



National Health Service in Scotland
Management Executive

St. Andrew's House
Edinburgh EH1 3DG

1 August 1995

Dear Colleague

NEW DEAL ON JUNIOR DOCTORS' HOURS

Summary

1. NHS employing bodies must take action to implement the New Deal on the employment of training grade doctors and dentists. A Support Project team is being set up to assist in meeting the requirements of the New Deal.

Action

2. NHS Trusts and Health Boards should:
- work with the Support Project team to identify problems and implement ways forward to achieve the New Deal by 31 March 1996;
 - take immediate steps to reduce the hours of duty of any hard-pressed posts not complying with the limits set for 31 December 1994;
 - ensure that they have monitoring systems in place to identify the actual hours of work of junior doctors, in consultation with their representatives, and ensure that on average these do not exceed 56 per week;
 - plan for the reduction of the hours in the non-hard-pressed on-call posts to below 72 by 31 December 1996;
 - provide statistical returns by 20 October of the position at 30 September 1995.

Addressees

For action:
Chief Executives,
NHS Trusts

General Managers,
Health Boards

General Manager,
Common Services Agency

General Manager,
State Hospitals Board for Scotland

For information:
Executive Director,
Scottish Council for Postgraduate
Medical and Dental Education

Postgraduate Deans and Directors

General Manager,
Health Education Board for Scotland

Enquiries to:

Miss I Bowie
Directorate of Human Resources
NHS Management Executive
Room 61A
St Andrew's House
EDINBURGH EH1 3DG

Tel: 0131-244 2476
Fax: 0131-244 2837

3. Details of what is required are set out in Annex A attached; the statistical returns are attached at Annex B.

Yours sincerely

MR Sibbald

M R SIBBALD
Director of Human Resources

JUNIOR DOCTORS' HOURS OF WORK

Support Project

1. A short-life Support Project is being established and funded by the Management Executive to assist NHS Trusts in meeting the requirements of the New Deal on junior doctors' hours. The members of the Support Project team will visit hospitals where particular difficulties are being experienced in implementing the New Deal but will also be available to advise any Trust which requests help. The team's objective will be to assist medical staff and managers in improving conditions for doctors and dentists in the training grades. Managers of Trusts and Boards are asked to work with the Support Team over the next 9 months in identifying problems and adopting solutions consistent with the New Deal. Enquiries about the Support Project should be addressed in the first instance to Miss I Bowie.

December 1994 Returns

2. The returns for December 1994 indicate that the great majority, but not all, of Trusts met the target that the average hours of duty of junior doctors on on-call rotas in hard-pressed posts should be reduced to no more than 72 per week by 31 December 1994 (and to 56 and 64 hours per week respectively for those on full and partial shifts). Other Trusts made further progress when SHOs changed posts at the beginning of February. Although Trust managers have put in a great deal of work to bring the particularly long hours of juniors in hard-pressed posts down to the New Deal levels, there are still some posts which do not comply with the requirement. All Boards and Trusts must ensure that any posts which do not comply with the hours of duty set out in the New Deal for December 1994 are reviewed and contracts amended in line with the target.

Hours of work

3. The New Deal requires that the actual hours of work of training grade doctors should not on average exceed 56 per week, regardless of work pattern and intensity. Guidance on what should be considered actual hours of work was given in paragraph 8 of MEL(1994)118. Actual hours should be considered to be the time spent by training grade doctors on duties required by their employers. They do not include formal breaks nor periods of rest where the doctor was available on-call but had not been called.

4. All employing bodies should now have arrangements in place to monitor actual hours of work. It is strongly recommended that managers should involve representatives of junior doctors in collecting the information on juniors' hours of work. Some possible methods were set out in paragraph 9 of MEL(1994)118, including sample measuring of work and hours by a small number of junior doctors.

5. In developing solutions Trusts may need to look at the working arrangements and relationships of all the staff in a department. It should be possible with a positive and flexible approach for some of the work currently performed out-of-hours to be done at a more reasonable time.

Contracted hours in non-hard-pressed posts

6. The New Deal provides for the hours of duty of doctors in posts which are not hard-pressed to be within 72 hours per week by 31 December 1996. Trusts should continue to reduce the contracted hours of non-hard-pressed posts so that the requirements can be met. Effort is required now to ensure that the target is achieved by 31 December 1996.

New Deal: areas other than hours

7. The New Deal is not solely concerned with the hours of duty and the hours of work of junior doctors. It includes a number of other matters related to conditions of work, including catering, accommodation and security. These fall within Trusts' responsibilities as employers. Junior doctors should not receive a lower priority than other staff just because individuals will not stay long in their posts. The way in which Trusts treat their employees is a significant factor in doctors' perception of Trusts, both in general and in particular, as future employers. Trusts should within their resource constraints provide catering, accommodation and security to proper standards, especially for those staff who have to work unsocial hours. Action is necessary to respond to the criticisms made by junior doctors in a number of Trusts.

Statistical returns

8. A set of forms for statistical returns as at 30 September 1995 is attached. Trusts should provide a consolidated return for all their medical and dental staff in the training grades, as should Health Boards for the staff in their Directly Managed Units. Guidance notes are attached to the returns at Annex B. The returns should be completed and sent to Mrs I Wight at the Management Executive by 20 October.

Junior Doctors' Hours
Statistical Returns
Guidance Notes

Revised and more comprehensive statistics forms are attached and should be used for the September 1995 return. Please note carefully the information required; in particular that separate returns are needed for Senior Registrars, Registrars, Senior House Officers and Pre-registration House Officers as well as a consolidated return for all Trust staff. Health Boards should provide one consolidated return for their directly managed units where they have them.

Returns are also required for any doctors in Higher Specialist Training (usually senior registrars) for whom an exemption agreed by the Postgraduate Dean has been obtained to allow them to be on duty for more than 72 hours a week. The exemption is called the English Clause (after Sir Terence English, former President of the Royal College of Surgeons).

All returns must be completed fully and checked for accuracy before they are submitted. The most common errors were listed in MEL(1994)8 and in MEL(1994)118.

It is essential that the staff responsible for completing these important statistical returns have access to and study carefully the instructions set out in those MELs and on the forms themselves.

DOCTORS AND DENTISTS IN TRAINING-HOURS OF WORK - AS AT 30 SEPTEMBER 1995
SUMMARY

HEALTH BOARD/TRUST _____

PART 1 (POSTS)

PART 2

PART 3 (POST HOLDERS)

PART 1 (POSTS)		CONTRACTED HOURS				PART 2				PART 3 (POST HOLDERS)				
Col 1	Col 2	Col 3		Col 4		Col 3		Col 4		Col 1	Col 2	Col 3	Col 4	
	Total Number of funded posts by form of working	Total Number of funded posts by form of working		Number of posts worked as on-call rota		Number of posts worked as on-call rota		Number of posts worked as on-call rota		Number of Honorary Staff as at 30.9.95	Number of Full-Time Staff as at 30.9.95	Number of Part-Time Staff as at 30.9.95	Total Number of Staff as at 30.9.95	
		(a) Full Shift	(b) Partial Shift	(c) Rota	(a) Over 83 hrs hard pressed	(b) 83-73 hrs non-hard pressed	(c) 72 hrs or Less non-hard pressed	(a) Over 83 hrs hard pressed	(b) 83-73 hrs non-hard pressed	(c) 72 hrs or Less non-hard pressed				
		Over 56 hrs or less	Over 64 hrs or less	64 hrs or less	Over 83 hrs hard pressed	83-73 hrs non-hard pressed	72 hrs or Less non-hard pressed	Over 83 hrs hard pressed	83-73 hrs non-hard pressed	72 hrs or Less non-hard pressed				
Senior Registrar														
Registrar														
SHO														
PRHO														
TOTAL														

PART 1 - NOTES

- Ø Dentists in the training grades should be included
- Total of column 3 should equal total of column 2.
- Col 4(a) - 1:3 rota with prospective cover or worse.
- Col 4(b) - 1:4 rota with prospective cover or worse.
- Col 4(c) - 1:4 without prospective cover or better.

* As defined in Annex D of circular SOHHD/DGM((1991))6.

Please Note - The totals of Forms 1 to 4 should be entered here and added together to give the grand total of all Senior Registrars, Registrars, Senior House Officers and Pre-Registration House Officers employed in the relevant Trust or Health Board.

PART 3 - NOTES

Column 1 figures should not be included in Columns 2 or 3.

Total of columns 1, 2 and 3 should equal number of staff in column 4.

DOCTORS & DENTISTS IN TRAINING - HOURS OF WORK - AS AT 30 SEPTEMBER 1995
BY GRADE AND SPECIALITY

HEALTH BOARD/TRUST _____
GRADE: SENIOR REGISTRAR _____

PART I (POSTS)		CONTRACTED HOURS						PART 2	
Col 1 Speciality	Col 2 Total Number of funded posts in grade as at 30.9.95	Col 3 Total No of funded posts by form of working			Col 4 Number of posts worked as on-call rota		Number of Posts Where Actual Hours Worked Exceed 56		
		(a) Full-Shift Over 56 hrs 56 hrs or Less	(b) Partial Shift Over 64 hrs 64 hrs or Less	(c) Rota	(a) Over 83 hrs	(b) 83-73 hours * hard pressed non hard pressed			(c) 72 hrs or less * hard pressed non hard pressed
A&E Medicine									
Anaesthetics									
Clinical Laboratory Specialities									
Dentistry Ø									
Medicine (excluding Paediatrics)									
Obstetrics & Gynaecology									
Paediatrics									
Psychiatry									
Radiology									
Surgery									
TOTAL									

PART I - NOTES
Ø Dentists to be included in a single speciality of dentistry.
Total of column 3 should equal total of column 2.
Col 4(a) - 1:3 rota with prospective cover or worse.
Col 4(b) - 1:4 rota with prospective cover or better.
Col 4(c) - 1:4 without prospective cover or better.
* As defined in Annex D of circular SOHHD/DGM(1991)16.

DOCTORS & J... TISTS IN TRAINING - HOURS OF WORK - AS AT 30 SEPT... BER 1995
BY GRADE AND SPECIALTY

HEALTH BOARD/TRUST _____
GRADE: REGISTRAR _____

PART 1 (POSTS)		CONTRACTED HOURS						PART 2
Col 1 Specialty	Col 2 Total Number of funded posts in grade as at 30.9.95	Col 3 Total Number of funded posts by form of working			Col 4 Number of posts worked as on-call rota			Number of Posts Where Actual Hours Worked Exceed 56
		(a) Full-Shift	(b) Partial Shift	(c) Rota	(a) Over 83 hrs	(b) 83-73 hours	(c) 72 hrs or less	
		Over 56 hrs	56 hrs or Less	Over 64 hrs	64 hrs or Less	* hard pressed	non hard pressed	
A&E Medicine								
Anaesthetics								
Clinical Laboratory Specialities								
Dentistry Ø								
Medicine (excluding Paediatrics)								
Obstetrics & Gynaecology								
Paediatrics								
Psychiatry								
Radiology								
Surgery								
TOTAL								

PART 1 - NOTES
Ø Dentists to be included in a single specialty of dentistry.
Total of column 3 should equal total of column 2.
Col 4(a) - 1:3 rota with prospective cover or worse.
Col 4(b) - 1:4 rota with prospective cover or better.
Col 4(c) - 1:4 without prospective cover or better.
* As defined in Annex D of circular SOHHD/DGM(1991)16.

**DOCTORS & DENTISTS IN TRAINING - HOURS OF WORK - AS AT 30 SEPTEMBER 1995
BY GRADE AND SPECIALITY**

HEALTH BOARD/TRUST _____
 GRADE: SENIOR HOUSE OFFICER _____

PART 1 (POSTS)		CONTRACTED HOURS						PART 2	
Col 1 Speciality	Col 2 Total number of funded posts in Grade as at 30.9.95	Col 3 Total number of funded posts by form of working			Col 4 Number of posts worked as on-call rota			Number of Posts Where Actual Hours Worked Exceed 56	
		(a) Full-Shift	(b) Partial Shift	(c) Rota	(a) Over 83 hrs	(b) 83-73 hours	(c) 72 hrs or less		
		Over 56 hrs	Over 64 hrs	64 hrs or Less		* hard pressed	* hard pressed		
		56 hrs or Less			Over 83 hrs	non hard pressed	72 hrs or less		
A&E Medicine									
Anaesthetics									
Clinical Laboratory Specialities									
Dentistry Ø									
Medicine (excluding Paediatrics)									
Obstetrics & Gynaecology									
Paediatrics									
Psychiatry									
Radiology									
Surgery									
TOTAL									

PART 1 - NOTES
 Ø Dentists to be included in a single speciality of dentistry.
 Total of column 3 should equal total of column 2.
 Col 4(a) - 1:3 rota with prospective cover or worse.
 Col 4(b) - 1:4 rota with prospective cover or better.
 Col 4(c) - 1:4 without prospective cover or better.
 * As defined in Annex D of circular SOHHD/DGM(1991)16.

DOCTORS & DENTISTS IN TRAINING - HOURS OF WORK - AS AT 30 SEPTEMBER 1995
BY GRADE AND SPECIALITY

HEALTH BOARD/TRUST _____
GRADE: PRE-REGISTRATION HOUSE OFFICER _____

PART 1 (POSTS)		CONTRACTED HOURS						PART 2	
Col 1 Speciality	Col 2 Total Number of funded posts in grade as at 30.9.95	Col 3 Total No of funded posts by form of working			Col 4 Number of posts worked as on-call rota			Number of Posts Where Actual Hours Worked Exceed 56	
		(a) Full-Shift	(b) Partial Shift	(c) Rota	(a) Over 83 hrs	(b) 83-73 hours	(c) 72 hrs or less		
		Over 56 hrs	56 hrs or Less	Over 64 hrs	64 hrs or Less	Over 83 hrs	* hard pressed	non hard pressed	
A&E Medicine									
Anaesthetics									
Clinical Laboratory Specialities									
Dentistry Ø									
Medicine (excluding Paediatrics)									
Obstetrics & Gynaecology									
Paediatrics									
Psychiatry									
Radiology									
Surgery									
TOTAL									

PART 1 - NOTES
 Ø Dentists to be included in a single speciality of dentistry.
 Total of column 3 should equal total of column 2.
 Col 4(a) - 1:3 rota with prospective cover or worse.
 Col 4(b) - 1:4 rota with prospective cover or better.
 Col 4(c) - 1:4 without prospective cover or better.
 * As defined in Annex D of circular SOHHD/DGM(1991)16.

DOCTORS AND DENTISTS IN TRAINING - HOURS OF WORK AS AT 30 SEPTEMBER 1995

DOCTORS IN HIGHER SPECIALIST TRAINING
WHO MAY BE CONTRACTED FOR MORE THAN 72 HOURS PER WEEK
(The "English Clause")

HEALTH BOARD/TRUST _____

POST ¹ (GRADE)	SPECIALTY	HOSPITALS	WORK ² PATTERN	CONTRACTED HOURS HARD PRESSED NON-HARD PRESSED	HOURS ACTUALLY WORKED

- NOTES:-
1. List each post by Grade on a separate line.
 2. Indicate on-call rota, full shift or partial shift.

For explanation of the "English Clause" see paragraph 4 of MEL(1994)87 and Paragraph 6 of Annex A of the "New Deal".