

To:

NHS England  
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- ICBs:
  - chief executives
  - chief operating officers
  - chairs
  - chief people officers/HR directors
  - Medical directors
  - directors of nursing
- Trusts:
  - chief executives
  - chief operating officers
  - chief people officers/HR directors
  - Medical directors
  - directors of nursing
- cc. • Regional:
  - directors
  - Medical directors
  - directors of nursing
  - heads of EPRR

**8 September 2023**

Dear Colleagues,

**Pre-action self-assessment, rescheduled activity, and workforce data collections for industrial action during September and October: British Medical Association (BMA), Hospital Consultants and Specialists Association (HCSA), British Dental Association (BDA), and Society of Radiographers**

This letter provides information regarding NHS England's approach to pre-action self-assessment and reporting of workforce and rescheduled activity impacts of the following industrial action:

1) September action:

- British Medical Association (BMA) and British Dental Association (BDA) Consultants from 0700 on Tuesday 19 September – 0700 Thursday 21 September:
- BMA and Hospital Consultants and Specialists Association (HSCA) Junior doctors and BDA dental trainees from 0700 on Wednesday 20 September – 0700 Saturday 23 September

2) October action:

- BMA and BDA Consultants, HSCA and BMA junior doctors, and BDA dental trainees together from 0700 Monday 2 October – 0700 Thursday 5 October
- Members of the Society of Radiographers (SoR) from 0800 on Tuesday 3 October to 0800 on Wednesday 4 October.

This action is different to previous rounds of Industrial Action as it is the first time that Junior Doctors and Consultants will coordinate across affected days (20 September, and 2-4 October). In addition, SoR members will also be taking action over the same period in October. It is crucial that Trusts and systems should plan for the total period of disruption in September and October (including strike days, recovery in between and specific arrangements for the dates where Junior Doctors and Consultants will take industrial action simultaneously).

On 19 September and 20 September, the BMA has stated that there will be a 'Christmas day' level of service for Consultants' industrial action. Junior Doctors will work on 19 September as usual, then move to a Christmas Day cover level for 24 hours from 0700 on 20 September. From 0700 on 21 September, Consultants will return to work and Junior Doctors' action moves to a full withdrawal of labour for the following 48 hours.

In October, during the entire period of industrial action both BMA Junior Doctors and Consultants will be working on a Christmas day level of service.

The BMA has issued updated guidance which sets out a definition of Christmas Day cover [Junior doctor and consultant joint action \(bma.org.uk\)](https://www.bma.org.uk), and the application of this will be determined locally. Pro-active and honest dialogue between staff, management, and the local negotiating committee, based on clinical assessment of risks, will be key.

The HCSA have stated that their Junior Doctor members will be asked to undertake a full walkout / full withdrawal of service, with dates and times matching those of BMA Junior Doctors industrial action in September and October. HCSA consultants are not taking industrial action.

British Dental Association (BDA) Consultant members will be taking action at 40 Trusts. BDA Hospital Dental Trainee members will be taking action at 15 Trusts.

The BDA has stated that on 19 September and 20 September there will be a 'Christmas day' level of service for BDA Consultants' industrial action. BDA hospital dental trainee members will work on 19 September as usual, then move to a Christmas Day cover level for 24 hours from 0700 on 20 September. From 0700 on 21 September, Consultants will return to work and BDA dental trainees' industrial action moves to a full withdrawal of labour for the following 48 hours. In October, during the entire period of industrial action both BDA dental trainees and Consultants will be working on a Christmas day level of service.

The [Society of Radiographers \(SoR\) has announced their members will take strike action](#) for 24 hours, from 0800 on Tuesday 3 October to 0800 on Wednesday 4 October, alongside junior doctors and consultants, at Trusts where they hold a mandate.

See **Annex B** for a table setting out the dates and formats of each strike.

As with previous industrial action, complex planning will be required across different services within each Trust (for example surgical and ITU teams) to ensure adequate staffing through the entirety of urgent care pathways, urgent elective cases, and other services.

Early and systematic discussion between specialties and service areas is key to ensure a shared understanding of expected staffing levels over the course of each strike period, bearing in mind the risks to deteriorating and time-critical patients.

This level of disruption to staffing will cause a significant reduction in elective activity. Where appropriate, urgent elective surgery (P1 and P2), cancer care (particularly for patients who have already been waiting over 62 days, or who are likely to pass day 62 if their appointment needs to be rescheduled), and long waiters should be the final cohorts to be rescheduled.

**Pre-action self-assessment – ICB requirement**

Ahead of industrial action, NHS England is requesting ICBs to report confidence in their service provision in their area.

The September excel self-assessment template (provided with this letter) sets out questions to capture the likely impact of action by BMA and BDA Consultants from 19-21 September, and HSCA, BMA junior doctors, and BDA dental trainees 20-23 September 2023.

A second template will be provided ahead of industrial action in October. This will be cascaded to Trusts and ICBs via the Regional Operations Centres, in the usual manner in advance of the deadlines set out in this letter. Questions will cover BMA and BDA Consultants, HSCA and BMA junior doctors, and BDA dental trainees will joint action from 2 October - 5 October 2023 and SoR members action for 24 hours from 3 to 4 October.

In line with the NHS operating model and ICBs’ responsibilities as Category 1 responders and system leaders, **we are asking for returns to be completed by ICBs only.**

Our expectation is that returns are co-ordinated by ICB EPRR leads informed by decision-making and operational planning led by Medical Directors and Workforce/People directors. The self-assessment return should be informed by dialogue with Trusts, understanding of plans at Trust and place levels, as well as ICB- and network- level preparations.

We will use your information to identify risk areas for escalation or further guidance, to guide our conversations with Trade Unions and the Government, and to focus our support.

**Pre-action self-assessment - deadlines**

ICBs will be informed of the regional submission requirement by their NHS England regional office. This timing ensures the region has time for review returns ahead of submission to the National Operations Centre (NOC).

The below table sets out indicative deadlines for returns:

Month	Start date of action	Self-assessment return #1 to region	Self-assessment return #1 to national	Self-assessment return #2 to region	Self-assessment return #2 to national
September	Tues 19-Sept (Consultants) Wed 20-Sept (JDs)	<i>Region to confirm</i>	1000 Thursday 14-Sept	<i>Region to confirm</i>	1000 Monday 18-Sept
October	Mon 02-Oct	<i>Region to confirm – verbal update</i>	Wednesday 27-Sept (verbal)	<i>Region to confirm</i>	1000 Friday 29-Sept

**Note re self-assessment ahead of October industrial action –** Due to the timing of this action closely following industrial action in September, initial feedback on readiness and risks will be conducted and collated verbally through existing regional and national incident planning

and management meetings, with a structured assessment by regional and national teams on Wednesday 27 September.

A single written return will then be required from each ICB, and it is expected that this will be submitted to regions on or by Thursday 28 September, however regions will be in touch with ICB's to confirm the exact timing of submissions.

### **Pre-action self-assessment - Regional role**

Regional Operations Centres are asked to liaise with ICBs to ensure a comprehensive and accurate picture of local preparations and to identify service and geographical areas of concern. Where ICBs indicate there are trusts or services of concern and the return does not provide detailed information, NHSE region should contact the relevant ICB for further detail.

Once regions have collated and reviewed each set of ICB returns, regional EPRR teams are asked to complete a regional overview template, and to send both this regional overview and the collated ICB returns for their region to the NOC.

### **Workforce and rescheduled activity situation report (SitRep) data collections**

NHS England will conduct two SitRep data collections via the Strategic Data Collection Service (SDCS):

- a. **Industrial Action rescheduled activity SitRep.** This will collect information on activity that has been rescheduled because of the industrial action. The collection will be open for **all** acute, community and mental health trusts and will request the figures of rescheduled activity. All organisations are requested to submit data, even if it is a nil return. The template for this can be found in **Annex C**. Guidance for completion is provided as **Annex E**.
- b. **Industrial Action workforce SitRep.** Please provide the following information using the template which can be found in **Annex D**:
  - a total number of staff (headcount) split by occupational group (i.e. consultants, junior doctors) taking part in the industrial action on the reported day (please do not include staff absent from work due to TOIL that they have accumulated due to working during previous or future strike), and
  - a total number of staff (headcount) split by occupational group due to be at work on the reported day.

Given that this a coordinated industrial action it is important that Trusts accurately complete the cells corresponding to the reported occupational groups. The collection will be open for all ICBs and Trusts. All organisations are requested to submit data, even if it is a nil return.

### **SitRep data collections – dates and scope of collections**

The **rescheduled activity collection** will run three times for each period of industrial action;

- For September IA – on **Friday 15 September** and **Monday 18 September** (to provide an initial internal estimates and aid in planning), **Monday 25 September** (to provide final figures for the impacts of the industrial action). This collection takes place on the first working day following action. It will cover a 12-day period 15 – 26 September inclusive.

- For October IA – on **Wednesday 27 September** and **Friday 29 September** (to provide an initial internal estimates and aid in planning), **Friday 6 October** (to provide final figures for the impacts of the industrial action). This collection takes place on the first working day following action. It will cover a 13-day period 27 Sept – 9 October inclusive.

Collections prior to the periods of industrial action will be used to understand the anticipated position of each Trust and help NHS England target regional support and follow-up - data will not be published.

Highlights of the data collected on 25 September and 6 October following each period of industrial action will be published on NHS England’s website in the usual way.

The **workforce collection** will run once following each period of industrial action:

- For September IA – on **Monday 25 September** (to cover all industrial action from 19 – 23 Sept)
- For October IA – on **Friday 6 October** (to cover industrial action from 2-5 October).

*In a change to previous collections, ICB’s (as an employer) will no longer be required to submit a response to the Workforce collection.*

Month	Start date of action	D-3 (activity est.)	D-1 (activity est.)	D+1 (activity impacts and workforce)	Period covered by the collection
September	Tuesday 19-Sept (Consultants) Wed 20-Sept (JDs)	Friday 15-Sep	Monday 18-Sep	Mon 25-Sep	15 - 26 Sept 12
October	Mon 02-Oct	Wed 27-Sep	Friday 29-Sep	Fri 06-Oct	27 Sept - 9 Oct 13

### SitRep data collections – guidance

**The window will close at 13:00 on the days of collection and will not be reopened.**

Submissions will be made through the SDCS platform. On any day that the collection is running we will open the collection at 09:00 and the deadline for submission will be 13:00 that day. The template will be available to download from SDCS from 09:00 on the first day the collection is running. Missing returns will be highlighted to regional Chief Operating Officers for follow-up.

D+1 data is published and used for both internal and media reporting therefore it is important that an accurate submission is received from every organisation.

A schedule highlighting which data will be collected on each date is included at **Annex A**.

More detailed guidance notes will be shared with those registered as submitters in SDCS ahead of the first collection. An extract can be found in **Annex E**. If you have any questions, please contact your regional team.

### Updates on the days of strike action

Use of any additional template or SitRep returns 'on the day' are for NHSE regional team and ICB agreement, during the planning stage.

Many thanks for your continued cooperation and support in providing this information and ensuring a high return rate. And thank you for your continued efforts to provide NHS patients with the best possible care during these challenging periods of Industrial Action.

Yours sincerely,

A handwritten signature in black ink that reads "Mike Prentice". The signature is written in a cursive, slightly slanted style.

**Mike Prentice**

**National Director for Emergency Planning and Incident Response, NHS England**

## Annex A - Pre-action self-assessment indicative return dates

Month	Start date of action	Self-assessment return #1 to region	Self-assessment return #1 to national	Self-assessment return #2 to region	Self-assessment return #2 to national
<b>September</b>	Tues 19-Sept (Consultants) Wed 20-Sept (JDs / dental trainees)	<i>Region to confirm</i>	1000 Thursday 14-Sept	<i>Region to confirm</i>	1000, Monday 18-Sept
<b>October</b>	Mon 02-Oct	<i>Region to confirm – verbal update</i>	Wednesday 27-Sept (verbal)	<i>Region to confirm</i>	1000, Friday 29-Sept

## SDCS collections

Month	Start date of action	D-3 (activity est.)	D-1 (activity est.)	D+1 (activity impacts and workforce)	Period covered by the collection	
<b>September</b>	Tuesday 19-Sept (Consultants) Wed 20-Sept (JDs / dental trainees)	Friday 15-Sept	Monday 18-Sept	Mon 25-Sept	15 - 26 Sept	12
<b>October</b>	Mon 02-Oct	Wed 27-Sept	Friday 29-Sept	Fri 06-Oct	27 Sept - 9 Oct	13

## Annex B – Levels of staffing cover anticipated

### September

Date	BMA/BDA Consultants	BMA Junior Doctors / BDA Dental Trainees	HCSA Junior Doctors
Tues 19 Sept	<b>Christmas Day cover (from 07:00)</b>	<b>Working (non-strike day)</b>	<b>Working (non-strike day)</b>
Weds 20 Sept	<b>Christmas Day cover</b>	<b>Christmas Day cover (from 07:00)</b>	<b>Full walkout from 07:00</b>
Thurs 21 Sept	<b>Working from 07:00</b>	<b>Full walkout from 07:00</b>	<b>Full walkout</b>
Fri 22 Sept	<b>Working (non-strike day)</b>	<b>Full walkout</b>	<b>Full walkout</b>
Sat 23 Sept	<b>Working (non-strike day)</b>	<b>Working from 07:00</b>	<b>Working from 07:00</b>

### October

Date	BMA / BDA Consultants	BMA Junior Doctors / BDA Dental trainees	HCSA Junior Doctors	SoR Radiographers
Mon 02 Oct	<b>Christmas Day cover (from 07:00)</b>		<b>Full walkout from 07:00</b>	<b>Working (non-strike day)</b>
Tues 03 Oct	<b>Christmas Day cover</b>		<b>Full walkout</b>	<b>Strike day from 0800</b>
Weds 04 Oct	<b>Christmas Day cover</b>		<b>Full walkout</b>	<b>Working from 0800</b>
Thurs 05 Oct	<b>Working from 07:00</b>		<b>Working from 07:00</b>	<b>Working (non-strike day)</b>







## Annex D – Workforce collection

### Collection on 25 September

IA Workforce Sitrep

You can now upload your data.

Occupation / group	Total number of staff absent from work as a result of IA (headcount) for the period of action 07:00 19 September 2023 to 06:59 20 September 2023	Total number of staff who should have been working (headcount) for the period of action 07:00 19 September 2023 to 06:59 20 September 2023	Total number of staff absent from work as a result of IA (headcount) for the period of action 07:00 20 September 2023 to 06:59 21 September 2023	Total number of staff who should have been working (headcount) for the period of action 07:00 20 September 2023 to 06:59 21 September 2023	Total number of staff absent from work as a result of IA (headcount) for the period of action 07:00 21 September 2023 to 06:59 22 September 2023	Total number of staff who should have been working (headcount) for the period of action 07:00 21 September 2023 to 06:59 22 September 2023	Total number of staff absent from work as a result of IA (headcount) for the period of action 07:00 22 September 2023 to 06:59 23 September 2023	Total number of staff who should have been working (headcount) for the period of action 07:00 22 September 2023 to 06:59 23 September 2023
<b>Medical and Dental</b>								
11 Medical / Dental - Consultant								
12 Medical / Dental - In Training (e.g. Foundation Y1 & Y2, STBs (incl FTSTAs & LATs), SHOs, SpRs / SpTs / GPs)								
13 Medical / Dental - Other (e.g. Staff, Associate Specialist and Specialty (SAS))								
14 General Medical/Dental Practitioner								

### Collection on 6 October

Occupation / group	Total number of staff absent from work as a result of IA (headcount) for the period of action 07:00 2 October 2023 to 06:59 3 October 2023	Total number of staff who should have been working (headcount) for the period of action 07:00 2 October 2023 to 06:59 3 October 2023	Total number of staff absent from work as a result of IA (headcount) for the period of action 07:00 3 October 2023 to 06:59 4 October 2023	Total number of staff who should have been working (headcount) for the period of action 07:00 3 October 2023 to 06:59 4 October 2023	Total number of staff absent from work as a result of IA (headcount) for the period of action 07:00 4 October 2023 to 06:59 5 October 2023	Total number of staff who should have been working (headcount) for the period of action 07:00 4 October 2023 to 06:59 5 October 2023
<b>Scientific, Therapeutic and Technical Staff</b>						
3a Radiography - diagnostic						
3b Radiography - therapeutic						
3c Other radiography staff (inc Sonographer)						
<b>Medical and Dental</b>						
11 Medical / Dental - Consultant						
12 Medical / Dental - In Training (e.g. Foundation Y1& Y2, STBs (incl FTSTAs & LATs), SHOs, SpRs / SpTs /						
13 Medical / Dental - Other (e.g. Staff, Associate Specialist and Specialty (SAS))						
14 General Medical/Dental Practitioner						

## Annex E – Extract from guidance for Industrial Action Sitrep collections – July 2023

### Rescheduled activity SitRep

Column name	Guidance
Date	Specify the day that the appointment was originally planned for
1a. All Inpatient	A count of all standard inpatient (i.e. Not Day case) appointment/ procedure scheduled for the specified date that has been changed by the provider due to industrial action. This includes both appointments where a new date has been provided and those where a new date has not yet been confirmed.
1b. of which P1/P2 cancer surgery	Of all those in 1a, the number that were for P1/P2 surgeries relating to cancer a cancer pathway.
1c. of which P3/P4 cancer surgery	Of all those in 1a, the number that were for P3/P4 surgeries relating to a cancer pathway.
1d. of which cancer colonoscopy	Of all those in 1a, the number that were for colonoscopies relating to cancer a cancer pathway.
1e. of which radiotherapy treatments	Of all those in 1a, the number that were for radiotherapy.
1f. of which chemotherapy treatments	Of all those in 1a, the number that were for chemotherapy.
2a. All Day case	Any Day Case inpatient appointment/ procedure scheduled for the specified date that has been changed by the provider due to industrial action. This includes both appointments where a new date has been provided and those where a new date has not yet been confirmed.
2b. of which cancer surgery	Of all those in 2a, the number that were for surgeries relating to cancer a cancer pathway.
2c. of which cancer colonoscopy	Of all those in 2a, the number that were for colonoscopies relating to cancer a cancer pathway.
2d. of which radiotherapy	Of all those in 2a, the number that were for radiotherapy.
2e. of which chemotherapy	Of all those in 2a, the number that were for chemotherapy.
3a. Total Outpatient appointments	Count of all outpatient appointments/ procedures scheduled for the specified date that has been changed by the provider due to industrial action. This includes both appointments where a new date has been provided and those where a new date has not yet been confirmed. <b>This cell is auto-calculated from the contents of 3b and 3c</b>
3b. All New (incl 2 week waits)	Of all those in 3a, how many rearranged appointments are New appointments, including those from a 2 week wait referral including triage appointments.
3c. Reviews	Of all those in 3a, how many rearranged appointments are review appointments.
4a. Of 3a, the total Cancer-related outpatients	Count of all cancer related outpatient appointments/ procedures scheduled for the specified date that has been changed by the provider due to industrial action. This includes both appointments where a new date has been provided and those where a new date has not yet been confirmed.
4b. New 2 week waits inc triage appointments	Of all those in 4a, how many rearranged appointments are New, 2 week wait referral appointments, including triage appointments.
4c. Of which are cancer colonoscopy	Of all those in 4a, how many rearranged appointments are for a colonoscopy appointment relating to a cancer pathway.
4d. Of which are radiotherapy	Of all those in 4a, how many rearranged appointments are for a radiotherapy appointment.
4e. Of which are chemotherapy	Of all those in 4a, how many rearranged appointments are for a chemotherapy appointment.

Full guidance will be shared with SDCS submitters ahead of collections