

**AGENDA ITEM 09 – GUARDIAN OF SAFE WORKING
BOARD OF DIRECTORS 07 MARCH 2019**

Report title	Guardian of Safe Working Report
Report from	Nicholas Strouthidis, medical director
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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 10/12/18 – 27/02/19

Historically the trust would satisfy itself of safe working practice by monitoring trainees' hours. Monitoring hours has ceased under the 2016 junior doctors contract and the trust and trainees are now required to raise concerns of unsafe working through exception reports. My role as guardian of safe working is to have oversight to the exception reporting process and ensure that junior doctors are listened to and that practices are put into place to mitigate any unsafe working.

Trainees are notified of the detail of their rota in a work schedule document that they receive prior to starting. All trainees received induction training on exception reporting and allocate software. A recent online survey (78% response rate) showed that 76% of respondents know how to exception report.

During the last quarter, there have been 8 exception reports by 3 trainees working outside of their allocated rota. None of these exception reports has been flagged up as an immediate safety concern. One Georges Upper House (UH) trainee reported 2 exceptions during 2 weekend on-calls at St Georges. Another City Road ST7 reported 5 consecutive exceptions during a corneal service on-call week and one Upper House (ST6) City Road trainee reported an exception during a weekday on call shift at City Road. There were no exceptions reported from out-patient clinics.

Only the Georges trainee's educational supervisor has held the initial review within 7 days of submission of the report as required by the 2016 TCS. The other two educational supervisors are being sent email reminders. In order to facilitate this review, it has been agreed at the Junior Doctor Forum that initial review does not necessarily need to be at a face to face meeting. The Local Negotiating Committee (LNC) will also discuss whether to allow the Guardian of Safe Working or the Director of Education to close exception reports if they are not completed within 7 days of submission.

There have been 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; and there have been no reports of any trainee missing greater than 25% of their natural breaks.

The current cornea service on-call rota is non-compliant with the new junior doctor contract as fellows are on call 1:9 for 7 consecutive days (Tuesday-Monday). This currently only affects one ST as all other members of the rota are external fellows who are outside of these terms and conditions. On assessment, there has been no immediate or substantive risk to the safety of patients or of the doctor in their exception reports. A work schedule review has been conducted and this issue has now been resolved for the remaining two on call weeks for the current ST in post. The rota has been updated and will be compliant from August 2019.

There have been no exception reports from outpatient clinics in the past quarter. A prospective audit carried out over 3 weeks by Ms Papamichael (senior resident in Moorfields South) on start and finish time of clinics at St Georges for ST3-ST7 showed that on average trainees work within their contracted work schedule of 9 hours per day and on most occasions trainees were able to have a 30 minute break or longer. On average

trainees don't work longer than 4.30 hours per clinic session.

Currently there are the following trainee vacancies within the trust: 0.5 vacancy in St Georges UH and 1.0 vacancy at City Road LH. On-call duties for these posts are being managed with internal locum cover.

High level data

Number of doctors in training (total):	47
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:

1. Whilst there have been significant improvements to the rota at St Georges, there are still some exceptions reported by UH trainees one of which has resulted in a fine due to breach of safe working hours. The absence of a LH on-site during the night increases the risk of an UH first on call being called in and breaching. We will therefore continue to make improvements on this rota to ensure that there sufficient cover, including investing in emergency nurse practitioners to deal with the less complex workload.
2. Ensure that all consultants understand the potential impact on patient safety if trainees work beyond their rostered hours, respect start times and finish times and understand and engage with the remedial mechanisms in place (exception reporting, TOIL etc.).
3. Ensure that all Educational Supervisors are engaged with the process of exception reporting and review the report within 7 days of submission. Work with LNC to allow Guardian or Director of Education to bypass ES and close exceptions reports if these are not addressed on time.
4. Change in on-call rota for ST7 working in the Cornea Service to make it TCS compliant
5. Conduct on an audit for clinic start times and finish times a City Road
6. Offer guidance on safe hours for locum working when working alongside a main contract of employment

Summary

All Moorfields trainees are safely rostered in compliant rota patterns with only 1 breach 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. In general trainee morale is high and working conditions good. There are relatively few exception reports from on-call rotas and none from clinics. A work schedule review has improved the St Georges on-call rota resulting in a decline in exception reports during on-calls. An audit on start and finish times in clinic showed that on average trainees at St Georges work within their contracted work schedule. A work schedule review of on-calls for ST7s working in the Corneal service has made this rota TCS compliant.

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	✓
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