

Update on emergency rota provisions for junior doctors and dentists during the Covid-19 pandemic

The 'Joint statement on the application of contractual provisions for junior doctors and dentists in Wales during the Covid-19 pandemic' was developed to provide a consistent approach during the pandemic. At that time, it was agreed to review the statement in due course. The joint review has agreed that whilst the pandemic is ongoing there will continue to be a periodic need for emergency rotas to be established to support Covid-19 patient care.

It has been agreed that the provisions outlined in the joint statement will continue to apply to individuals during the current surge in Covid-19 cases. In these instances, the provisions of the statement will govern the design, monitoring and payment of emergency rotas, including standby rotas. Where junior doctors and dentists on emergency rotas work beyond their rostered hours and incur payments at locum rates, each Health Board and Trust will have in place a system to claim payment for the additional hours and this will have been discussed and agreed with the organisation's LNC.

Individuals on emergency Covid-19 rotas will revert to their usual pre-Covid-19 rota and pay arrangements once the emergency response period is over. In all other instances, and where work does not directly concern Covid-19 emergency care, the statement will not apply and the terms and conditions of service will apply in full. Notwithstanding this, given the pressure on the service overall, it is recognised that routine rota monitoring may not be possible in all instances during this time. NHS Wales Employers and BMA Cymru Wales recognise that this is at variance to the contract and that any suspension of monitoring should be for as short a time as possible. If junior doctors or dentists specifically request rota monitoring on the grounds that their banding does not accurately reflect their working practices then this request will still be granted in line with normal procedure.

Key to the response has been the joint working and agreement at a local level with junior doctors and dentists involved in the design of emergency rotas. All parties endorse the continuation of the positive approaches which have been taken to co-produce and design rotas. All changes in working conditions affecting junior doctors and dentists must be clearly communicated to them in advance. Where emergency rotas are introduced or de-escalated, pre-existing annual and study leave should be respected and individuals given as much notice as possible of the change in working arrangements.

The provisions outlined in the 'Joint statement on annual leave, study leave and public holiday arrangements for doctors and dentists in training during the Covid-19 pandemic' remain in place as a standalone agreement to provide flexibility in respect of the taking of annual leave up to and including the 2021/22 annual leave year, as well as the other provisions that apply in that statement.

The health and wellbeing of our junior doctors and dentists, patient safety and sustainable service delivery remains paramount, together with the adherence to rota design and principles regarding rest. To support this the agreed Fatigue and Facilities Charter for NHS Wales has been introduced within Health Boards and Trusts. A separate statement will be issued launching the charter.

This agreement will remain active until 31 March 2021, at which point it will be further reviewed.