

**Junior doctors**

The new 2016 contract

**The 2016 contract  
for doctors in training**  
Guidance on managing  
exception reports

*September 2016*

# Introduction

Exception reports are used by doctors when day-to-day work varies significantly and/or regularly from the agreed work schedule. Exception reports could relate to:

- variation in the hours of work and / or rest; or
- the pattern of work; or
- missed educational or learning opportunities; or
- a lack of support available to the doctor.

## Where do they go?

The terms and conditions of service (TCS) specify that exception reports should be sent to the educational supervisor. All reports should also be copied to either the director of medical education (DME) (for training issues), the guardian of safe working hours (for safety issues), or both (if the doctor feels the concern affects both safe working hours and education), so they can fulfil their respective oversight roles. The DME and guardian should maintain good channels of communication in dealing with any concerns where the doctor feels the issue in question relates to both safety and training.

*Note: In the definitions section of the TCS, the term educational supervisor extends to cover approved clinical supervisors in GP practice placements, who will be responsible for the management of exception reports in these settings.*

Although the educational supervisor retains overall accountability, it may be appropriate that exception reports are also copied (or sent instead) to other appropriate persons for action, for example to the doctor's clinical supervisor.

Some doctors, especially foundation doctors, may not have an educational supervisor based at the location where they are working. In this case, the formal responsibility for the exception reporting process should be reassigned to the doctor's clinical supervisor. The overall accountability in contract terms still rests with the educational supervisor.

## How are they sent?

Employers /host organisations are responsible for providing the exception reporting system for their own organisation and employers will need to consider the training and support that educational supervisors may need in using the system.

Allocate Software and Skills for Health have both committed to launching electronic exception reporting systems for employers to use in time for the first doctors commencing employment on the 2016 contract. Employers are not obliged to use either system and can

instead design their own or use a system from a different third party provider, provided that the system is electronic in design.

### What happens to them once they are sent / received?

The educational / clinical supervisor receiving the exception report will review the content and then discuss it with the doctor to agree what action is necessary to address the issue. The supervisor will set out the agreed outcome of the exception report, including any agreed actions, in an electronic response to the doctor (and copied to either the DME or guardian of safe working, depending on whether the issue is educational or safety related, or both).

There are two separate flowcharts available, one for safety related issues and one for training related issues, each showing the steps that should be followed in the exception reporting process.

### Examples of how it may work in practice

Dr Day and Dr Knight are both ST3 trainees in obstetrics and gynaecology. They both receive their generic work schedules prior to starting in their posts. Shortly after beginning in post, they have their first meeting with their educational/clinical supervisor, during which they personalise their work schedules in accordance with their needs and the opportunities in the post.

#### Example 1:

After a few weeks Dr Day feels that he is not able to achieve a particular learning objective in the work schedule because he is never working on the day that a particular procedure takes place. Dr Day raises an exception report, copying the DME as the issue is related to training.

Dr Day's educational/clinical supervisor reviews the exception report and agrees that in order to achieve this particular learning outcome, the work schedule should be changed to allow Dr Day to access the training opportunity. The educational/clinical supervisor makes the necessary arrangements, and communicates this outcome to the doctor, copying the DME.

### Example 2:

Dr Knight on the other hand is very happy with her training, but on the third Thursday after starting the placement, she was supposed to finish at 18.00 but could not leave until 19.00. She decides to raise an exception report (copied to the guardian of safe working hours, as this is a working time issue) as she feels that she could not have left work on time due to a patient safety issue.

The educational/clinical supervisor reviews the exception report, recognises that this was the case, and makes the necessary arrangements for Dr Knight to receive time off in lieu on the following Tuesday morning for the extra hour she has worked. This outcome is communicated to Dr Knight and copied to the guardian. Payment for the extra hour of work may also have been an option but was not required as time off in lieu – usually the preferred option – was available.

However, over the next few weeks, Dr Knight raises further exception reports on the following two Thursday evenings as well, because on each occasion, she has to stay at work beyond the time when the work schedule says that she should finish. Reviewing these exceptions, the educational/clinical supervisor realises that this is clearly not a one off situation but is related to some form of more systemic issue.

After reviewing the exceptions with Dr Knight, the educational/clinical supervisor concludes that it is not possible to complete the work on Thursday afternoons by 18.00, and therefore a work schedule review is required. Dr Knight and the educational/clinical supervisor agree that Dr Knight's finishing time on Thursdays should be adjusted from 18.00 to 19.00 in the work schedule, with her salary being adjusted accordingly to reflect this. The outcome is copied to the guardian for reference.

### Frequently asked questions

Regularly updated [frequently asked questions can be found on our website](#). We will update our FAQs to include frequently asked questions from educational / clinical supervisors as we receive them.

If you want to submit a question around exception reporting, please send it to [doctorsanddentists@nhsemployers.org](mailto:doctorsanddentists@nhsemployers.org).