 | 0 |
| June 2024 | 0 | 0 | 0 | 0 | 0 |

All exception reports shown were resolved with TOIL and none are outstanding.

Work Schedule Reviews

There were no work schedule reviews requested by trainees or requiring completion due to an identified pattern of deviation from agreed work schedules.

Out of Hours Locum Bookings (Cost)

| | Total Cost (Internal) | Total Cost (Agency) | Total Locum Spend |
|------------|-----------------------|---------------------|-------------------|
| April 2024 | £12,880.00 | £8,501.46 | £21,381.46 |
| May 2024 | £8,460.00 | £6,862.66 | £15,322.66 |
| June 2024 | £13,717.50 | £10,520.63 | £24,238.13 |

Vacancies on the on-call rotas are offered to trainees prior to going out to agency. When a trainee volunteers to cover a shift, this is checked against the rota to ensure they will not breach the Working Time Directive and any appropriate rest time is allocated accordingly. Trainees are encouraged to take the rest time as soon as possible after the shift.

Since introducing the increased internal locum rate in October 2022, we have seen an increase in shifts covered internally and a decrease in agency usage on the on-call rotas.

Out of Hours Locum Bookings (by Grade)

| April 2024 | | | | | | | | |
|--------------------|------------------|-----------------|---------------------------|--------------------------|-------------------------|------------------------|-------------------|-----------------|
| | Shifts requested | Hours requested | Shifts Covered (Internal) | Hours Covered (Internal) | Shifts Covered (Agency) | Hours Covered (Agency) | *Shifts Uncovered | Hours Uncovered |
| FY2 / CT1-3 / GPST | 28 | 214 | 16 | 96 | 11 | 113.5 | 1 | 4.5 |
| ST4-8 | 12 | 142 | 11 | 129.5 | 1 | 12.5 | 0 | 0 |
| May 2024 | | | | | | | | |
| | Shifts requested | Hours requested | Shifts Covered (Internal) | Hours Covered (Internal) | Shifts Covered (Agency) | Hours Covered (Agency) | *Shifts Uncovered | Hours Uncovered |
| FY2 / CT1-3 / GPST | 19 | 173.5 | 7 | 63.5 | 11 | 105.5 | 1 | 4.5 |
| ST4-8 | 8 | 84 | 8 | 84 | 0 | 0 | 0 | 0 |
| June 2024 | | | | | | | | |
| | Shifts requested | Hours requested | Shifts Covered (Internal) | Hours Covered (Internal) | Shifts Covered (Agency) | Hours Covered (Agency) | Shifts Uncovered | Hours Uncovered |
| FY2 / CT1-3 / GPST | 24 | 228 | 11 | 65.5 | 13 | 162.5 | 0 | 0 |
| ST4-8 | 15 | 147.5 | 15 | 147.5 | 0 | 0 | 0 | 0 |

*Both shifts which remained uncovered were reported at the last minute or after hours and covered by the other Intermediate rota doctor on call.

Out of Hours Locum Bookings (by Reason)

| April 2024 | | | | | | | | |
|----------------------|------------------|-----------------|---------------------------|--------------------------|-------------------------|------------------------|------------------|-----------------|
| | Shifts requested | Hours requested | Shifts Covered (Internal) | Hours Covered (Internal) | Shifts Covered (Agency) | Hours Covered (Agency) | Shifts Uncovered | Hours Uncovered |
| Induction | 13 | 74.5 | 9 | 40.5 | 4 | 34 | 0 | 0 |
| LTFT | 7 | 71.5 | 4 | 42 | 3 | 29.5 | 0 | 0 |
| Parental | 3 | 29.5 | 2 | 17 | 1 | 12.5 | 0 | 0 |
| Sickness | 8 | 96.5 | 4 | 46.5 | 4 | 50 | 1 | 4.5 |
| Acting Up | 1 | 12.5 | 1 | 12.5 | 0 | 0 | 0 | 0 |
| Trainee off on calls | 6 | 67 | 6 | 67 | 0 | 0 | 0 | 0 |
| May 2024 | | | | | | | | |
| | Shifts requested | Hours requested | Shifts Covered (Internal) | Hours Covered (Internal) | Shifts Covered (Agency) | Hours Covered (Agency) | Shifts Uncovered | Hours Uncovered |
| LTFT | 14 | 119 | 6 | 43 | 8 | 76 | 0 | 0 |
| Sickness | 6 | 67 | 3 | 37.5 | 3 | 29.5 | 1 | 4.5 |
| Trainee off on calls | 6 | 67 | 6 | 67 | 0 | 0 | 0 | 0 |
| June 2024 | | | | | | | | |
| | Shifts requested | Hours requested | Shifts Covered (Internal) | Hours Covered (Internal) | Shifts Covered (Agency) | Hours Covered (Agency) | Shifts Uncovered | Hours Uncovered |
| LTFT | 6 | 67 | 5 | 54.5 | 1 | 12.5 | 0 | 0 |
| Parental | 5 | 54.5 | 1 | 4.5 | 4 | 50 | 0 | 0 |
| Sickness | 7 | 63.5 | 5 | 38.5 | 2 | 25 | 0 | 0 |
| Trainee off on calls | 7 | 63.5 | 7 | 63.5 | 0 | 0 | 0 | 0 |
| Industrial Action | 14 | 127 | 8 | 52 | 6 | 75 | 0 | 0 |

Fines

No fines have yet been levied.

Qualitative Information

The Trust started using the Allocate Exception Reporting software in August 2017. All trainees are given training in Exception Reporting and are introduced to the system at Induction with further training to be held within the trainee committees. Exception reporting is discussed at various trainee events throughout the year.

During the quarter of April to June 2024 there were 2 exception reports. Both related to hours of work and were resolved with TOIL.

Junior Doctor Forums continue to be well attended and engaged with. The meeting is hybrid and considered as protected time for trainees. Clinical supervisors support their attendance. An anonymous survey was sent to trainees regarding the Effectiveness Survey of the Junior Doctors Forum (JDF) in May. The results will be discussed in a forthcoming JDF.

Attendance at the Regional Guardian of Safe Working Meeting in October 2023 ensures that SHSC aligns with best practice and is appraised with updates such as guidance from the BMA.

Issues Arising and Actions Taken to Resolve Issues

1. The 11th period of industrial action by Junior Doctors occurred on 27 June to 2 July.

The Guardian of Safe Working Hours plays a crucial role in balancing the rights of junior doctors to take industrial action with the need to maintain safe working conditions and patient care standards. Feedback at the Junior Doctors Forum revealed doctors felt supported during this time.

2. It was identified by the BMA in May 2024, that the software used to ensure compliance to rotas (RLDatix by Allocate) that may have resulted in incorrect payment.

This is an issue that impacts all Trusts who use RLDatix. SHSC are working with the BMA to ensure that those impacted in the past are identified and that future rota are correct. This is an ongoing process for which updates will follow as guidance from the BMA is received.

Summary

In the period April 2024 to June 2024, the exception reporting procedures continue to be understood by trainees via presentations at induction and within training forums. The exception reporting process continues to support safe working and enable the appropriate compensation of additional hours worked.