

To:

NHS England
Wellington House

- ICBs:
 - chief executives
 - chief operating officers
 - chairs
 - chief people officers/HR directors
- Trusts:
 - chief executives
 - chief operating officers
 - chief people officers/HR directors
- CSU managing directors

133-155 Waterloo Road
London
SE1 8UG

04 July 2023

- cc. • Regional:
- directors
 - directors of nursing
 - heads of EPRR

Dear Colleagues,

Industrial Action – Junior doctors and dental trainees (13 - 18 July 2023); BMA Consultants (20 - 22 July 2023): Pre-action self-assessment, rescheduled activity, and workforce data collections

This letter provides information regarding NHS England's approach to pre-action self-assessment and situational reporting of workforce and rescheduled activity impacts of the industrial action announced by the British Medical Association (BMA), Hospital Consultants and Specialists Association (HCSA) junior doctors, and British Dental Association (BDA) dental trainees from 07:00 on Thursday 13 July – 07:00 Tuesday 18 July. It also sets out the approach for action by consultant members of the BMA from 0700 on Thursday 20 July - 0700 Saturday 22 July 2023.

We are again asking Trusts to avoid block rescheduling of elective cases. Rescheduling of appointments should only happen when absolutely necessary and be undertaken in consultation with your Integrated Care Board and your regional Performance Director.

It will be important for systems and Trusts to plan for the *entirety* of the cumulative period of disruption (both strikes and days in between and either side). 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.

There will be complex planning required across different services within each Trust (for example surgical and ITU teams) to ensure adequate staffing through the entirety of urgent care pathways.

Early and systematic discussion between specialties and service areas is key to ensure a shared understanding of expected staffing levels - as is dialogue between staff, management, and the local negotiating committee.

Where elective surgery continues, there must be adequate and aligned levels of staffing in other services (e.g. Pathology, Diagnostics, ITU) which support the elective pathway.

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. A single Excel self-assessment template sets out questions to capture the likely impact of action by HSCA and BMA junior doctors, and BDA dental trainees from 13-18 July and BMA Consultants from 20-22 July 2023.

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 for systems. **The template is enclosed with this letter.**

Pre-action self-assessment - planning assumptions and limitations

For junior doctors' industrial action, ICBs are asked to complete the template on the basis that no derogations are agreed (beyond the stated commitments to recall staff in the event of mass casualty incidents).

For BMA consultant action, ICBs are asked to plan and complete the template based on local intelligence on staff intent and reflecting your area's ability to ensure minimum sufficient consultant cover to manage anticipated demand.

Conversations are ongoing with BMA regarding the BMA's definition of Christmas Day service levels of staffing and staff recall arrangements for unexpected major incidents during the consultants strike period. Further detail will be provided if/when this is available.

We expect that an ICB's first template return on 07 July will provide an initial assessment of readiness for junior doctors' industrial action, whilst highlighting key areas of risk in relation to the consultants' industrial action. We appreciate that detail will improve as planning progresses and that initial assessments will be updated. The second return on 11 July should therefore confirm each ICB's readiness ahead of Junior Doctors' action and provide greater detail on preparedness for consultant action.

For both sets of questions, ICB's should therefore complete the template based on realistic local planning assumptions for the level of clinical cover to be available on the strike days, based on their Trusts' assessment of likely staffing levels on the day and progress of discussions with Trade Unions and staff.

Pre-action self-assessment - timings and deadlines

ICBs will be informed of the regional submission date and time by their NHS England regional office. This timing will be aligned to ensure the region has time for review returns ahead of submission to the National Operations Centre (NOC). **The submissions to regions will therefore be ahead of national submissions, due on Friday 7 July and Tuesday 11 July.**

Pre-action self-assessment - Regional role

The deadline for the first return to the NOC is **11:00 Friday 7 July**.

A second submission will be requested to highlight any changes given we anticipate a rapidly evolving picture in terms of staffing cover and risk. The deadline for resubmission of the template to the NOC will be **11:00 on Tuesday 11 July**.

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 ICB returns, regional EPRR teams are asked to complete a regional overview, and to send both this regional overview and the collated ICB returns for their region to the NOC.

An extended IA Working group will take place on the morning of Wednesday 19 July to consider regional teams' latest assessment of risks and readiness ahead of BMA Consultant action expected on subsequent days and will consider the latest intelligence from region-to-ICB meetings held over the previous days.

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 workforce SitRep.** This will collect numbers of staff taking part in the industrial action, and total numbers of staff due to be at work. The collection will be open for all ICBs and Trusts. All organisations are requested to submit data, even if it is a nil return. The template for this can be found in **Annex A**.
- b. 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 for the 15-day period of 11 – 25 July inclusive. All organisations are requested to submit data, even if it is a nil return. The template for this can be found in **Annex B**. Guidance for completion is provided as **Annex D**.

SitRep data collections – dates, timing, and guidance

The **rescheduled activity collection** will run on four occasions – on **Friday 7 and Wednesday 12 July** (to provide an initial internal estimates and aid in planning), **on Wednesday 19 July** (to provide final figures for the junior doctor and dental trainee

industrial action) and finally on **Monday 24 July** (to provide final figures for the impacts of the industrial action by consultants).

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 19 and 24 July will be published on NHS England's website. We acknowledge that data collected on 19 July may be subject to change and highlights of the data collected on 24 July will confirm the final position overall.

The **workforce collection** will run twice: on **Wednesday 19 July** (to cover junior doctors' and dental trainees' industrial action from 13 – 18 July) and **Monday 24 July** (to cover BMA consultants' industrial action from 20 – 22 July). This data is also published and used for both internal and media reporting therefore it is important that an accurate submission is received from every organisation. **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.

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

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 D**. If you have any questions, please contact your regional team.

Updates on the days of strike action

On the days of industrial action, NHS England, via its regional teams, may request information about the estimated number of staff participating in strike action and number of electives cancelled – in particular how this compares to the expected position set out in Sitrep and self-assessment returns. For NHS England (national) purposes, verbal confirmation of trends will suffice, and no formal data collections are planned.

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,



Mike Prentice

National Director for Emergency Planning and Incident Response, NHS England

Annex A – Workforce collection

Collection on 19 July

IA Workforce Sitrep

You can now upload your data.

Note: only complete rows for the staff groups impacted by industrial action

Occupation / group	Total number of staff absent from work as a result of IA (headcount) for the period of action 07:00 13 July 2023 to 06:59 14 July 2023	Total number of staff who should have been working (headcount) for the period of action 07:00 13 July 2023 to 06:59 14 July 2023	Total number of staff absent from work as a result of IA (headcount) for the period of action 07:00 14 July 2023 to 06:59 15 July 2023	Total number of staff who should have been working (headcount) for the period of action 07:00 14 July 2023 to 06:59 15 July 2023	Total number of staff absent from work as a result of IA (headcount) for the period of action 07:00 15 July 2023 to 06:59 16 July 2023	Total number of staff who should have been working (headcount) for the period of action 07:00 15 July 2023 to 06:59 16 July 2023	Total number of staff absent from work as a result of IA (headcount) for the period of action 07:00 16 July 2023 to 06:59 17 July 2023	Total number of staff who should have been working (headcount) for the period of action 07:00 16 July 2023 to 06:59 17 July 2023	Total number of staff absent from work as a result of IA (headcount) for the period of action 07:00 17 July 2023 to 06:59 18 July 2023	Total number of staff who should have been working (headcount) for the period of action 07:00 17 July 2023 to 06:59 18 July 2023
Medical and Dental										
11 Medical / Dental - Consultant	0									
12 Medical / Dental - In Training (e.g. Foundation Y1 & Y2, STBs (incl FTSTAs & LATs), SHOs, SpRts / SpTs / GPs)										
13 Medical / Dental - Other (e.g. Staff, Associate Specialist and Specialty (SAS))										
14 General Medical/Dental Practitioner										

Collection on 24 July

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 20 July 2023 to 06:59 21 July 2023	Total number of staff who should have been working (headcount) for the period of action 07:00 20 July 2023 to 06:59 21 July 2023	Total number of staff absent from work as a result of IA (headcount) for the period of action 07:00 21 July 2023 to 06:59 22 July 2023	Total number of staff who should have been working (headcount) for the period of action 07:00 21 July 2023 to 06:59 22 July 2023
Medical and Dental				
11 Medical / Dental - Consultant	0			
12 Medical / Dental - In Training (e.g. Foundation Y1 & Y2, STBs (incl FTSTAs & LATs), SHOs, SpRts / SpTs / GPs)				
13 Medical / Dental - Other (e.g. Staff, Associate Specialist and Specialty (SAS))				
14 General Medical/Dental Practitioner				

Annex B – Rescheduled activity SitRep

IA Elective Activity Rescheduling SitRep																			
	Inpatient											Outpatient (overall)			(Outpatient - cancer detail)				
	Provide the number of elective procedures that you have rescheduled as a result of industrial action (NB reschedules should be submitted against the date the procedure was due to take place, not the day it was rescheduled).											Provide the number of outpatient appointments that you have rescheduled as a result of industrial action (NB reschedules should be submitted against the date the appointment was due to take place, not the day it was rescheduled).			Number of cancer outpatient appointments rescheduled as a result of industrial action				
	1a. All Inpatient	1b. of 1a, the number which are P1/P2 cancer surgery	1c. of 1a, the number which are P3/P4 cancer surgery	1d. of 1a the number which are colonoscopy	1e. of 1a, the number which are radiotherapy	1f. of 1a, the number which are chemotherapy	2a. All Day case	2b. of 2a, the number which are cancer surgery	2c. of 2a, the number which are colonoscopy	2d. of 2a, the number which are radiotherapy	2e. of 2a, the number which are chemotherapy	3a. Total Outpatient appointments (sum of 3b and 3c)	3b. All New appointments (inc 2 week waits & triage appoints)	3c. All Review appointments	4a. Of 3a, the total Cancer-related outpatients	4b. Of 4a, the number which are New 2 week waits (inc triage appoints)	4c. Of 4a, the number which are colonoscopy	4d. Of 4a, the number which are radiotherapy	4e. Of 4a, the number which are chemotherapy
11 July 2023											0								
12 July 2023											0								
13 July 2023											0								
14 July 2023											0								
15 July 2023											0								
16 July 2023											0								
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24 July 2023											0								
25 July 2023											0								

Annex C – Schedule of data collections and pre-action self-assessment returns

Date	Return or collection	Method
Tuesday 4 July 2023	Letter issued to the system outlining self-assessment and SitRep approach to both Junior Doctor and Consultant industrial action [cascade]	via NOC and ROCs and published on website
	Pre-action self-assessment [#1] issued	Excel via NOC and ROCs
Wednesday 5 July	<i>No SDCS collections or self-assessment returns – subject to change, if required</i>	-
Thursday 6 July	<i>No SDCS collections or self-assessment returns – subject to change, if required</i>	-
Friday 7 July	Pre-action self-assessment [#1] returned by 11am	Excel via NOC and ROCs
	SDCS IA rescheduling sitrep for all Trusts for the 15-day period of 11 – 25 July 2023 (D-5)	SDCS collection
Saturday 8 July	<i>No SDCS collections or self-assessment returns – subject to change, if required</i>	-
Sunday 9 July	<i>No SDCS collections or self-assessment returns – subject to change, if required</i>	-
Monday 10 July	<i>No SDCS collections or self-assessment returns – subject to change, if required</i>	-
Tuesday 11 July	Pre-action self-assessment [#2] returned by 11am	Excel via NOC and ROCs
Wednesday 12 July	SDCS IA rescheduling sitrep for all Trusts for the 15-day period of 11–25 July 2023 (D-1)	SDCS collection
Thursday 13 July 2023 JD action starts 0700	<i>No SDCS collections or self-assessment returns – HCSA, BMA, BDA action</i>	-
Friday 14 July 2023	<i>No SDCS collections or self-assessment returns – HCSA, BMA, BDA action</i>	-
Sat 15 July 2023	<i>No SDCS collections or self-assessment returns – HCSA, BMA, BDA action</i>	-
Sun 16 July 2023	<i>No SDCS collections or self-assessment returns – HCSA, BMA, BDA action</i>	-
Monday 17 July 2023	<i>No SDCS collections or self-assessment returns – HCSA, BMA, BDA action</i>	-
Tuesday 18 July 2023 JD action ends 0700	<i>No SDCS collections or self-assessment returns – HCSA, BMA, BDA action</i>	-
Wednesday 19 July 2023	SDCS IA rescheduling sitrep for all Trusts (covering the 15-day period of 11–25 July 2023)	SDCS collection
	SDCS IA workforce sitrep for all ICBS and Trusts, including ambulance trusts (to cover junior doctors and dental trainees' industrial action from 13 - 18 July 2023)	SDCS collection
Thursday 20 July 2023 Consultant ACTION Starts 0700	<i>No SDCS collections or self-assessment returns – BMA Consultant action</i>	-
Friday 21 July 2023	<i>No SDCS collections or self-assessment returns – BMA Consultant action</i>	-
Saturday 22 July 2023 Consultant ACTION Ends 0700	<i>No SDCS collections or self-assessment returns – BMA Consultant action</i>	-
Sunday 23 July 2023	<i>No SDCS collections or self-assessment returns – subject to change, if required</i>	-
Monday 24 July 2023	SDCS IA rescheduling sitrep for all Trusts (covering the 15-day period of 11–25 July 2023)	SDCS collection
	SDCS IA workforce sitrep for all ICBS and Trusts, including ambulance trusts (to cover consultants' industrial action from 20 – 22 July).	SDCS collection

Annex D – 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. This cell is auto-calculated from the contents of 3b and 3c
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