

Ref: FOI/CAD/ID 3331

Please reply to:
FOI Administrator
Trust Management
Service Centre
Maidstone Hospital
Hermitage Lane
Maidstone
Kent
ME16 9QQ

Email: mtw-tr.foiadmin@nhs.net

06 September 2016

Freedom of Information Act 2000

I am writing in response to your request for information made under the Freedom of Information Act 2000 in relation to the Implementation of the new Junior Doctor's Contract August 2016.

- 1) Is the trust on course to implement the new contract in August 2016?*
- 2) What steps the trust has taken to discuss with junior doctors working within it or under lead employer arrangements about the implementation of the contract and the perspective of trainees?*
- 3) Has the trust advertised / is planning to advertise for the new guardian role(s)? If so please supply further information about the job specification, essential requirements and person specification.*
In addition I would be grateful if you could provide any materials pertaining to the implementation of the new contract within your trust. This should include but not be limited to
- 4) New rota designs (with comparisons from before)*
- 5) Any modelling relating to the effects for the trust (including cost impact, levels of staffing across the week, impact upon training)*
- 6) Details of any plans to change services offered in order to implement 7 day services as a result of this contract change.*
- 7) Any correspondence from or to NHS employers, Health Education England or the local deanery regarding contract implementation.*

- 1) Yes
- 2) The implementation of the contract has been discussed at Local Faculty groups in the lead up to August Changeover. Junior Doctor Representation has occurred when looking at Rota compliance and remodelling
- 3) Yes, the role has been advertised and appointed to. JD & Person Spec Attached

MAIDSTONE & TUNBRIDGE WELLS NHS TRUST

GUARDIAN OF SAFE WORKING

JOB DESCRIPTION

GRADE:	NHS Consultant or equivalent seniority
ACCOUNTABLE TO:	Trust board
REPORTING TO:	TBC
TIME COMMITMENT:	TBC
SALARY:	At same salary level as substantive appointment, and in line with time commitment
KEY RELATIONSHIPS:	Director of Medical Education (DME) Medical Director Clinical Directors General Managers LETB Director of Quality Medical Workforce Manager
TENURE	Three years, subject to annual review
NOTICE PERIOD	Three months

Job purpose

The safety of patients is a paramount concern for the NHS. Significant staff fatigue is a hazard both to patients and to the staff themselves. The safeguards around working hours of doctors and dentists in training are outlined in the TCS and are designed to ensure that this risk is effectively mitigated and that this mitigation is assured.

The guardian is a senior person, independent of the management structure within the organisation for whom the doctor in training is working and/or the organisation by whom the doctor in training is employed. The guardian is responsible for protecting the safeguards outlined in the 2016 TCS for doctors and dentists in training. The guardian will ensure that issues of compliance with safe working hours are addressed, as they arise, with the doctor Employer implementation guidance doctors in training and /or employer, as appropriate; and will provide assurance to the trust board that doctors' working hours are safe.

Key results areas

The guardian will:

1. Act as the champion of safe working hours for doctors in approved training programmes and ensure that action is taken to ensure that the working hours within the trust are safe.
2. Provide assurance to the trust board or equivalent body that doctors are safely rostered and are working hours that are safe and in compliance with the TCS.
3. Record and monitor compliance with the restrictions on working hours stipulated in the TCS, through receipt and review of all exception reports in respect of safe working hours.
4. Ensure that exception reports regarding training hours, as set out in the work schedule, are sent to the DME or equivalent officer.
5. Work in collaboration with the DME or equivalent officer to ensure that the identified issues within exception reports concerning both working hours and training hours are properly addressed by the employer and/or host organisation.
6. Escalate issues in relation to working hours raised in exception reports to the relevant executive body for decisions where these have not been addressed at a local level.
7. Require a work schedule review to be undertaken where there are regular or persistent breaches in safe working hours which have not been addressed.
8. Directly receive exception reports where there are immediate or serious risks to safety and ensure that the organisation at a local level has addressed the concerns that led to the exception report. Where this is not addressed within the timescales identified in Schedule 5, and the guardian deems it appropriate, the guardian will raise this with the executive of the employing and/or host organisation.
9. Have the authority to intervene in any instance where the guardian feels the safety of patients and/or doctors is compromised, or that issues are not being resolved satisfactorily.

10. Distribute monies received as a consequence of financial penalties to improve the training and working experience of all doctors. Examples may include and should not be limited to:

- IT systems
- Facilitating study leave
- Rest facilities
- Employer implementation guidance doctors in training 55
- Handover systems
- Expertise in rota design
- Service improvement projects
- Examination/course/professional support
- Role redesign pilots
- Staff engagement
- Library facilities
- Corporate journal subscriptions.

11. Prepare, not less than annually, a report for the trust board or equivalent body which summarises all exception reports and work schedule reviews and provides assurance on compliance with safe working hours by both the employer and doctors in approved training programmes.

12. Liaise with the DME, Deanery, doctors and their representatives to ensure an overall quality assurance system in relation to safe hours of work.

Assignment and review of work

13. Accountable to the trust board or equivalent body and line managed by the appropriate executive director.

14. The work of the post holder is generated through exception reporting and work schedule reviews made by doctors in training.

15. The post holder is also expected to generate work in response to areas of concern.

16. The post holder will agree objectives with the line manager, who will also appraise the post holder. The system of performance management will include the opportunity for representatives of the doctors in training to contribute to the assessment, for example,

through a system of 360° appraisal.

Communications and working relationships

17. The role of the guardian must be independent from the line management arrangements in the host and/or employing organisation to ensure that the post holder has the confidence of doctors in training.

18. The post holder must be of sufficient seniority to ensure that the role has an effective voice within the organisation.

19. The post holder will have regular contact with doctors and dentists in training, the DME and any associate DMEs, educational and clinical supervisors, the postgraduate dean, other senior staff within the Deanery, and both executive and non-executive board members.

Job description agreement:

Signature of post holder: _____ Date: _____

Name: _____

Signature of manager: _____ Date: _____

Name: _____

Statement:

1. This job description is a broad reflection of the current duties. It is not necessarily exhaustive and changes will be made at the discretion of the manager in conjunction with the post holder.
2. Time scales for achievement and standards of performance relating to the duties and responsibilities identified in this job description will be agreed via the annual appraisal process with the post holder.
3. As an employee of Maidstone and Tunbridge Wells NHS Trust, the post holder will have access to confidential information. Under no circumstances should this be disclosed to an unauthorised person within or outside the Trust. The post holder must ensure compliance with the requirements of the Data Protection Act.
4. As an employee of the Trust, the post holder will be required to adhere to all Trust policies including Equal Opportunities where all employees are expected to accept individual responsibility for the practical implications of these policies.
5. The post holder is required to take reasonable care for the health and safety of themselves and others that may be affected by what they do while at work.
6. This post may require the post holder to travel across the Trust sites in the course of fulfilment of their duties.
7. The Maidstone and Tunbridge Wells NHS Trust has a no smoking policy
8. Clinical Governance: You will be expected to take part in the processes for monitoring and improving the quality of care provided to patients. This includes risk management and clinical audit. If you engage in clinical research you must follow Trust protocols and ensure that the research has had ethical approval. You will be expected to ensure that patients receive the information they need and are treated with dignity and respect for their privacy.
9. All staff should be aware of their responsibilities and role in relation to the Trust's Major Incident Plan.
10. INFECTION CONTROL AND HAND HYGIENE - All Trust employees are required to be familiar with, and comply with, Trust policies for infection control and hand hygiene in order to reduce the spread of healthcare-associated infections. For clinical staff with direct patient contact, this will include compliance with Trust clinical procedures and protocols, including uniform and dress code, the use of personal protective equipment policy, safe procedures for using aseptic techniques, and safe disposal of sharps. All staff are required to attend mandatory training in Infection Control and be compliant with all measures known to be effective in reducing healthcare-associated infections.
11. All staff are required to fully participate in learning and development opportunities and ensure they remain compliant with statutory and mandatory training requirements throughout their employment with the Trust

12. All staff are required to fully comply with the NHS Code of Conduct.
13. **SAFEGUARDING CHILDREN** - Everyone employed by the Trust regardless of the work they do has a statutory duty to safeguard and promote the welfare of children. When children and/or their carers use our services it is essential that all child protection concerns are both recognised and acted on appropriately. You have a responsibility to ensure you are familiar with and follow the child protection procedures and the Trust's supplementary child protection guidance which is accessed electronically on the Trust's Intranet site. You have a responsibility to support appropriate investigations either internally or externally. To ensure you are equipped to carry out your duties effectively, you must also attend child protection training and updates at the competency level appropriate to the work you do and in accordance with the Trust's child protection training guidance.
14. **SAFEGUARDING ADULTS** - Everyone employed by the Trust regardless of the work they do has a duty to safeguard and promote the welfare of vulnerable adults. When patients and/or their carers use our services it is essential that all protection concerns are both recognised and acted on appropriately. You have a responsibility to ensure you are familiar with and follow Trust policies in relation to safeguarding vulnerable adults. You have a responsibility to support appropriate investigations either internally or externally. To ensure you are equipped to carry out your duties effectively, you must also attend vulnerable adult protection training and updates at the competency level appropriate to the work you do and in accordance with the Trust's vulnerable adult protection training guidance.
15. All staff are required to provide the highest levels of service in their work and to adopt the highest standards of behaviour as stated and implied in the Trust Values of PRIDE.

Maidstone and Tunbridge Wells NHS Trust

**Guardian of Safe Working
Person specification**

AREA	ESSENTIAL	DESIRABLE (for grading purposes this information is not taken into account)
Qualifications	<ul style="list-style-type: none"> Medical or Dental practitioner with postgraduate qualifications or appropriate HR or management Qualification 	<ul style="list-style-type: none">
Experience/ Knowledge	<ul style="list-style-type: none"> Minimum Consultant/GP level or equivalent Senior Management Level Relevant experience and or employment with a local NHS organisation 	<ul style="list-style-type: none"> Previous experience of postgraduate education and training Previous management experience and training
Skills	<ul style="list-style-type: none"> Knowledge and understanding of TCS of Doctors in training Knowledge and understanding of Working Time Regulations, safe working patterns and rotas for doctors in training Facilitation, interpersonal, mediation and negotiation skills in order to promote medical and dental education and challenge practice within the LEP Ability to manage budget Proven ability to act as an effective champion for safe working 	<ul style="list-style-type: none"> Knowledge of recent developments in medical education and of key issues
Attributes	(for example) <ul style="list-style-type: none"> Enthusiasm for preserving safeguards for the benefit of patients and doctors in training Excellent communication skills Clear understanding of equal opportunities 	<ul style="list-style-type: none">
Additional requirements		<ul style="list-style-type: none">

4) Information redacted below:

Old Contract

Wk	Mon	Tue	Wed	Thu	Fri	Sat	Sun
----	-----	-----	-----	-----	-----	-----	-----

1	09:00 17:00	09:00 17:00	09:00 21:30	09:00 17:00	09:00 17:00		
2	09:00 17:00	09:00 21:30	09:00 17:00	09:00 17:00	09:00 17:00		
3	09:00 17:00	09:00 17:00	09:00 21:30	09:00 17:00	09:00 17:00		
4	09:00 17:00	09:00 17:00	09:00 17:00	09:00 17:00	09:00 17:00	08:30 18:00	09:00 21:30
5	09:00 17:00	09:00 17:00	09:00 21:30	09:00 17:00	09:00 17:00		
6	09:00 17:00	09:00 21:30	09:00 17:00	09:00 17:00	09:00 17:00		
7	09:00 17:00	09:00 21:30	09:00 17:00	09:00 17:00	09:00 21:30		
8	09:00 17:00	09:00 21:30	09:00 17:00	09:00 17:00	09:00 17:00	09:00 21:30	08:30 18:00
9	09:00 17:00	09:00 17:00	09:00 21:30	09:00 17:00	09:00 17:00		
10	09:00 17:00	09:00 21:30	09:00 17:00	09:00 17:00	09:00 17:00		
11	09:00 21:30	09:00 17:00	09:00 21:30	09:00 17:00	09:00 17:00		
12	09:00 17:00	09:00 21:30	09:00 17:00	09:00 17:00	09:00 21:30	08:30 18:00	09:00 21:30
13	09:00 17:00	09:00 17:00	09:00 17:00	09:00 17:00	09:00 17:00		
14	09:00 17:00	09:00 21:30	09:00 17:00	09:00 21:30	09:00 17:00		
15	09:00 17:00	09:00 17:00	09:00 21:30	09:00 17:00	09:00 21:30		
16	09:00 17:00	09:00 17:00	09:00 17:00	09:00 17:00	09:00 21:30	08:30 18:00	09:00 21:30
17	09:00 17:00	09:00 17:00	09:00 17:00	09:00 17:00	09:00 17:00		

New Contract:

Week No.	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1	09:00 - 21:30	09:00 - 17:00	09:00 - 17:00	09:00 - 21:30	09:00 - 17:00	00:00 - 00:00	00:00 - 00:00
2	09:00 - 17:00	09:00 - 21:30	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	00:00 - 00:00	00:00 - 00:00
3	09:00 - 21:30	09:00 - 17:00	09:00 - 21:30	09:00 - 17:00	09:00 - 17:00	00:00 - 00:00	00:00 - 00:00
4	09:00 - 17:00	09:00 - 21:30	13:00 - 17:00	09:00 - 21:30	09:00 - 17:00	00:00 - 00:00	00:00 - 00:00
5	09:00 - 17:00	09:00 - 17:00	09:00 - 21:30	00:00 - 00:00	09:00 - 21:30	09:00 - 21:30	09:00 - 21:30
6	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	00:00 - 00:00	00:00 - 00:00
7	09:00 - 21:30	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	00:00 - 00:00	00:00 - 00:00
8	09:00 - 17:00	09:00 - 21:30	09:00 - 17:00	00:00 - 00:00	09:00 - 21:30	08:30 - 18:00	08:30 - 18:00
9	09:00 - 17:00	00:00 - 00:00	09:00 - 21:30	09:00 - 17:00	09:00 - 17:00	00:00 - 00:00	00:00 - 00:00
10	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	09:00 - 21:30	09:00 - 17:00	00:00 - 00:00	00:00 - 00:00
11	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	09:00 - 21:30	09:00 - 21:30	09:00 - 21:30
12	00:00 - 00:00	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	00:00 - 00:00	00:00 - 00:00
13	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	09:00 - 17:00	00:00 - 00:00	00:00 - 00:00

5) Information not available

6) The trust do not anticipate services needing to change as a result of contract change at this stage

7) These are all nationally available on the respective websites. Maidstone and Tunbridge Wells NHS Trust has not been sent any information that is not publicly available.