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## **BMJ Careers**

### **Government reiterates goal of limiting impact of European Working Time Directive**

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The government has reiterated its commitment to limiting the application of the Working Time Directive in the NHS, after a review of the balance of power between the United Kingdom and the European Union.

The review of the “balance of competences” in the area of health<sup>[1]</sup> is one of 36 studies commissioned by the government to assess how EU legislation affects the UK. Evidence was provided by MPs, government departments, and the royal colleges.

A report of the review concludes that the current balance of power between the UK and the EU is “broadly appropriate.” But the report highlights concerns about certain pieces of EU legislation, such as the Working Time Directive and the rules on the free movement of professionals around Europe.

Respondents to the government’s consultation agreed that limits on working hours introduced in response to the directive have improved doctors’ work-life balance and increased patient safety. But they said that the 48 hour ceiling on the number of hours a week individuals can work has had a negative effect on continuity of care by increasing the handovers doctors have to do.

The Royal College of Physicians and Surgeons of Glasgow and the Association of Surgeons in Training said that the directive had also affected the training of junior doctors by reducing the experience they have by the time they attain consultant status. Other respondents, such as the Royal College of Physicians and the General Medical Council, highlighted problems caused by the lack of flexibility in the directive with respect to on-call time and compensatory rest. Nevertheless, the view among stakeholders was that the balance of competence with the EU on employment policy was right, and that current problems have been caused by Working Time Directive legislation rather than by the balance of powers themselves.

The government said that it was “concerned” about the issues raised over the directive in the NHS, and that it remained committed to limiting the application of the directive in the UK, as set out in the coalition’s plan for government in 2010.

The Department of Health is working with the Department for Business, Innovation and Skills to seek greater flexibility in the areas of on-call time and compensatory rest.

The department is also looking at the interaction between the directive and contractual mechanisms that affect doctors’ hours, such as limits in the junior doctor contract, and is undertaking a survey to gather junior doctors’ opinions of the directive.

The review of competencies in health also considered EU legislation that allows automatic recognition of qualifications for professionals who wish to move around Europe. Most respondents did not raise issues on the balance of competence on professional qualifications but raised some concerns over the legislation itself, in particular the minimum duration of training required for automatic recognition and the ban on language testing EU doctors.

### **References**

1. HM Government. Review of the balance of competences between the United Kingdom and the European Union: health. Jul 2013.

[www.gov.uk/government/consultations/review-of-the-balance-of-competences-health](http://www.gov.uk/government/consultations/review-of-the-balance-of-competences-health).

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Article in **The Telegraph**

By [Christopher Hope](#), Senior Political Correspondent

5:53PM BST 22 Jul 2013

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