

## **JUNIOR DOCTORS - SHIFT & BREAKS GUIDANCE**

This guidance is intended to clarify aspects of the requirements about limits of working as set out under the 2016 Junior Doctor Contract and the European Working Time Directive (EWTD) to help junior doctors and managers to comply with these arrangements.

### **RESPONSIBILITIES**

Junior Doctors are contractually required to comply with the limits on hours of safe working as set out in their Terms and Conditions of Service. The Trust also has a duty to ensure that junior doctors work within the approved work schedule and working pattern for their grade and specialty. Rota's are designed in conjunction with junior doctors and their consultants specifically for individual specialties and departments. These are approved by the Trust as being compliant by design with both the 2016 Junior Doctor Contract and EWTD.

There is a joint responsibility on the part of junior doctors, consultants and Trust managers to ensure junior doctors working hours comply with regulatory limits set out in the Working Time Regulation (WTR) and hours of safe working. In addition, this also includes a responsibility to work safely and thereby protect patients by ensuring that appropriate breaks are taken during periods on duty.

### **SHIFT WORKING**

In developing shift patterns, it is expected that these allow for the amount of work required to be undertaken, however, it is recognised that there are sometimes occasions where emergencies and patient safety require a more flexible approach.

Junior doctors, in common with other staff groups in the Trust, often choose to arrive at their place of work earlier than the start time of their shift or do not leave on time at the end of their shift, for personal reason for example to avoid traffic. This time is not an expectation of the Trust nor regular scheduled work and should not be recorded as working time unless this is approved by an authorised member of the Trust

If a junior doctor works outside the start and/or finish times of their work schedule/working pattern to fulfill their work commitments, they should submit an exception report. Information about exception reporting can be found on the Doctors Information Board and on the Medical Education Leeds web site.

### **BREAKS**

Junior doctors must receive:

- at least one 30-minute paid break for a shift rostered to last more than five hours, and
- a second 30-minute paid break for a shift rostered to last more than nine hours.

The breaks can be taken flexibly during the shift, and should be evenly spaced where possible. These would normally be taken separately but may if necessary be combined into one longer break. Where the breaks are combined in to one break this must be taken as near as possible to the middle of the shift. Breaks shouldn't really be taken within an hour of the shift commencing or held over to be taken at the end of the shift as they are intended to keep you alert and mentally sharp throughout your period of work.

Junior doctors should:

- Endeavour to sort out with colleagues how all the team will take breaks
- Communicate to the healthcare teams in which they work that during a break, they should be contacted only in an emergency.
- Notify their consultant at the earliest opportunity if it is consistently not possible to take suitable breaks.
- Raise an exception report if they are unable to take a suitable break

## **TRAVEL ARRANGEMENTS AND TAXI'S**

All staff required to undertake shift/on-call commitments should be able to make their own way (normally by their own car or public transport) to and from the required locations. If, exceptionally, use of own transport is not possible, or safe following an onerous on-call, then the supervising consultant (consultant on-call) or manager responsible for the service may authorise the use of a taxi at the Trust's expense. The same principle would apply for an exceptionally onerous shift. This only applies to travelling home safely. No-one may authorise the use of a taxi for themselves.

## **FURTHER INFORMATION**

For further information about the new junior doctor contract or trust policies and procedures please visit:

Medical Education Leeds web site <http://www.medicaleducationleeds.com/> or Doctors Information Board <http://lthweb.leedsth.nhs.uk/sites/doctors-information-board/homepage/junior-doctor/junior-doctors>. The link can be found in the pink box 'Best Place to Work' on the Trust intra net.

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