

SHEFFIELD TEACHING HOSPITALS NHS FOUNDATION TRUST

EXECUTIVE SUMMARY

REPORT TO THE BOARD OF DIRECTORS

HELD ON 20 JUNE 2012

Subject	HR update 1) Industrial action and 2) Managing Attendance Policy
Supporting TEG Member	Mark Gwilliam
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Status¹	N

PURPOSE OF THE REPORT

- To inform the Board of Directors of the developments of the planned industrial action to be taken by doctors on Thursday 21 June 2012
- To inform the Board of Directors of the key points and progress of the new Managing Attendance Policy

KEY POINTS

Planned BMA action for Wednesday 21 June 2012 – 24 hours

- The BMA have announced the results of their ballot for industrial action which gives a significant majority of doctors voting in favour of industrial action. The action will be taken by consultants junior doctors, staff grade, associate specialists and speciality doctors; GPs and public health and community health doctors.
- Business continuity arrangements are underway and dialogue with both the BMA and LNC is progressing. It is expected that some routine services (eg elective surgery and out patient clinics) may be cancelled.
- The BMA have yet to formally advise the Trust of its intended action, but it is clear that this will be 'action short of strike'. Doctors taking this industrial action will attend work but carry out only urgent and emergency work. The BMA have issued guidance on this and the LNC have also issued guidance to Trust doctors. The expected impact will be to services between 9 am and 5 pm as all other work that is 'out of hours' is either urgent or emergency by nature. On call commitments are unaffected.
- Action short of strike is still a breach of contract and the Trust would be entitled to withhold a full day's pay. This has been acknowledged by the BMA.
- The BMA advice to its members is that doctors taking industrial action must respond to urgent and emergency work in line with their professional code of practice.
- TEG have recently debated the issue of withholding a full day's pay where some doctors may do varying degrees of urgent work. A final decision on this point has been postponed until 14th June.

Managing Attendance Policy

- A new Managing Attendance Policy has been approved by JNCC and following TEG approval will take effect from 1 August 2012.
- The policy introduces more robust arrangements for managing intermittent and short term spells of service, and provides a clearly defined but supportive framework for managing long term absence.
- The Trust's sickness absence levels reached a year end position of 4.29% which exceeds the Trust target of 3.5%. This new policy has removed the discretion given to managers to manage sickness absence, and instead provides a clear, non-discretionary escalation of management using the current Bradford Index trigger system.

IMPLICATIONS²

AIM OF THE STHFT CORPORATE STRATEGY 2012-2017		TICK AS APPROPRIATE
1	Deliver the Best Clinical Outcomes	✓
2	Provide Patient Centred Services	✓
3	Employ Caring and Cared for Staff	✓
4	Spend Public Money Wisely	
5	Deliver Excellent Research, Education & Innovation	

RECOMMENDATIONS

The Board of Directors are asked to note the position on industrial action and the new Managing Attendance Policy

APPROVAL PROCESS

Meeting	Date	Approved Y/N
Board of Directors	20.6.12	

¹ Status: A = Approval
A* = Approval & Requiring Board Approval
D = Debate
N = Note

² Against the five aims of the STHFT Corporate Strategy 2012-2017