Junior doctors’ 2016 contract implementation webinar 25 February

Hosted by:

Director of Employment Relations and Reward, Paul Wallace
Medical Pay and Workforce Manager, Zoe Donaldson
Today’s agenda

• Update on industrial action and resources
• Resources on the 2016 junior doctor contract
• FAQs
• Upcoming engagement activities
• Upcoming resources for implementation
Update on industrial action

The British Medical Association has announced further industrial action on the following three dates, where junior doctors will offer emergency care only. Each strike will last for 48 hours.

- 8am, Wednesday 9 March to 8am, Friday 11 March
- 8am, Wednesday 6 April to 8am, Friday 8 April
- 8am, Tuesday 26 April to 8am, Thursday 28 April

Information to help your contingency planning is still available on our industrial action web pages, and we are continuing to review and expand this information to help you prepare.
Industrial action resources

The following resources are now available to support you:

**Guidance document**
Frequently asked questions that arise as a result of potential industrial action in the NHS.

**Webinar slides**
Capsticks has produced a slide pack to help organisations with industrial action planning.

**ESR guidance**
How to record industrial action on ESR.
Junior doctors’ contract
The new 2016 contract

Junior doctors - the new 2016 contract

The way the NHS rewards junior doctors needs to be modernised, NHS Employers is working with the government to create a fair deal for doctors and patients.

Understanding the new 2016 contract

- (NHS) Pay calculator to gain junior doctors a breakdown of earnings under the new 2016 contract.
- (NHS) Training database that shows how the new 2016 contract is better on grading.
- (NHS) Salary fact sheets that show how the new 2016 contract is better on safety.
- Junior doctors’ contract booklet - summary of the 2016 contract.
- Frequently asked questions.

Junior doctors’ contract resources

Junior doctors’ contract - at a glance fact sheet

Junior doctors’ contract - the new 2016 contract - as a plug-in

Junior doctors’ pay calculator

Find out what the contract means for you.

Start
FAQs: new junior doctor contract

Questions

Questions are themed under the following headings:

- General contract
- Pay
- Pay protection
- Pay calculator
- Working hours and pattern

General contract

Why do I have to offer to work additional hours to my employer before I can take up locum work?

The new contract sets a clear limit on weekly average hours of work in any setting at 56 hours (where a doctor has opted out of the Working Time Regulations). Doctors have a responsibility to ensure that when working any additional hours outside their work schedule those hours are safe and in line with the contractual limits that are binding on both the employer and the doctor.

Before undertaking additional locum work, doctors will need to offer their employer first refusal on any such locum work, and this will be paid in line with NHS terms and conditions. The employer must act reasonably, in accordance with guidance and respond to...
Your questions

How can terms and conditions of employment be changed?

1. By reaching agreement through national collective bargaining between staff representatives and employer representatives. For junior doctors this has traditionally been between the BMA and NHS Employers – that remains our preference.

2. By employers negotiating directly with their staff and or staff representatives in order to agree locally changes to the employment contract.

3. Where national or local negotiation does not result in agreement, following consultation, employers can introduce new employment contracts by dismissing their staff on due notice and re-engaging them on new employment contracts.
Your questions

Can trusts decide not to offer the new national contracts?

All employers have the freedom to determine their own terms and conditions, including pay for the staff they employ, but the majority use national employment contracts.

We anticipate that all employers will use the same new national employment contract because it ensures fairness and consistency, equal pay for work of equal value, includes much stronger safeguards for juniors and for patients and will help improve training.

This will provide consistency of employment terms and conditions as doctors in training rotate through placement with different employers as part of their training programme.
Your questions

What if trusts decide to use the current contract?

We believe that the new contract offers a safer deal for doctors. While the current contract complies with the UK Working Time Regulations, it does not go far enough to promote and protect the safety of doctors.

The new contract provides a comprehensive package to address concerns raised by junior doctors and proposes additional safeguards and restrictions, which complies with and goes beyond those in the Working Time Regulations, on the hours that doctors are required to work.

90 per cent of the provisions in the new national contract address the BMA’s concerns and include much stronger safeguards with external scrutiny by the CQC.
Your questions

What happens if a junior doctor does not sign the new national contract?

All NHS staff, including junior doctors, when offered a contract of employment by an NHS employer are free to accept the contract or decline the offer of employment.

90 per cent of the provisions in the new national contract address the BMA’s concerns.
Upcoming engagement activities

Junior doctors’ 2016 contract implementation events.

Capsticks solicitors and software providers including Allocate, Electronic Staff Record (ESR) and Skills for Health (providers of DRS) will also be on-hand in our 'ask the expert' area to answer implementation questions on key activities including payroll, work patterns and work scheduling.

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<th>PM session</th>
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<td>9 March</td>
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Contract implementation events

Agenda

**AM sessions** - Aimed at MDs and HRDs and consisting of:
- a plenary and overview of the junior doctors' contract
- an update on the consultants' contract
- table discussions
- a question and answer session.

**PM sessions** – Aimed at medical staffing leads and will consist of:
- practical implementation workshops
- focusing on rota designs and work scheduling.
Planned products in the next few weeks

- Contract implementation guidance
- T&Cs including ordinary and lead employer model contracts
- Rota guidance
- Work schedule guidance and template description
- Guardian of safe working hours person specification
- Equality impact assessment of the new contract
Thank you for attending the webinar today.

Our details

Website: www.nhsemployers.org
@NHSEmployers
Facebook.com/NHSEmployers
doctorsanddentists@nhsemployers.org