

Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Mr Jonathan Morgan
Chair
Audit Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

Mr Paul Williams OBE
Director General, Department for Health &
Social Services
Chief Executive, NHS Wales
Cyfarwyddwr Cyffredinol, Adran Iechyd a
Gwasanaethau Cymdeithasol
Prif Weithredwr, GIG Cymru

Eich cyf / Your ref:
Ein cyf / Our ref: PMW/tv/Ware

10 June 2009

Dear Mr Morgan

AUDITOR GENERAL EWTD BRIEFING 14 MAY 2009

Thank you for your recent letter regarding the above.

I will answer the points the committee has raised in the order presented.

Para 1 – Why has compliance varied so much across Wales?

Trusts have approached solutions to achieve compliance in different ways with some opting for wholesale change and others taking a staged approach which has resulted in differential rates of progress.

What action has the Welsh Assembly Government taken to ensure that robust planning and timely progress has been made by Trusts on this issue?

The Welsh Assembly Government's junior doctors team has been working on EWTD and related matters for the last four years. The team has undertaken a rolling programme of visits during this period providing advice and support where necessary. It has also produced two documents which have acted as enablers to achieving compliance and monthly reports are now being made from live data supplied by NHS Trusts. The estimated compliance rate at the formation of the team was 29% and the current compliance estimate is 93%.



Parc Cathays • Cathays Park
Caerdydd • Cardiff
CF10 3NQ

Ffôn • Tel: 029 2080 1182
GTN: 1208 1182
Ffacs • Fax: 029 2080 1160
E-bost • E-mail: WilliamsP10@wales.gsi.gov.uk

In addition work through the SAFER Taskforce; Designed to Comply Implementation Group and H@N Group have provided forums for discussions, problem solving and identifying best practice.

Are monitoring arrangements for working hours robust and workable?

Yes, as already outlined above.

Para 2 – How will the Welsh Assembly Government be supporting Trusts to ensure that the legal requirements of this Directive are met in Wales?

A Junior Doctor Review Group will be formed which will bring together Welsh Assembly Government officials, service representatives, Deanery and the BMA to consider a number of issues that impact on our ability to recruit and retain junior doctors and sustain EWTD compliance.

Para 3 – What representations has the Welsh Assembly Government made to the Department of Health with regard to the potential problem of junior doctors vacancies.

Each UK country is responsible for its own recruitment process through the appropriate Deanery with recruitment for some specialties conducted on a national basis. All 4 UK countries work together to share information and develop systems to support medical education. This takes place at a governmental level through the Modernising Medical Careers Implementation Board, at Post Graduate Deanery level and through and with the Academy of Royal Colleges

Officials from WAG, the post graduate deanery and representatives from the service are working together to address the current recruitment issues and to develop strategies for attracting graduates to work in Wales.

It is recognised by the Welsh Assembly Government how important it is to make NHS Wales a desirable place for doctors to work in.

It is an individual's choice to come and work in Wales and we are working with the Deanery and the Service to promote NHS Wales as the first choice of prospective applicants.

Para 4 – What impact has the intention to seek a derogation had on the prioritisation of compliance by August 2009?

The Welsh Assembly Government has worked hard with NHS Wales to ensure that derogation was not seen as a 'get out of jail card'.

There has been a noticeable increase in the efforts by NHS Trusts to increase their rates of compliance and this has been reflected in the small number of derogation applications received.

If such a derogation is sanctioned, what position will the Welsh Assembly Government take with any Trusts in Wales that wish to take advantage of it?

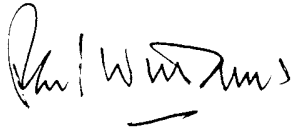
Since the Auditor General briefed the Audit Committee the derogation application process has been ongoing. In total 38 applications were received by the Welsh Assembly Government, which amounts to 7% of the total rotas within NHS Wales. These applications have been quality assured against the derogation criteria by a group consisting of Welsh Assembly Government officials, British Medical Association, Association of Medical Royal Colleges and the Deanery.

These applications have now been sent to the Secretary of State for inclusion within the amendment to the Working Time Regulations.

Para 5 – What actions has the Welsh Assembly Government taken to ensure that this issue is not deferred until new structures are in place?

The Welsh Assembly Government has consistently emphasised the importance of achieving compliance with EWTD by August 2009 and not to rely on the restructuring to provide the solution. However, it is likely that the new Local Health Boards will be in a better position to decide whether services will need to be re-organised to meet the outstanding rotas that have sought derogation.

Yours sincerely



Mr Paul Williams
Director General, Department for Health & Social Services
Chief Executive, NHS Wales
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