

Monitoring Guidance for Junior Doctors

The monitoring exercise for your rota is about to commence. This document contains some useful information and guidance presented in a question and answer format to help you successfully participate in the monitoring exercise.

1. Why am I being asked to participate in this monitoring exercise?

Your contract of employment requires the Trust to monitor your working pattern, and requires you to participate in the monitoring process.

What is the purpose of monitoring? What does it achieve? Isn't it just a waste of my time?

The monitoring exercise is required for two reasons arising from the New Deal agreement for junior doctors in 1991 and the subsequent employment contract agreed in 2000.

Firstly, the Trust is required to show that junior doctors are working within New Deal hours limits and receiving their rest and break entitlements. This is to protect junior doctors from being contracted to work excessive hours or without sufficient rest.

Secondly, the employment contract agreed in 2000 introduced the pay banding system and requires that the Trust monitor your working pattern to ascertain which pay banding supplement you should receive.

With the advent of the European Working Time Directive and hence the Working Time Regulations (Northern Ireland) 1998, the monitoring exercise is now also used as a proxy to measure compliance with the hours limits and rest requirements of this legislation.

Therefore, you can see that monitoring was actually designed to protect junior doctors and ensure they are paid correctly.

2. How will my working pattern be monitored?

Depending on which Trust you work in you will be asked to monitor using either the traditional diary card system or an electronic system.

If you are using the diary card system you will need to complete a diary card for each day during the 14-day monitoring period whether you were working that day or not. The diary card is designed to collect information to identify you, your rota, the shift you worked, and whether you were on leave. There is a table on the diary card with a box corresponding to each 15 minute portion of a 24-hour

period. You are required to place an 'x' in the relevant box for each 15 minute period during which you are working. There is also a column to the right where you can provide details of what your work involved. Please try to provide as much information as possible here as this can be useful for identifying duties of limited educational value (DLEV) which might be better performed by someone other than a doctor. You should also comment on inappropriate bleeps or requests and time spent on inappropriate duties such as portering duties or delivering routine request forms to the radiology department. This information can be useful in supporting change initiatives and helping to improve your working life.

When completing your diary cards please remember that the accurate reporting of your working hours and activities is a probity issue. You should record the information carefully.

On the back of each diary card you will find some reminders of the New Deal rest requirements.

Natural Breaks: You should obtain a minimum 30 minute period of continuous rest after each period of 4 hours continuous duty. This continuous rest must be achieved within the 5th hour at the latest. This requirement is designed to prevent prolonged periods of work without a break leading to fatigue, so it doesn't mean you have to work for 4 hours before you can take a break. In most circumstances if you take a morning coffee break and a lunch break you will fulfill this requirement. You should have a reasonable expectation of achieving natural breaks. Therefore the standard used in monitoring is achievement of natural breaks in at least 75% of shifts.

Shift lengths: For full shifts the New Deal allows a maximum shift length of 14 hours but due to the EWTD requirement for 11 hours continuous rest in each 24-hour period you should not be rostered to work more than 13 hours including time for handover. You should make sure you finish your shift on time to avoid breaching this ETWD requirement.

There is also information on the diary card about total and continuous rest required in on-call and partial shift rotas. You should be aware that the definition of out-of-hours for the purpose of calculating rest requirements is from 5 pm – 9 am Monday to Friday and 9 am – 9 am Saturday and Sunday.

If you do not achieve your natural breaks or rest requirements or if you have a shift overrun, you are required to give reasons for this on the back of the diary card or in the comments box if using the electronic system. You should then sign this and ask a Consultant to add their signature verifying the reasons you have stated. This section of the monitoring form is important. Your employment contract requires that you benefit from the New Deal hours and rest controls and

the law requires that you work within the Working Time Regulations. The Trust is responsible for ensuring this. They therefore need to know about any problems that cause any of your shifts to be non-compliant so they can take steps to address these. The reason you are asked to obtain a consultant signature is to make the consultant aware of the problem. They are likely to have greater understanding of the operational issues relating to an individual rota than HR/Medical Admin staff and so their involvement is vital in identifying and solving these problems.

If you are unable, after reasonable efforts, to obtain the signature of a consultant you should write this on the diary card but still submit it. The member of HR/Medical Admin staff analyzing your monitoring returns can then contact you to discuss the information you submitted and work with you to solve any problems if required.

If you are using an electronic monitoring system you will enter similar information via a computer programme and you will not need to obtain a consultant signature. However, the consultant responsible for your rota, or a member of HR/Medical Admin staff, may still wish to discuss your monitoring returns with you, and work with you to solve any problems if required.

3. If I'm on annual leave or study leave during part or all of the monitoring period, will I still have to submit my diary cards?.

Yes. The effect of annual leave and study leave on the monitoring exercise must be taken into account and so it is important that you return your diary cards indicating that you were on leave.

4. Why is it important for me to return all of my diary cards?

In order for the monitoring exercise to be considered valid, data has to be collected for at least 75% of doctors on the rota and for at least 75% of shifts on the rota. There also needs to be a representative sample of each shift-type. Therefore, you should always aim to return every diary card.

5. What happens to the diary cards we submit?

The diary cards are collected, collated and analysed by a member of HR or Medical Admin staff. This is quite a complex and time-consuming task. If you are using an electronic monitoring system, your data will be analysed by the system against your working pattern template.

6. How do I learn the outcome of the monitoring exercise I participated in?

The protocol for monitoring states that you should receive notification of the outcome within 15 days. However, as this complex and time-consuming task is often the responsibility of a small number of individuals it may take longer than this. If you do not receive this information within 30 days of the end of the monitoring period you should contact HR/Medical Admin for an update on the progress of the analysis and ask when you will receive the outcome.

A standard Monitoring Outcome Notification Memo has been drawn up by BLG's HR advisor, Ms Liz Hynes. This includes information on the average hours worked, achievement of natural breaks and rest requirements, number of shift overruns, current rota band and band indicated by monitoring. All Trusts have signed up to this through their representatives on the Board Liaison Group, and have agreed to use this standard Memo to report the monitoring outcome to doctors.

7. What if I don't agree with the outcome?

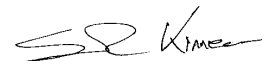
If you don't agree with the monitoring outcome you should contact the member of HR or Medical Admin responsible for your rota. Their name and contact details will be on the Monitoring Outcome Notification Memo. You should aim to open a constructive dialogue about why you disagree with the outcome. Both the Doctors in training and the Trust have the right to request a repeat monitoring exercise.

In cases where impartial mediation and advice are required the BLG Medical Project Officer and HR advisor are available to assist. In cases where a satisfactory resolution cannot be reached to the acceptance of both parties there is an appeals process.

Signed:



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