

## SCHEDULE 1

Regulation 2

### WORKFORCE AGREEMENTS

1. An agreement is a workforce agreement for the purposes of these Regulations if the following conditions are satisfied—

- (a) the agreement is in writing;
- (b) it has effect for a specified period not exceeding five years;
- (c) it applies either—
  - (i) to all of the relevant members of the workforce, or
  - (ii) to all of the relevant members of the workforce who belong to a particular group;
- (d) the agreement is signed—
  - (i) in the case of an agreement of the kind referred to in sub-paragraph (c)(i), by the representatives of the workforce, and in the case of an agreement of the kind referred to in sub-paragraph (c)(ii) by the representatives of the group to which the agreement applies (excluding, in either case, any representative not a relevant member of the workforce on the date on which the agreement was first made available for signature), or
  - (ii) if the employer employed 20 or fewer workers on the date referred to in sub-paragraph (d)(i), either by the appropriate representatives in accordance with that sub-paragraph or by the majority of the workers employed by him;
- (e) before the agreement was made available for signature, the employer provided all the workers to whom it was intended to apply on the date on which it came into effect with copies of the text of the agreement and such guidance as those workers might reasonably require in order to understand it fully.

2. For the purposes of this Schedule—

“a particular group” is a group of the relevant members of a workforce who undertake a particular function, work at a particular workplace or belong to a particular department or unit within their employer’s business;

“relevant members of the workforce” are all of the workers employed by a particular employer, excluding any worker whose terms and conditions of employment are provided for, wholly or in part, in a collective agreement;

“representatives of the workforce” are workers duly elected to represent the relevant members of the workforce, “representatives of the group” are workers duly elected to represent the members of a particular group, and representatives are “duly elected” if the election at which they were elected satisfied the requirements of paragraph 3 of this Schedule.

3. The requirements concerning elections referred to in paragraph 2 are that—

- (a) the number of representatives to be elected is determined by the employer;
- (b) the candidates for election as representatives of the workforce are relevant members of the workforce, and the candidates for election as representatives of a group are members of the group;
- (c) no worker who is eligible to be a candidate is unreasonably excluded from standing for election;
- (d) all the relevant members of the workforce are entitled to vote for representatives of the workforce, and all the members of a particular group are entitled to vote for representatives of the group;

**Status:** Point in time view as at 30/08/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Working Time Regulations 1998. (See end of Document for details)

- (e) the workers entitled to vote may vote for as many candidates as there are representatives to be elected;
- (f) the election is conducted so as to secure that—
  - (i) so far as is reasonably practicable, those voting do so in secret, and
  - (ii) the votes given at the election are fairly and accurately counted.

## SCHEDULE 2

Regulations 13(4), 15(6) and 43

### WORKERS EMPLOYED IN AGRICULTURE

1. Except where, in the case of a worker partly employed in agriculture, different provision is made by a relevant agreement—
  - (a) for the purposes of regulation 13 [<sup>F1</sup>and regulation 13A], the leave year of a worker employed in agriculture begins on 6th April each year or such other date as may be specified in an agricultural wages order which applies to him; and
  - (b) the dates on which leave is taken by a worker employed in agriculture shall be determined in accordance with an agricultural wages order which applies to him.

#### Textual Amendments

- F1** Words in Sch. 2 para. 1(a) inserted (1.10.2007) by [The Working Time \(Amendment\) Regulations 2007 \(S.I. 2007/2079\)](#), regs. 1(2), 2(5)

2. Where, in the case referred to in paragraph 1 above, a relevant agreement makes provision different from sub-paragraph (a) or (b) of that paragraph—
  - (a) neither section 11 of the Agricultural Wages Act 1948 <sup>M1</sup> nor section 11 of the Agricultural Wages (Scotland) Act 1949 <sup>M2</sup> shall apply to that provision; and
  - (b) an employer giving effect to that provision shall not thereby be taken to have failed to comply with the requirements of an agricultural wages order.

#### Marginal Citations

- M1** 1948 c.47.  
**M2** 1949 c.30.

3. In this Schedule, “an agricultural wages order” means an order under section 3 of the Agricultural Wages Act 1948 or section 3 of the Agricultural Wages (Scotland) Act 1949.

[<sup>F2</sup>SCHEDULE 2A

Regulation 25A(1A)

## Doctors in training

**Textual Amendments**

**F2** Sch. 2A inserted (1.8.2009) by [The Working Time \(Amendment\) Regulations 2009 \(S.I. 2009/1567\)](#), regs. 1, 3

[<sup>F3</sup>TABLE 1]

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Employer</i>	<i>Place</i>	<i>Specialist Services</i>	<i>Grade and, where applicable, Rota</i>
<i>England</i>			
<b>East Midlands Strategic Health Authority area</b>			
Derby Hospitals NHS Foundation Trust	Derby City General Hospital	Acute Medicine – Medical Assessment Unit	F2, CT1 and CT2
		Anaesthetics	F2, ST3 to ST7
		Anaesthetics – Obstetrics	CT2, ST3 to ST7
		Anaesthetics – Intensive Care	CT1, CT2, ST3 to ST7
		Anaesthetics – Theatres	ST3 to ST7
		Clinical Oncology/ Haematology/ Palliative Medicine	F2, CT1 and CT2
		General Medicine	F2, CT1, CT2, ST3 to ST7
		General Surgery	ST3 to ST8
		General Surgery/ ENT/ Urology	F2, CT1 and CT2
		Obstetrics and Gynaecology	ST3 to ST7
Paediatrics	ST3 to ST8		
Urology	CT2, ST3 to ST7		
Nottingham University Hospitals National Health Service Trust	Nottingham City Hospital	Neonatology	ST4 to ST8
		General Surgery and Vascular Surgery	ST4 to ST8
	Queens Medical Centre, Nottingham	Neonatology	ST4 to ST8

**Status:** Point in time view as at 30/08/2013.

**Changes to legislation:** There are currently no known outstanding effects for the *The Working Time Regulations 1998*. (See end of Document for details)

**Textual Amendments**

**F3** Sch. 2A Table 1 heading inserted (2.11.2009) by [The Working Time \(Amendment\) \(No. 2\) Regulations 2009 \(S.I. 2009/2766\)](#), regs. 1, **3(a)**

Sherwood Forest Hospitals NHS Foundation Trust	Kings Mill Hospital	Anaesthetics	F2, CT1, CT2, ST3 to ST7
		Obstetrics and Gynaecology	F2, ST1 to ST7
		Paediatrics	F2, ST1 to ST8
United Lincolnshire Hospitals National Health Service Trust	Grantham and District Hospital Lincoln County Hospital Pilgrim Hospital	General Medicine	F2, CT1 and CT2
		Anaesthetics	F2, CT1 and CT2
		General Medicine	ST3 to ST7
University Hospitals of Leicester National Health Service Trust	Leicester Royal Infirmary Leicester Royal Infirmary and Leicester General Hospital	Emergency Medicine	ST3 to ST7
		Paediatrics	F2, ST1 to ST8
		Neonatology	ST4 to ST8
<b>East of England Strategic Health Authority area</b>			
Bedford Hospital National Health Service Trust	Bedford Hospital	Cardiology	ST3 to ST7
		Care of the Elderly	ST3 to ST7
		Endocrinology and Diabetes	ST3 to ST7
		Respiratory	ST3 to ST7
Cambridge University Hospitals NHS Foundation Trust	Addenbrookes Hospital	Adult Intensive Care	F2, CT1, CT2 and ST3
		Transplantation	ST3 to ST8
Cambridgeshire Primary Care Trust	Hinchingbrooke Hospital	Paediatrics	ST3 to ST8
Hinchingbrooke Health Care National Health Service Trust	Hinchingbrooke Hospital	General Surgery	ST3 to ST7
Ipswich Hospital National Health Service Trust	The Ipswich Hospital	Paediatrics	ST3 to ST8
James Paget University Hospitals NHS Foundation Trust	James Paget University Hospital	Anaesthetics (Obstetrics, Pain, ITU and Theatres)	CT1, CT2, ST3 to ST8
		Obstetrics and Gynaecology	ST3 to ST8

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		Paediatrics	ST3 to ST8 – on call
Norfolk and Norwich University Hospitals NHS Foundation Trust	Norfolk and Norwich University Hospital	Anaesthetics Emergency Medicine Trauma and Orthopaedics	CT1, CT2 and ST3 ST3 to ST8 – Tier 2 (full shift rota – 24 hour service) CST1 and CST2 – Tier 2 (full shift)
Papworth Hospital NHS Foundation Trust	Papworth Hospital	Acute Specialties (Chest Medicine) Cardiothoracic Surgery Cardiothoracic Transplant Surgery	F2, CT1, CT2, ST3 to ST8 F2, CT1 and CT2 ST3 to ST8
Peterborough and Stamford Hospitals NHS Foundation Trust	Peterborough District Hospital and Edith Cavell Hospital	Urology	ST3 to ST7
West Hertfordshire Hospitals National Health Service Trust	Hemel Hempstead Hospital	Obstetrics and Gynaecology	ST3 to ST7
	St Albans City Hospital	Obstetrics and Gynaecology	ST3 to ST7
	Watford General Hospital	Obstetrics and Gynaecology	ST3 to ST7
<b>London Strategic Health Authority area</b>			
Barking, Havering and Redbridge University Hospitals National Health Service Trust	Queen's Hospital	Ear Nose and Throat Maxillo Facial Neurosciences (Neurology and Neurosurgery)	F2, CT1 and CT2 F2, CT1 and CT2 F2, ST1 and ST2
Great Ormond Street Hospital for Children National Health Service Trust	Great Ormond Street Hospital for Children	Cardiothoracic Surgery	ST4 to ST6
Hillingdon Hospital National Health Service Trust	Hillingdon Hospital	General Surgery (elective and non-elective) including Colorectal, Breast and Vascular	F2, CT1, CT2 and ST3
Imperial College Healthcare National Health Service Trust	Charing Cross Hospital	Neurosurgery	ST3 to ST7
	Hammersmith Hospital	Cardiothoracic Surgery	ST3 to ST7
	St Mary's Hospital	Cardiothoracic Surgery	F2, CT1, CT2, ST3 to ST7

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Kingston National Service Trust	Hospital Health	Kingston Hospital	Anaesthesia and Intensive Care, ACCS	CT1, CT2, ST3 to ST7
Whittington National Service Trust	Hospital Health	Whittington Hospital	Anaesthetics/ ITU Obstetrics and Gynaecology Paediatrics Paediatrics – Neonates	ST3 to ST7 ST3 to ST7 ST4 to ST8 ST1 to ST3
<b>North East Strategic Health Authority area</b>				
The Newcastle Upon Tyne Hospitals Foundation Trust		Newcastle General Hospital	Anaesthetics  Critical Care (ITU) Paediatrics  Paediatrics Intensive Care	ST3 to ST7 – 1st on call ST3 to ST7 – 2nd on call ST3 to ST6 F2, ST1 to ST3 – 1st on call ST4 to ST8 – 2nd on call ST4 to ST8
<b>North West Strategic Health Authority area</b>				
Alder Hey Children's NHS Foundation Trust		Alder Hey Children's Hospital	Paediatric Cardiothoracic Surgery	ST3 to ST8, SpR
East Lancashire Hospitals NHS Trust		Royal Blackburn Hospital  Royal Blackburn Hospital and Burnley General Hospital, Blackburn and Burnley Urgent Care Centres  Royal Blackburn Hospital and Burnley General Hospital	Otorhinolaryngology (ENT)  Emergency Medicine  Trauma and Orthopaedics	F2, ST1, ST2, CT1 and CT2 – 1st on call ST3 to ST7, SpR  F2, ST1 and ST2 – 1st on call
Lancashire Teaching Hospitals NHS Foundation Trust		Royal Preston Hospital	Neurosurgery	F2, CT1 and CT2 – 1st on call ST3 to ST7, SpR – 2nd on call

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<p>North Cumbria University Hospitals National Health Service Trust</p>	<p>Cumberland Infirmary</p>	<p>ENT/ Trauma and Orthopaedics/ OMFS</p> <p>General Medicine and medical specialties</p> <p>General Surgery</p> <p>Obstetrics and Gynaecology</p> <p>Trauma and Orthopaedics</p>	<p>F2, ST1, ST2, CT1 and CT2</p> <p>F1 – Acute 1st on call</p> <p>F2, CT1 and CT2 – Acute 2nd on call</p> <p>ST3 to ST7, SpR – Acute 3rd on call</p> <p>F1 – 1st on call</p> <p>F2, CT1 and CT2 - 2nd on call</p> <p>ST3 to ST7, SpR - 3rd on call</p> <p>F2, ST1 and ST2 – 1st on call</p> <p>ST3 to ST7, SpR – 2nd on call</p>
	<p>West Cumberland Hospital</p>	<p>General Medicine and medical specialties</p> <p>General Surgery</p> <p>Obstetrics and Gynaecology</p> <p>Paediatrics</p> <p>Trauma and Orthopaedics</p>	<p>F1 – Acute 1st on call</p> <p>F2, CT1, CT2, ST3 to ST7, SpR – Acute 2nd on call</p> <p>F1 – 1st on call</p> <p>F2, CT1 and CT2 – 2nd on call</p> <p>ST3 to ST7, SpR – 2nd on call</p> <p>F2, ST1 and ST2 – 1st on call</p> <p>ST3 to ST7, SpR – 2nd on call</p>
<p>Royal Liverpool and Broadgreen University Hospitals National Health Service Trust</p>	<p>Royal Liverpool University Hospital</p>	<p>Renal Transplant Surgery</p>	<p>ST3 to ST7, SpR</p>
<p>Trafford Healthcare National Health Service Trust</p>	<p>Trafford General Hospital</p>	<p>Anaesthesia</p>	<p>F2, CT1 and CT2 – 1st on call</p>
<p>University Hospitals of Morecambe Bay National Health Service Trust</p>	<p>Furness General Hospital</p>	<p>Paediatrics</p>	<p>F2, ST1 and ST2</p>

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Walton Centre for Neurology and Neurosurgery National Health Service Trust	Walton Centre for Neurology and Neurosurgery	Neurosciences Neurosurgery	F2, CT1 and CT2 ST3 to ST7, SpR
<b>South Central Strategic Health Authority area</b>			
Buckinghamshire Hospitals National Health Service Trust	Wycombe Hospital and Stoke Mandeville Hospital	Obstetrics and Gynaecology  Paediatrics	F2, ST1 to ST7, FTSTA1 and FTSTA2  ST3 to ST8
Milton Keynes Hospital NHS Foundation Trust	Milton Keynes General Hospital	Anaesthetics Anaesthetics – ITU Anaesthetics – Theatres Emergency Medicine General Medicine Paediatrics Surgery  Trauma and Orthopaedics	ST3 to ST7 FT2, CT1 and CT2 CT2, ST3 to ST7 ST3 to ST7 ST3 to ST7 F2, ST1 to ST8 CT1, CT2, ST3 to ST7 F2, CT1, CT2, ST3 to ST8
Portsmouth Hospitals National Health Service Trust	Queen Alexandra Hospital	General Paediatrics Obstetrics and Gynaecology	ST3 to ST8 ST3 to ST7
Southampton University Hospitals National Health Service Trust	Princess Anne Hospital Southampton General Hospital	Obstetrics and Gynaecology  Anaesthetics – Critical Care	ST3 to ST7  F2, CT1, CT2, ST3 to ST7
<b>South East Coast Strategic Health Authority area</b>			
Brighton and Sussex University Hospitals National Health Service Trust	Royal Sussex County Hospital Princess Royal Hospital	Anaesthetics Anaesthetics	CT1, CT2, ST3 to ST7 CT1, CT2, ST3 to ST7
East Sussex Hospitals National Health Service Trust	Conquest Hospital and Eastbourne District General Hospital	Emergency Medicine Paediatrics	ST4 to ST7 ST4 to ST8
Frimley Park Hospital NHS Foundation Trust	Frimley Park Hospital	Anaesthetics and Intensive Care (obstetric anaesthesia and critical care medicine)  Clinical Haematology	ST3 to ST7  ST3 to ST7



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Maidstone and Tunbridge Wells National Health Service Trust	Kent and Sussex Hospital Pembury Hospital	ENT	F2, CT1 and CT2
		Obstetrics and Gynaecology	ST4 to ST7
Royal Surrey County Hospital National Health Service Trust	Royal Surrey County Hospital	Haematology	ST3 to ST7
		Trauma and Orthopaedics	ST3 to ST8
		Urology	ST3 to ST7
Surrey and Sussex Healthcare National Health Service Trust	East Surrey Hospital	Anaesthetics and Intensive Care (obstetric anaesthesia and critical care medicine)	CT1, CT2, ST3 to ST7
Western Sussex Hospitals National Health Service Trust	St Richard's Hospital	General Medicine	F2, CT1 and CT2
		Obstetrics and Gynaecology	ST3 to ST7
		Paediatrics	ST4 to ST8
		Surgery	F1, F2, CT1, CT2, ST3 to ST7
		Trauma and Orthopaedics	F1, F2, CT1, CT2, ST3 to ST7
		Urology	ST3 to ST7
<b>South West Strategic Health Authority area</b>			
Gloucestershire Hospitals NHS Foundation Trust	Gloucestershire Royal Hospital and Cheltenham General Hospital	Anaesthetics and Critical Care Services	F2, CT1, CT2, ST3 to ST7
North Bristol National Health Service Trust	Frenchay Hospital	Anaesthetics	CT1, CT2, ST3 to ST7 – 1st on call CT1, CT2, ST3 to ST7 – 2nd on call
		Trauma and Orthopaedics	CT1 and CT2 – 1st on call
	Southmead Hospital	Anaesthetics	CT1, CT2, ST3 to ST7 – 1st on call CT1, CT2, ST3 to ST7 – 2nd on call
		Trauma and Orthopaedics	CT1 and CT2 – 1st on call
Poole Hospital NHS Foundation Trust	Poole Hospital	Anaesthetics: Theatre Anaesthetics: Critical Care	CT1 and CT2 (16 hour full shift) ST3 to ST5 (24 hour full shift)

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		Anaesthetics	ST3 to ST5 (full shift 24 hours cover for theatres, back up for Obstetrics and Critical Care)
		Emergency Medicine	ST3 to ST7
		Obstetrics	ST2 to ST4 (24 hour full shift)
		Paediatrics	ST3 to ST8
		Trauma and Orthopaedics	CT1 and CT2
University Hospitals Bristol NHS Foundation Trust	Bristol Institute	Heart Cardiothoracic Services	Surgery ST3 to ST7
	Bristol Infirmary	Royal Cardiothoracic Services	Surgery CT1 and CT2
<b>West Midlands Strategic Health Authority area</b>			
Birmingham Children's Hospital NHS Foundation Trust	Birmingham Children's Hospital	General Paediatrics	ST4 to ST8
		Paediatric Endocrinology	ST4 to ST8
		Paediatric Gastroenterology	ST4 to ST8
		Paediatric Haematology/Oncology	ST4 to ST8
		Paediatric Hepatology	ST4 to ST8
		Paediatric Inherited Metabolic Diseases	ST4 to ST8
		Paediatric Nephrology	ST4 to ST8
		Paediatric Neurology	ST4 to ST8
		Paediatric Neurosurgery	ST4 to ST9
		Paediatric Respiratory Medicine	ST4 to ST8
Burton Hospitals NHS Foundation Trust	Queen's Hospital	Critical Care Anaesthesia	ST3 to ST7
		General Anaesthesia	F2, CT1 and CT2
		Obstetrics Anaesthesia	ST3 to ST7
George Eliot Hospital National Health Service Trust	George Eliot Hospital	Paediatrics	ST4 to ST8
Heart of England NHS Foundation Trust	Birmingham Heartlands Hospital	General Medicine	ST3 to ST7
		Trauma and Orthopaedics	ST3 to ST8

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	Solihull Hospital	Trauma and Orthopaedics	F2, CT1, CT2, ST1 to ST6
Mid Staffordshire NHS Foundation Trust	Stafford Hospital and Cannock Chase Hospital	Acute Medical Specialties and Medical Specialties	CT1, CT2 and ST3
Shrewsbury and Telford Hospital National Health Service Trust	Royal Shrewsbury Hospital	General Surgery Trauma and Orthopaedics	ST3 to ST8 F2, CT1, CT2, ST1 to ST3
	The Princess Royal Hospital	General Surgery Trauma and Orthopaedics	ST3 to ST8 F2, CT1, CT2, ST1 to ST3
The Royal Wolverhampton Hospitals National Health Service Trust	New Cross Hospital	Paediatrics including Neonatal Services	ST4 to ST8
University Hospital of North Staffordshire National Health Service Trust	City General Hospital and Royal Infirmary	Acute Medicine	ST3 to ST7
		Diabetes	ST3 to ST7
		Elderly Care	ST3 to ST7
		Gastroenterology	ST3 to ST7
		General Medicine	ST3 to ST7
		Infectious Diseases	ST3 to ST7
University Hospital Birmingham NHS Foundation Trust	Queen Elizabeth Hospital	Anaesthetics and Critical Care – supporting Surgical Specialties and Obstetrics	CT1, CT2, ST3 to ST7
		Cardiothoracic Surgery	ST3 to ST8

**Yorkshire and the Humber Strategic Health Authority area**

Barnsley Hospital NHS Foundation Trust	Barnsley Hospital	Acute and Medical Specialties – Combined MAU	F2, CT1, CT2, ST3 to ST8
		Paediatrics	ST1 to ST8
Sheffield Children’s NHS Foundation Trust	Sheffield Children’s Hospital	Paediatric Surgery	F1, CT1, CT2, ST3 to ST8, SpR
The Rotherham NHS Foundation Trust	Rotherham General Hospital	Anaesthetics	CT1, CT2, ST3 to ST7
		General Surgery/ Urology	CT1 and CT2
		Oral Maxillo Facial Surgery	CT1 and CT2
		Paediatrics	ST1 to ST8

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		Trauma and Orthopaedics	CT1, CT2, ST1 and ST2
<b>Wales</b>			
Abertawe Bro Morgannwg University National Health Service Trust, also known as Ymddiriedolaeth Brifysgol Gwasanaeth Iechyd Gwladol Abertawe Bro Morgannwg, and from 1st October 2009 Abertawe Bro Morgannwg University Local Health Board	Singleton Hospital	General Paediatrics	Senior
	Morrison Hospital	Paediatrics – Neo Natal	Junior
	Neath Port Talbot Hospital	General Paediatrics	Senior
	Princess of Wales Hospital	Neuro Surgery	Junior and Senior
Cardiff and Vale National Health Service Trust, also known as Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Caerdydd a'r Fro, and from 1st October 2009 Cardiff and Vale University Local Health Board	University Hospital of Wales	General Medicine (incorporating Endocrinology, Respiratory, Gastroenterology, Cardiology and Care of the Elderly)	Junior
		Paediatrics	Junior and Senior
Cwm Taf National Health Service Trust, also known as Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Cwm Taf, and from 1st October 2009 Cwm Taf Local Health Board	University Hospital of Wales	Paediatrics (neonatal intensive care unit)	Junior and Senior
	Prince Charles Hospital	Anaesthetic	Junior and Senior
	Royal Glamorgan Hospital	Paediatrics	Junior and Senior
Gwent Healthcare National Health Service Trust, also known as Ymddiriedolaeth	Royal Glamorgan Hospital	Neo Natal	Junior
		Paediatrics	Junior and Senior
Gwent Healthcare National Health Service Trust, also known as Ymddiriedolaeth	Nevill Hall Hospital	Combined Paediatric/ Neo Natal	Junior and Senior
	Royal Gwent Hospital	Neo Natal	Junior and Senior
		Paediatrics	Senior

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Gwasanaeth Iechyd Gwladol Gofal Iechyd Gwent, and from 1st October 2009 Aneurin Bevan Local Health Board			
Hywel Dda National Health Service Trust, also known as Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Hywel Dda, and from 1st October 2009 Hywel Dda Local Health Board	Withybush General Hospital	Paediatric	Junior
	West Wales General Hospital	Paediatric	Junior
North Wales National Health Service Trust, also known as Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Gogledd Cymru, and from 1st October 2009 Betsi Cadwaladr University Local Health Board	Glan Clwyd Hospital	Obstetrics and Gynaecology	Junior and Senior
	Wrexham Maelor Hospital	Paediatrics	Junior and Senior
		Obstetrics and Gynaecology	Junior and Senior
		Paediatrics	Junior and Senior
North West Wales National Health Service Trust, also known as Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Gogledd-orllewin Cymru, and from 1st October 2009 Betsi Cadwaladr University Local Health Board	Ysbyty Gwynedd	Anaesthetics	Junior and Senior
		Obstetrics and Gynaecology	Senior
		Paediatrics/ Neo Natal	Junior and Senior]

<sup>F4</sup>TABLE 2

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Employer</i>	<i>Place</i>	<i>Specialist Services</i>	<i>Grade and, where applicable, Rota</i>
<i>England</i>			
<i>East Midlands Strategic Health Authority area</i>			
Chesterfield Royal Hospital NHS Foundation Trust	Chesterfield Royal Hospital	Emergency Medicine Obstetrics and Gynaecology Paediatrics	F2, ST1 to ST7 F2, ST1 to ST7 F2, ST1 to ST8

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Employer</i>	<i>Place</i>	<i>Specialist Services</i>	<i>Grade and, where applicable, Rota</i>
<i>England</i>			
<i>East Midlands Strategic Health Authority area</i>			
Derby Hospitals NHS Foundation Trust	Royal Derby Hospital	Oral Maxillo Facial Surgery	ST3 to ST7
Northampton General Hospital National Health Service Trust	Northampton General Hospital	Emergency Medicine	ST3 to ST7
Nottingham University Hospitals National Health Service Trust	Queens Medical Centre, Nottingham	Neurosurgery	ST4 to ST8
University Hospitals of Leicester National Health Service Trust	Glenfield Hospital	Paediatric (Cardiology and Cardiac Intensive Care)	ST3 to ST8
	Leicester Royal Infirmary and Leicester General Hospital	Neonatology	ST1 to ST3
<b>East of England Strategic Health Authority area</b>			
Cambridge University Hospitals NHS Foundation Trust	Addenbrookes Hospital	Anaesthetics	ST3 to ST7 and SpR
Norfolk and Norwich University Hospitals NHS Foundation Trust	Norfolk and Norwich University Hospital	Obstetrics and Gynaecology	ST3 to ST9 and SpR – Tier 3 (partial shift rota (24 hour service))
		Paediatric Neonatal	ST3 to ST8 and SpR – Tier 2 (full shift)
Peterborough and Stamford Hospitals NHS Foundation Trust	Peterborough District Hospital and Edith Cavell Hospital	General Surgery	CT1 and CT2
The Queen Elizabeth Hospital King's Lynn National Health Service Trust	The Queen Elizabeth Hospital	Obstetrics and Gynaecology	ST3
<b>London Strategic Health Authority area</b>			
The Royal Free Hampstead National Health Service Trust	The Royal Free	Neurosurgery	ST3 to ST8
The Royal Marsden NHS Foundation Trust	The Royal Marsden	Otolaryngology and Plastic Surgery	ST3 to ST8
		Urology and Gynaecology	ST3 to ST8
<b>North East Strategic Health Authority area</b>			

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<i>Employer</i>	<i>Place</i>	<i>Specialist Services</i>	<i>Grade and, where applicable, Rota</i>
<i>England</i>			
<b>East Midlands Strategic Health Authority area</b>			
The Newcastle Upon Tyne Hospitals NHS Foundation Trust	Freeman Hospital	General Surgery – Hepatobiliary and Transplant	ST3 to ST7 and SpR
		Paediatric Cardiology	ST4 to ST8 and SpR – 2 <sup>nd</sup> on call
	Newcastle General Hospital	Neurology	F2, CT1 and CT2 - 1 <sup>st</sup> on call
			ST3 to ST7 and SpR - 2 <sup>nd</sup> on call
	Royal Victoria Infirmary	Paediatric Surgery	ST4 to ST8 and SpR - 2 <sup>nd</sup> on call
		Paediatrics	ST4 to ST8 and SpR
North Tees and Hartlepool NHS Foundation Trust	University Hospital of Hartlepool and University Hospital of North Tees	Paediatrics	ST3 to ST7 and SpR
<b>North West Strategic Health Authority area</b>			
Aintree University Hospitals NHS Foundation Trust	University Hospital Aintree	Anaesthetics - Critical Care	CT1, CT2 and ST3 to ST7
North Cumbria University Hospitals National Health Service Trust	Cumberland Infirmary	Emergency Medicine	F2, FTSTA1, FTSTA2 and ST1 to ST7
		Paediatrics	ST1 and ST2
	West Cumberland Hospital	Emergency Medicine	F2 and ST1 to ST3
Royal Bolton Hospitals NHS Foundation Trust	Royal Bolton Hospital	Paediatrics	FTSTA3 and ST4 to ST8
Tameside Hospital NHS Foundation Trust	Tameside General Hospital	Trauma and Orthopaedics	F2, CT1, CT2, ST1 and ST2
Warrington and Halton Hospitals NHS Foundation Trust	Warrington Hospital	Trauma and Orthopaedics	F2, ST1 and ST2
<b>South Central Strategic Health Authority area</b>			
Buckinghamshire Hospitals National Health Service Trust	Stoke Mandeville Hospital and Wycombe Hospital	Anaesthetics	ST3 to ST5

**Status:** Point in time view as at 30/08/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Working Time Regulations 1998. (See end of Document for details)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Employer</i>	<i>Place</i>	<i>Specialist Services</i>	<i>Grade and, where applicable, Rota</i>
<i>England</i>			
<i>East Midlands Strategic Health Authority area</i>			
Isle of Wight National Health Service Primary Care Trust	St. Mary's Hospital	General Medicine General Medicine Emergency Medicine Obstetrics and Gynaecology General Surgery General Surgery, Trauma and Orthopaedics, Obstetrics and Gynaecology	F2, CT1 and CT2 ST3 and ST4 F2, ST1 and ST2 ST3 F1 F2, ST1 and ST2 – Basic Surgical Training rota
Oxford Radcliffe Hospitals National Health Service Trust	Horton General Hospital, Banbury	Obstetrics and Gynaecology	ST3 to ST5
Winchester and Eastleigh Healthcare National Health Service Trust	Royal Hampshire County Hospital	Surgery	ST3 to ST5
<b>South East Coast Strategic Health Authority area</b>			
Ashford and St. Peter's Hospitals National Health Service Trust	St. Peter's Hospital	Anaesthetics	CT2 and ST3 to ST7
Brighton and Sussex University Hospitals National Health Service Trust	Princess Royal Hospital	General Internal Medicine	ST3 to ST8
	Royal Sussex County Hospital and Princess Royal Hospital	Emergency Medicine	ST3 to ST8
	Royal Sussex County Hospital	Obstetrics and Gynaecology	ST3 to ST8
East Kent Hospitals University NHS Foundation Trust	Queen Elizabeth the Queen Mother Hospital	Anaesthetics – Intensive Care Unit and Theatres Paediatrics	CT1 and CT2 ST3 to ST7
Frimley Park Hospital NHS Foundation Trust	Frimley Park Hospital	Anaesthetics – Intensive Care and Acute Care Common Stem	CT1 and CT2
		Emergency Medicine	ST3 to ST6



**Status:** Point in time view as at 30/08/2013.**Changes to legislation:** There are currently no known outstanding effects for the The Working Time Regulations 1998. (See end of Document for details)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Employer</i>	<i>Place</i>	<i>Specialist Services</i>	<i>Grade and, where applicable, Rota</i>
<i>England</i>			
<b>East Midlands Strategic Health Authority area</b>			
		Obstetrics and Gynaecology	ST1 to ST7
		Paediatrics	ST4 to ST7
Royal Surrey County Hospital National Health Service Trust	Royal Surrey County Hospital	Anaesthetics – Intensive Care Unit Acute Medicine Emergency Medicine	F2, CT1 and CT2 F1, F2, CT1, CT2 and ST3 to ST7 ST3 to ST7
Surrey and Sussex Healthcare National Health Service Trust	East Surrey Hospital and Crawley Hospital	Paediatrics	ST3 to ST6
<b>South West Strategic Health Authority area</b>			
University Hospitals Bristol NHS Foundation Trust	Bristol Eye Hospital, Bristol Royal Infirmary and St. Michael's Hospital	Anaesthetics	ST3 and ST4 - 1st on call ST4 to ST7 – 2nd on call
	Bristol Royal Hospital For Children, Frenchay Hospital, Southmead Hospital and St. Michael's Hospital	Otolaryngology	ST1 to ST3
<b>West Midlands Strategic Health Authority area</b>			
George Eliot Hospital National Health Service Trust	George Eliot Hospital	Anaesthetics	ST3 to ST7
University Hospital of North Staffordshire National Health Service Trust	The Royal Infirmary	Renal Neurosurgery	ST3 to ST8 F2, ST1 to ST3
<b>Yorkshire and the Humber Strategic Health Authority area</b>			
Bradford Teaching Hospitals NHS Foundation Trust	Bradford Royal Infirmary and St. Lukes Hospital	Otolaryngology/ Plastic Surgery/Oral and Maxillofacial Surgery (merged rota)	F2, CT1 and CT2
Calderdale and Huddersfield NHS Foundation Trust	Calderdale Royal Hospital	Emergency Medicine	F2, CT1, CT2, CT3, ST4, ST5 and SpR

**Status:** Point in time view as at 30/08/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Working Time Regulations 1998. (See end of Document for details)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Employer</i>	<i>Place</i>	<i>Specialist Services</i>	<i>Grade and, where applicable, Rota</i>
<i>England</i>			
<i>East Midlands Strategic Health Authority area</i>			
	Huddersfield Royal Infirmary	Anaesthetics Emergency Medicine	CT1, CT2, ST3 to ST5 and SpR F2, CT1, CT2, CT3, ST4, ST5 and SpR
Hull and East Yorkshire Hospitals National Health Service Trust	Hull Royal Infirmary	Neurosurgery	F2, ST1 and ST2
Scarborough and North East Yorkshire Healthcare National Health Service Trust	Scarborough General Hospital	Anaesthetics Acute Medicine Neurology Diabetes and Endocrinology Care of the Elderly	CT1, CT2 and ST3 to ST5 ST3 to ST5 ST3 to ST5 ST3 to ST5 ST3 to ST5
Sheffield Children's NHS Foundation Trust	Sheffield Children's NHS Foundation Trust, Capitol Park, Barnsley	Paediatrics – Critical Care, Neonatal Services	ST6 to ST8 – Transport rota
The Rotherham NHS Foundation Trust	Rotherham General Hospital	Obstetrics and Gynaecology	ST1 to ST7
York Hospitals NHS Foundation Trust	York Hospital	Obstetrics and Gynaecology Trauma and Orthopaedics	ST3 to ST7 and SpR F2, CT1, CT2, ST1 and ST2
<i>Scotland</i>			
Ayrshire and Arran Health Board	Ayr Hospital	Emergency Medicine	ST3 to ST7 and SpR
Borders Health Board	Borders General Hospital	Paediatrics	ST3 to ST9 and SpR
Fife Health Board	Forth Park Maternity Hospital and Victoria Hospital	Paediatrics	ST3 to ST9 and SpR
Lanarkshire Health Board	Wishaw General Hospital Hairmyres Hospital Monklands Hospital	Emergency Medicine Neonatology Emergency Medicine Emergency Medicine	ST3 to ST7 and SpR ST3 to ST9 and SpR ST3 to ST7 and SpR ST3 to ST7 and SpR

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>Employer</i>	<i>Place</i>	<i>Specialist Services</i>	<i>Grade and, where applicable, Rota</i>
<i>England</i>			
<i>East Midlands Strategic Health Authority area</i>			
<i>Wales</i>			
Cwm Taf Local Health Board	Royal Glamorgan Hospital	Ophthalmology	Junior]

**Textual Amendments**

**F4** Sch. 2A Table 2 added (2.11.2009) by [The Working Time \(Amendment\) \(No. 2\) Regulations 2009 \(S.I. 2009/2766\)](#), regs. 1, **3(b)**

**[<sup>F5</sup>SCHEDULE 3**

Regulation 28(7)

**ENFORCEMENT**

**Textual Amendments**

**F5** Sch. 3 inserted (1.8.2003) by [The Working Time \(Amendment\) Regulations 2003 \(S.I. 2003/1684\)](#), regs. 1, **12**

**Appointment of inspectors**

1.—(1) Each enforcement authority may appoint as inspectors (under whatever title it may from time to time determine) such persons having suitable qualifications as it thinks necessary for carrying into effect these Regulations within its field of responsibility, and may terminate any appointment made under this paragraph.

(2) Every appointment of a person as an inspector under this paragraph shall be made by an instrument in writing specifying which of the powers conferred on inspectors by these Regulations are to be exercisable by the person appointed; and an inspector shall in right of his appointment under this paragraph—

- (a) be entitled to exercise only such of those powers as are so specified; and
- (b) be entitled to exercise the powers so specified only within the field of responsibility of the authority which appointed him.

(3) So much of an inspector’s instrument of appointment as specifies the powers which he is entitled to exercise may be varied by the enforcement authority which appointed him.

(4) An inspector shall, if so required when exercising or seeking to exercise any power conferred on him by these Regulations, produce his instrument of appointment or a duly authenticated copy thereof.

*Status: Point in time view as at 30/08/2013.*

*Changes to legislation: There are currently no known outstanding effects for the The Working Time Regulations 1998. (See end of Document for details)*

## **Powers of inspectors**

2.—(1) Subject to the provisions of paragraph 1 and this sub-paragraph, an inspector may, for the purpose of carrying into effect these Regulations within the field of responsibility of the enforcement authority which appointed him, exercise the powers set out in sub-paragraph (2) below.

(2) The powers of an inspector referred to in the preceding sub-paragraph are the following, namely—

- (a) at any reasonable time (or, in a situation which in his opinion is or may be dangerous, at any time) to enter any premises which he has reason to believe it is necessary for him to enter for the purpose mentioned in sub-paragraph (1) above;
- (b) to take with him a constable if he has reasonable cause to apprehend any serious obstruction in the execution of his duty;
- (c) without prejudice to the preceding sub-paragraph, on entering any premises by virtue of paragraph (a) above to take with him—
  - (i) any other person duly authorised by the inspector's enforcement authority; and
  - (ii) any equipment or materials required for any purpose for which the power of entry is being exercised;
- (d) to make such examination and investigation as may in any circumstances be necessary for the purpose mentioned in sub-paragraph (1) above;
- (e) to require any person whom he has reasonable cause to believe to be able to give any information relevant to any examination or investigation under paragraph (d) above to answer (in the absence of persons other than a person nominated by him to be present and any persons whom the inspector may allow to be present) such questions as the inspector thinks fit to ask and to sign a declaration of the truth of his answers;
- (f) to require the production of, inspect, and take copies of or of any entry in—
  - (i) any records which by virtue of these Regulations are required to be kept, and
  - (ii) any other books, records or documents which it is necessary for him to see for the purposes of any examination or investigation under paragraph (d) above;
- (g) to require any person to afford him such facilities and assistance with respect to any matters or things within that person's control or in relation to which that person has responsibilities as are necessary to enable the inspector to exercise any of the powers conferred on him by this paragraph;
- (h) any other power which is necessary for the purpose mentioned in sub-paragraph (1) above.

(3) No answer given by a person in pursuance of a requirement imposed under sub-paragraph (2) (e) above shall be admissible in evidence against that person or the husband or wife of that person in any proceedings.

(4) Nothing in this paragraph shall be taken to compel the production by any person of a document of which he would on grounds of legal professional privilege be entitled to withhold production on an order for discovery in an action in the High Court or, as the case may be, on an order for the production of documents in an action in the Court of Session.

## **Improvement notices**

3. If an inspector is of the opinion that a person—

- (a) is contravening one or more of these Regulations; or
- (b) has contravened one or more of these Regulations in circumstances that make it likely that the contravention will continue or be repeated,

he may serve on him a notice (in this Schedule referred to as “an improvement notice”) stating that he is of that opinion, specifying the provision or provisions as to which he is of that opinion, giving particulars of the reasons why he is of that opinion, and requiring that person to remedy the contravention or, as the case may be, the matters occasioning it within such period (ending not earlier than the period within which an appeal against the notice can be brought under paragraph 6) as may be specified in the notice.

### **Prohibition notices**

4.—(1) This paragraph applies to any activities which are being or are likely to be carried on by or under the control of any person, being activities to or in relation to which any of these Regulations apply or will, if the activities are so carried on, apply.

(2) If as regards any activities to which this paragraph applies an inspector is of the opinion that, as carried on or likely to be carried on by or under the control of the person in question, the activities involve or, as the case may be, will involve a risk of serious personal injury, the inspector may serve on that person a notice (in this Schedule referred to as “a prohibition notice”).

(3) A prohibition notice shall—

- (a) state that the inspector is of the said opinion;
- (b) specify the matters which in his opinion give or, as the case may be, will give rise to the said risk;
- (c) where in his opinion any of those matters involves or, as the case may be, will involve a contravention of any of these Regulations, state that he is of that opinion, specify the regulation or regulations as to which he is of that opinion, and give particulars of the reasons why he is of that opinion; and
- (d) direct that the activities to which the notice relates shall not be carried on by or under the control of the person on whom the notice is served unless the matters specified in the notice in pursuance of paragraph (b) above and any associated contraventions of provisions so specified in pursuance of paragraph (c) above have been remedied.

(4) A direction contained in a prohibition notice in pursuance of sub-paragraph (3)(d) above shall take effect—

- (a) at the end of the period specified in the notice; or
- (b) if the notice so declares, immediately.

### **Provisions supplementary to paragraphs 3 and 4**

5.—(1) In this paragraph “a notice” means an improvement notice or a prohibition notice.

(2) A notice may (but need not) include directions as to the measures to be taken to remedy any contravention or matter to which the notice relates; and any such directions—

- (a) may be framed to any extent by reference to any approved code of practice; and
- (b) may be framed so as to afford the person on whom the notice is served a choice between different ways of remedying the contravention or matter.

(3) Where an improvement notice or a prohibition notice which is not to take immediate effect has been served—

- (a) the notice may be withdrawn by an inspector at any time before the end of the period specified therein in pursuance of paragraph 3 or paragraph 4(4) as the case may be; and
- (b) the period so specified may be extended or further extended by an inspector at any time when an appeal against the notice is not pending.

*Status: Point in time view as at 30/08/2013.*

*Changes to legislation: There are currently no known outstanding effects for the The Working Time Regulations 1998. (See end of Document for details)*

### **Appeal against improvement or prohibition notice**

6.—(1) In this paragraph “a notice” means an improvement or a prohibition notice.

(2) A person on whom a notice is served may within 21 days from the date of its service appeal to an employment tribunal; and on such an appeal the tribunal may either cancel or affirm the notice and, if it affirms it, may do so either in its original form or with such modifications as the tribunal may in the circumstances think fit.

(3) Where an appeal under this paragraph is brought against a notice within the period allowed under the preceding sub-paragraph, then—

- (a) in the case of an improvement notice, the bringing of the appeal shall have the effect of suspending the operation of the notice until the appeal is finally disposed of or, if the appeal is withdrawn, until the withdrawal of the appeal;
- (b) in the case of a prohibition notice, the bringing of the appeal shall have the like effect if, but only if, on the application of the appellant the tribunal so directs (and then only from the giving of the direction).

(4) One or more assessors may be appointed for the purposes of any proceedings brought before an employment tribunal under this paragraph.

### **Power of enforcement authority to indemnify inspectors**

7. Where an action has been brought against an inspector in respect of an act done in the execution or purported execution of these Regulations and the circumstances are such that he is not legally entitled to require the enforcement authority to indemnify him, that authority may, nevertheless, indemnify him against the whole or part of any damages and costs or expenses which he may have been ordered to pay or may have incurred, if the authority is satisfied that the inspector honestly believed that the act complained of was within his powers and that his duty as an inspector required or entitled him to do it.

### **Restrictions on disclosure of information**

8.—(1) In this and the two following sub-paragraphs—

- (a) “relevant information” means information obtained by an inspector in pursuance of a requirement imposed under paragraph 2(2)(e) or (f); and
- (b) “the recipient”, in relation to any relevant information, means the person by whom that information was so obtained or to whom that information was so furnished, as the case may be.

(2) Subject to the following sub-paragraph, no relevant information shall be disclosed without the consent of the person by whom it was furnished.

(3) The preceding sub-paragraph shall not apply to—

- (a) disclosure of information to the Commission, a government department or any enforcement authority;
- (b) without prejudice to paragraph (a) above, disclosure by the recipient of information to any person for the purpose of any function conferred on the recipient by or under any of the relevant statutory provisions or under these Regulations;
- (c) without prejudice to paragraph (a) above, disclosure by the recipient of information to—
  - (i) an officer of a local authority who is authorised by that authority to receive it; or
  - (ii) a constable authorised by a chief officer of police to receive it; or
- (d) disclosure by the recipient of information in a form calculated to prevent it from being identified as relating to a particular person or case.

(4) In the preceding sub-paragraph any reference to the Commission, a government department or an enforcement authority includes respectively a reference to an officer of that body or authority (including in the case of an enforcement authority, any inspector appointed by it), and also, in the case of a reference to the Commission, includes a reference to—

- (a) a person performing any functions of the Commission or the Executive on its behalf by virtue of section 13(1)(a) of the 1974 Act;
- (b) an officer of a body which is so performing any such functions; and
- (c) an adviser appointed in pursuance of section 13(1)(d) of the 1974 Act.

(5) A person to whom information is disclosed in pursuance of sub-paragraph (3) above shall not use the information for a purpose other than—

- (a) in a case falling within sub-paragraph (3)(a), a purpose of the Commission, of the government department, or of the enforcement authority in question in connection with these Regulations or with the relevant statutory provisions, as the case may be;
- (b) in the case of information given to an officer of a body which is a local authority, the purposes of the body in connection with the relevant statutory provisions or any enactment whatsoever relating to working time, public health, public safety or the protection of the environment;
- (c) in the case of information given to a constable, the purposes of the police in connection with these Regulations, the relevant statutory provisions or any enactment whatsoever relating to working time, public health, public safety or the safety of the State.

(6) A person shall not disclose any information obtained by him as a result of the exercise of any power conferred by paragraph 2 of this Schedule (including in particular any information with respect to any trade secret obtained by him in any premises entered by him by virtue of any such power) except—

- (a) for the purposes of his functions;
- (b) for the purposes of any legal proceedings; or
- (c) with the relevant consent.

In this sub-paragraph “the relevant consent” means the consent of the person who furnished it, and, in any other case, the consent of a person having responsibilities in relation to the premises where the information was obtained.

(7) Notwithstanding anything in the preceding sub-paragraph an inspector shall, in circumstances in which it is necessary to do so for the purpose of assisting in keeping persons (or the representatives of persons) employed at any premises adequately informed about matters affecting their health, safety and welfare or working time, give to such persons or their representatives the following descriptions of information, that is to say—

- (a) factual information obtained by him as mentioned in that sub-paragraph which relates to those premises or anything which was or is therein or was or is being done therein; and
- (b) information with respect to any action which he has taken or proposes to take in or in connection with those premises in the performance of his functions;

and, where an inspector does as aforesaid, he shall give the like information to the employer of the first-mentioned persons.

(8) Notwithstanding anything in sub-paragraph (6) above, a person who has obtained such information as is referred to in that sub-paragraph may furnish to a person who appears to him to be likely to be a party to any civil proceedings arising out of any accident, occurrence, situation or other matter, a written statement of the relevant facts observed by him in the course of exercising any of the powers referred to in that sub-paragraph.]

**Status:**

Point in time view as at 30/08/2013.

**Changes to legislation:**

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