

Terms & Conditions of Service for NHS Doctors and Dentists in Training (England) 2016

Below are some key points that you need to be aware of when you transition to the 2016 terms and conditions of service.

The full terms and conditions of service (TCS) can be found as follows:

<http://www.nhsemployers.org/case-studies-and-resources/2017/04/terms-and-conditions-of-service-for-nhs-doctors-and-dentists-in-training-england-2016-version-3>

Pay/Time Off In Lieu in exceptional circumstances to secure patient safety

If you are employed under the Terms & Conditions of Service (TCS) for NHS Doctors & Dentists in Training (England) 2016 and you consider that there is a professional duty to work beyond the hours described in your work schedule in order to ensure patient safety, you should seek pre-authorisation from your Clinical Supervisor and Directorate / Deputy Directorate Manager before you undertake the additional hours.

A pre-authorisation form is available to download from Staff Room (Trust intranet) in the Rota /Medical Staffing Forms section:

<https://www.yorkhospitals.nhs.uk/rotas/>

Once the pre-authorisation form has been signed by appropriate signatories (as detailed on the form) it should be submitted to Russell Helms, JDC Admin Coordinator, Postgraduate Centre, Scarborough Hospital, ext 771 2591 (russell.helms@york.nhs.uk).

If you are unable to obtain pre-authorisation you should submit an exception report.

Exception reporting

Exception reporting will allow you to quickly and easily flag up if your actual work has varied **significantly** or **regularly** with your work schedule.

It also allows for you to receive time off in lieu, or pay if TOIL can't be taken, for extra hours of work you were required to do to **ensure patient safety**.

Log in details for the electronic exception reporting system are issued on (or before) the first day of your rotation by email. If not received, please contact Russell Helms, JDC Admin Coordinator, Postgraduate Centre, Scarborough Hospital, ext 771 2591 (russell.helms@york.nhs.uk).

You can exception report anything that constitutes a variation to your work schedule and could include you having to work extra hours on the grounds of patient safety, you not meeting your training needs, not being able to take your breaks, etc.

Not all exception reports for extra hours will result in pay – this mechanism is designed first and foremost to ensure trainees' safety.

Therefore the preferred compensation will usually be time off in lieu to enable you to catch up on rest and ensure you are safe to work.

If you are exception reporting a breach of your work schedule that also constitutes a breach of the maximum safe working limits then you can be paid an enhanced rate and a fine will be levied to the Trust for this breach.

Work schedule

You will receive a Generic Work Schedule as part of your contract. You will need to take this to your meeting with your Educational Supervisor and discuss any additional training requirements. This will then form your Individual Work Schedule. Once this is agreed, a copy should be sent to Russell Helms, JDC Admin Coordinator, Postgraduate Centre, Scarborough Hospital, ext 771 2591 (russell.helms@york.nhs.uk).

Work schedule review

The purpose of a work schedule review is to ensure that your work schedule remains fit for purpose, in circumstances where earlier discussions have failed to resolve concerns. A work schedule review can be requested by you, your educational supervisor, a manager or the guardian of safe working. The full process is detailed in TCS Schedule 5 paragraphs 19-33.

Guardian of Safe Working

The Trust's Guardian of Safe Working is Lisa Smith who can be contacted as follows:

Lisa.smith@york.nhs.uk

01904 721236 (or internal 772 1236)

07818 427420 (mobile)

Bank locum work

Enhanced rates (over and above the national locum rates) have been agreed locally for a fixed term and will be payable for any shifts undertaken via the Trust's internal locum bank. Further details can be provided by the Rota Co-ordination Team.

The new 2016 contract restricts the way trainees can do locum work.

If you intend to undertake hours of paid work as a locum, additional to the hours set out in your work schedule, you must initially offer such additional hours of work exclusively to the service of the NHS via an NHS staff bank. You will be offered the opportunity to join the bank at induction.

If you offer hours of locum work to the NHS staff bank but there is no suitable work available, you are then released from the terms of Schedule 3, paragraph 43, and given permission to find locum shifts elsewhere (for example, through an agency).

If you wish to offer hours of locum work to the York Trust locum bank you should email locum.inbox@york.nhs.uk

You will receive a response within 24 hours informing you whether or not you are required by the Trust (Monday to 1630 on Friday). You should contact the Bed Manager's office outside of these hours if you have availability for work that you wish to offer the Trust.

You must inform your employer of your intention to undertake additional hours of locum work if this is for an alternative employer, please e-mail locum.inbox@york.nhs.uk with the details of the dates/times/employer.

Please do not hesitate to contact a member of the Medical Staffing team if you have queries relating to the new contract.

Last reviewed 31-07-2017