

BMA Armed Forces Committee

General workplace guidance for Armed Forces Trainees during Junior Doctor Industrial Action

Background

1. Armed Forces trainees are reminded that under Queen's Regulations they are prohibited from taking part in any form of Industrial Action (IA) or Union affiliated political activity including a ballot. Trainees are to follow the direction as laid down by their single Service Chain of Command with regards to conduct during IA.
2. As part of their ongoing dispute over demands for pay restoration, the BMA UK Junior Doctors Committee (JDC) are undertaking industrial action in England.
3. It is anticipated that full walkouts by Junior Doctors will impact Armed Forces (AF) trainees. This will predominantly affect hospital based trainees.

Safety

4. Trainees should continue to work within the limits of their competence and job role in a suitably supervised setting. Trainees should not be induced to compromise care due to excess workload and should document as they normally would noting any departmental pressures. The GMC have highlighted the relevant sections of 'Good Medical Practice' concerning IA and maintaining quality patient care:
<https://www.gmc-uk.org/ethical-guidance/ethical-hub/industrial-action>
5. Critical safety issues or near misses should be raised as a Datix report or equivalent trust incident reporting tool. Such events should also be discussed with your Educational Supervisor. Further advice can always be sought from a Medical protection organisation.

Work patterns

6. Unless otherwise advised by their Chain of Command (CoC), trainees should continue to work to the 2018 Junior Doctor Contract rota rules which were agreed for trainee and patient safety:
https://www.nhsemployers.org/system/files/media/Rota-rules-at-a-glance_0.pdf
7. For any continued derogations to rota rules including working late or missed breaks and educational opportunities, trainees are reminded to exception report to highlight potentially unsafe working practices or to speak to the Trust's Guardian of Safe Working (GOSW).
8. Given the potential disruption to training, Trusts should not induce last minute rota/ job changes on AF trainees without oversight from the Defence Dean. Prior to any period of IA there is a legally mandated notification period of 2 weeks (minimum) to allow Trusts time to prepare which negates the 48 hr clause in the 2016 Contract for inducing last minute changes on trainees. Trusts should also adhere to the 6 week notification period prior to any significant change in work pattern unless otherwise agreed.



Education and Training

9. With the disruption to services that Junior Doctor IA is likely to entail, there is the consequence that training and educational opportunities will be affected. It is advised that trainees continue to pro-actively optimise their portfolios in line with their ARCP requirements.
10. Further and specific guidance concerning the educational impact of IA on training programmes should be sought from the relevant Training Programme Director (TPD) or Royal College.

Welfare

11. There are a range of channels open to AF trainees offering welfare services.
12. Each Service has their own welfare provision, the details of which can be sought by speaking to your CoC.
13. For members, the BMA has a range of free services and resources available:
<https://www.bma.org.uk/advice-and-support/your-wellbeing>

Reservists

14. NHS Trainees who are also Reservists and not on an FTRS contract are able to participate in IA. However, they should be mindful that nothing affiliating them with the Military is displayed during the period of action. Given the nuances of this area, Reservists should liaise with their CoC for specific direction and guidance.

Raising issues

15. GMC guidance reinforces the importance of promptly raising concerns in the clinical environment particularly if it concerns patient safety. Unsafe practices should be challenged and raised through the Trust Freedom to Speak Up Guardian.
16. For working practice or rota issues, trainees can speak to their Clinical/Education Supervisors or the local GOSW. For concerns about AF trainees being disadvantaged by Trusts or being placed in difficult situations, contact the Defence Deans Office via:
 - i. Foundation Doctors: Lisa Holyoak – Lisa.Holyoak100@mod.gov.uk
 - ii. PHC trainees: Karen Clarke – karen.clarke972@mod.gov.uk
 - iii. SHC trainees: Denise Alton – denise.alton829@mod.gov.uk
17. Training programme specific queries should be raised through the relevant local lead.
18. BMA members can contact their local BMA reps or the Armed Forces Committee for further support or advice: info.armedforces@bma.org.uk

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