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BMA House  
London  
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**Sir James Mackey**  
Chief Executive, NHS England  
*Via email*

21 July 2025

Dear Sir James,

We wrote to you on Friday raising our concerns about NHS England's inadequate planning ahead of industrial action starting on 25<sup>th</sup> July.

Following a meeting earlier today with your team we remain worried that decisions you have taken are causing confusion and a lack of clarity across the NHS. It is vital that hospital care must adapt on strike days to the levels of staff available, as the foundation of ensuring that strikes are safe for patients is that more senior doctors are able to cover for those residents who are on strike in all urgent care. Your decision to instruct hospitals to run non-urgent planned care stretches safe staffing far too thinly, and risks not only patient safety in urgent and emergency situations, but in planned care too. It also appears designed to lead to far more late, same-day cancellations for patients. Consultants cannot safely provide elective care and cover for residents at the same time.

We are aware that many hospital leaders are equally worried about this new change in policy from NHS England, which is starkly different from how services were planned during industrial action under the previous government, and different to all the agreements we have reached with NHS England since 2015.

We therefore strongly urge you to reconsider your instructions to hospitals, which should be preparing now to postpone non-urgent planned activity in order to provide a safe urgent and emergency service in keeping with the levels of staff available.

We will continue to run a national derogation system to facilitate resident doctors to return to work due to unforeseen emergencies that could not have been mitigated by proper planning to adjust elective care according to what can be safely staffed while strikes are ongoing. Reduced staffing during industrial action, especially where hospitals have not

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cancelled non-urgent elective care, is not an unforeseen event. We need to be clear as well that, as has been the case for all previous industrial action, this system will not be available to support non-urgent planned elective activity.

We remain available to work with you and your team to ensure patient safety is protected.

Kind regards,



**Dr Tom Dolphin**  
BMA Council Chair



**Dr Emma Runswick**  
BMA Council Deputy Chair

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