

Freedom of Information Request

Ref: 24-045

26 February 2024

By Email

Dear Sir/Madam

Thank you for your request for information under the Freedom of Information Act 2000. The Trust's response is as follows:

- We can confirm that we do hold the information you are requesting

Please could your Trust provide the following information relating to derogations made during strike action by junior doctors in England.

1. Please provide a list all of the derogations requested by your trust to the British Medical Association (BMA) during all of the following junior doctors' strikes:
March 2023 (the 3 day strike from 7:00am 13 March to 7:00am 16 March)
April 2023 (the 4 day strike from 7:00am 11 April to 7:00am 15 April)
June 2023 (the 3 day strike from 7:00am 14 June to 7:00am 17 June)
July 2023 (the 5 day strike from 7:00am 13 July 2023 to 7:00 am 18 July)
August 2023 (the 4 day strike from 7:00am 11 August to 7:00am 15 August)
September 2023 (The 3 day strike from 7:00am 20 September to 7:00 am 23 September)
October 2023 (the 3 day strike from 7:00am 2 October to 7:00am 5 October)
December 2023 (the 3 day strike from 7:00am 20 December to 7:00 am 23 December)
January 2024 (the 6 day strike from 7:00am 3 January to 7:00 am 9 January).

11th April 2023

2. For each derogation request, please state:

a) The date that each request was made

11th April 2023

b) The details of the request

Emergency Department and Acute Medicine

Derogation request was for one medical SpR and two medical F2 (or above) during the day shifts for the duration of the strike.

c) Whether the derogation request was accepted or rejected

This was accepted and then revoked.

d) The service impact of each decision

During periods of industrial action, the safety of patients is our top priority. When applying for the derogation we provided information requested by the BMA that accurately reflected our

concerns about risk to patient safety, during what is a fast-moving situation. These concerns were supported by consultants providing cover. As part of our established operational planning for periods of industrial action we explored all avenues for ensuring sufficient cover for key services over the course of the period, as well as each day responding to unplanned absences. Colleagues stepped in to provide medical cover, which made the difference in ensuring that we had sufficient staffing without ultimately having had to draw on the derogations requested.

e) Who made the initial derogation request

Deputy Chief Medical Officer

3. Please share a copy of the form or document sent from the trust to the BMA to request the derogation

Please see the attached document.

4. Please share any other documentation held by the trust relating to derogation requests made during any of the junior doctors strike dates listed above.

Please see the attached document.

This concludes our response. We trust that you find this helpful, but please do not hesitate to contact us directly if we can be of any further assistance.

If, after that, you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to:

Data Protection Officer
University Hospitals Bristol and Weston NHS Foundation Trust
Trust Headquarters
Marlborough Street
Bristol
BS1 3NU

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Publication

Please note that this letter and the information included/attached will be published on our website as part of the Trust's Freedom of Information Publication Log. This is because information disclosed in accordance with the Freedom of Information Act is disclosed to the public, not just to the individual making the request. We will remove any personal information

(such as your name, email and so on) from any information we make public to protect your personal information.

To view the Freedom of Information Act in full please click [here](#).

Yours sincerely

Freedom of Information Team
University Hospitals Bristol and Weston NHS Foundation Trust