

To: Clinical Directors in Radiology and Oncology  
Leads for Radiology  
Clinical Radiology Regional Chairs  
Clinical Oncology Heads of Service

19 March 2009

**European Working Time Directive (EWTD)  
For Information and urgent action:**

On 18<sup>th</sup> December 2008 the DH Director of NHS Workforce Capacity, Analysis and HR sent a letter to all SHA Chief Executives asking for clear plans to implement the EWTD by 1<sup>st</sup> August 2009.

This letter also outlined plans for the use of extra funding provided for implementation and evidence of cases requiring derogation by the 16<sup>th</sup> January. A second letter sent on the 12<sup>th</sup> February from the Directors of Workforce Planning, and Finance and Operations confirms the provision of extra funding.

In 2008-09 £110m was given to PCTs to support EWTD compliance and this will increase to £310m in 2009-10. A further PbR tariff uplift of £150m has been made available to support EWTD in NHS Trusts.

The letters direct funding planners to focus on sustainable plans for 24/7 specialties which are locally led and clinically driven where there are robust business cases.

Applications for derogation had to be made by 31<sup>st</sup> January 2009. It is important to note that there will be no possibility of derogation from rest break requirements. This will mean it is no longer possible to work a full weekend on call. Weekends will have to be split doubling the number of weekends that an individual will have to work.

Trainee compliance with EWTD will continue to be monitored by MMC.

Clinical Directors/Leads/Heads of Service along with their Medical Directors must make use of this money by making robust cases as soon as possible that it is required for EWTD compliance. David Nicholson has threatened to withdraw the extra £150m if it is not used for EWTD. If there is real evidence that there are problems and that money is not being released or used to solve real workforce issues then please contact us and we will pass those concerns on to Dr Mary Armitage at the Department who has offered to assist where she can.

Dr Tony Nicholson, Dean, Clinical Radiology  
Dr Jane Barrett, Dean, Clinical Oncology