

JUNIOR DOCTORS RIGHTS: NIGHT DUTIES, SHIFT WORK & BREAKS

This applies to doctors on the 2016 contract



Rights

Your employer has a statutory responsibility to ensure you are not contracted to work outside the limits listed here. Contractual limits on working hours and protected rest periods are necessary to ensure the safety of both patients and doctors.



Limits on hours

- Shifts should **not be rostered to** exceed 13 hours.
- You are entitled to at least 11 hours continuous rest between rostered shifts (excluding on-call). If this is breached, you should get time off in lieu within 24 hours.
- You should not work more than four long shifts (>10 hours) on consecutive days. After four long shifts on consecutive days, you should have a minimum of 48 hours' rest.
- You should not work more than four shifts where at least three hours are between 11pm - 6am. After this type of shift, you must have a minimum of 46 hours' rest.



Breaks

For the following shift lengths, you must receive:

- >5 hours: at least one **30-minute paid break**
- >9 hours: a **second 30-minute paid break**
- >12 hours: a **third 30-minute paid break for a night shift**
- access to space where you can eat and rest



Rest facilities

- If you are too tired to travel home, where possible your employer should provide an appropriate place to sleep without charge. When you're required to work overnight on a resident on-call working pattern, you should be given overnight accommodation for the resident on-call duty period without charge.
- If an appropriate rest facility can't be provided, your employer must cover the cost of alternative arrangements for your travel home. If necessary, they must also cover reasonable expenses (as determined through locally agreed policies) for you to return to work to begin your next shift or to collect your vehicle.
- If working a night shift, you must have access to a space where you can eat and rest away from patients if possible.



What should you do when the rules are not followed?

- 1) You can change things for the better by **exception reporting** to inform your employer when your day-to-day work varies significantly and/or regularly from the agreed work schedule. It's worth reporting differences in the:
 - total hours of work (including opportunities for rest breaks)
 - pattern of hours worked
 - educational opportunities and support available to you
 - support available to you during service commitments.
 - 2) The guardian of safe working hours will review all exception reports copied to them by doctors to identify whether a breach has occurred.
 - 3) You could get time off in lieu or pay, and possibly bring about lasting improvements for you and your colleagues, through rota changes and other enhancements.
- If you have questions about any aspect of your working life, contact support@bma.org.uk or **0300 123 1233** to speak to one of our BMA advisers.

Find out more about [exception reporting here](#)

