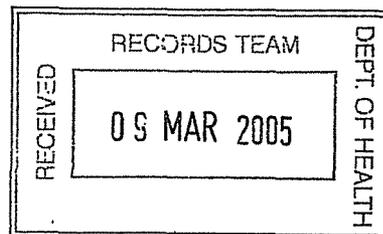


**FILE AWAY**

DG040232

Enquiries to: Jill Pflingst  
 Telephone: (07) 323 41177  
 Facsimile: (07) 323 41482

Mr Jim O'Dempsey  
 Chief Executive Officer  
 The Medical Board of Queensland  
 GPO Box 2438  
 BRISBANE QLD 4001



Dear Mr O'Dempsey

Thank you for your attendance at the meeting yesterday to discuss safe working hours for doctors.

As indicated, I strongly believe that this issue rests with The Medical Board of Queensland. This is in the context of the Board's consideration of the Doneman case where it was clear that a position on safe hours and fatigue were taken into account as a mitigating factor in an adverse clinical outcome. I am also aware of previous conversations that have involved The Medical Board where concerns have been expressed about long and unlimited working hours of private surgeons.

I have briefed the Minister and advised him that safe hours of work is not an industrial issue but is a professional standards issue. As such, I request that The Board consider accepting the role of developing, implementing and monitoring standards that relate to safe hours of work for doctors.

If considered appropriate, I am prepared to personally meet with Board members to discuss. I understand that if the above proposal is accepted that it may impact on The Board's workload. As stated yesterday, I would be prepared to contribute funding to employ a project officer to undertake whatever work maybe necessary.

Please do not hesitate to contact me if you require any additional information.

Yours sincerely

Dr Steve Buckland  
 Director-General

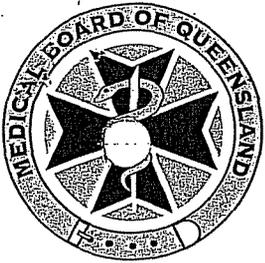
09/03/2005

Office  
 19<sup>th</sup> Floor  
 Queensland Health Building  
 147-163 Charlotte Street  
 BRISBANE QLD 4000

Postal  
 GPO Box 48  
 BRISBANE QLD 4001

Phone  
 (07) 323 41170

Fax  
 (07) 323 41482



# Medical Board of Queensland

ABN: 35 789 357 327

Telephone:

3234 0713

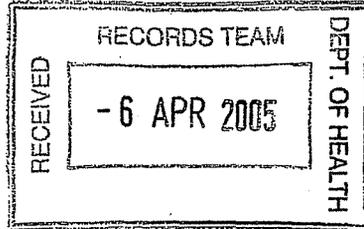
Our ref:

Our ref:

Your ref:

23 March 2005

Dr S Buckland  
Director General  
Queensland Health  
GPO Box 48  
BRISBANE QLD 4001



Dear Dr Buckland

Thank you for your correspondence of 9 March 2005 which was considered by the Board at its meeting of 22 March.

In considering your request, the Board noted that development, implementation and monitoring of a safe work hours standard was consistent both with its legislative functions and strategic direction.

In regard to the first of these matters, s.11(e) *Medical Practitioners Registration Act 2001* ('the Act') provides that the Board has the function to promote high standards of practice of the profession by registrants. More importantly, the Act also establishes that in performing its functions, the Board must act independently, impartially and in the public interest.

Given the complexity of the structure of the profession and the breadth of professional practice and employment settings, it is appropriate that the Board, as an independent statutory authority, establishes this standard as opposed to it being developed by any one employer, professional association or college. Consistent with its strategic direction, the Board will undertake this important activity through an extensive and inclusive consultation process.

The Board looks forward to your contribution during such consultation and to that from other key stakeholders in the private sector and from professional and consumer groups.

An indicative budget and timeline for this project has also been considered by the Board and is detailed in the enclosure. The Board is appreciative of your offer of funding support given its revenue is limited to fees generated through the registration process and it does not hold any significant reserves. As such, the Board seeks \$212,159 in funding.

Your advice on the process and timing of payment of such a non repayable grant would be appreciated. Should you or your officers require any further information or clarification please do not hesitate to contact Mr O'Dempsey on 3225 2512.

Yours sincerely

*[Signature]*  
for  
Dr Mary Cohn  
Chairperson, Medical Board of Queensland

**FILE AWAY**

DG 040355  
 DATE REC 29/03/05  
 ACKNOWLEDGEMENT   
 ACTION OFFICER DG   
 COPY TO .....  
 REPLY TO DG'S SIGNATURE   
 DUE BY: .....  
 ACTION DIRECT   
 BRIEF ALSO REQD  
 REFERS DG040232  
 NRR - FOR INFORMATION ONLY   
 SCANNED: .....

NOTED BY  
DG  
1/4/05

RECEIVED  
- 5 APR 2005  
BR 022053  
SEDRM

Please note: This is a read-only document, therefore, you must rename it upon saving



**MINISTERIAL  
BRIEFING**

Number BR022053  
AMENDED  
For Noting  
**DEADLINE** 04.04.05

*BRIEFING NOTE to be limited to two pages only. Where additional information is required, supporting schedules / attachments should be used*

**SUBJECT:**

Doctors' Hours and Senior Medical Officer Study and Conference Leave

**PURPOSE:**

To brief the Minister for a meeting on 5 April 2005 with representatives of the Queensland Public Sector Union (QPSU) on the issues of:

- Doctors' Hours, and
- Senior Medical Officer Study and Conference Leave.

**BACKGROUND:**

**Doctors' Hours**

The QPSU has recently written to the Minister regarding doctors' working hours, and the Union's corresponding campaign. This correspondence is at Attachment 1, and the response is at Attachment 2. The Union indicates willingness to work with Queensland Health in addressing the issue.

The Australian Medical Association of Queensland (AMAQ) has also recently been conducting an active media campaign on the issue of unsafe working hours for doctors within Queensland Health.

Queensland Health's current enterprise agreement committed the parties to review a range of issues around Senior Medical Officer (SMO) working hours.

**Senior Medical Officer Study and Conference Leave**

The study and conference leave provisions available to SMOs are an important tool in attracting and retaining a skilled medical workforce, and in advancing the Smart State philosophy in relation to health care provision.

However, processes in place around the entitlement have been a major irritant to medical staff. These include the requirement to use Queensland Health Travel Hubs for travel and accommodation bookings when utilising the entitlement. Medical staff contend that the processes involved create **'DOCTORS' HOURS AND SENIOR MEDICAL OFFICER STUDY AND CONFERENCE LEAVE'**

significant delays and frequently result in missing the most economical travel bookings. Issues also arise out of the requirement to stay at nominated venues, when conferences are located elsewhere.

The frustration with what should be an attractive benefit has been exacerbated by recent policy changes requiring Ministerial approval of overseas travel, which is seen as adding delay in accessing what is an industrial entitlement.

### **KEY ISSUES:**

#### **Doctors' Hours**

Safe hours for doctors is not an issue exclusively for the public sector, Medical Board of Queensland intends to develop, implement and monitor a safe work hours standard which would operate across both the public and private sectors of medical employment.

In order to maximise the possible benefits for Queensland Health, and its staff, in implementing an Alert Doctor Strategy, changes in work patterns will be required. This is likely to involve changes to employment conditions, such as introduction of shiftwork for Senior Medical Officers. Consequently, although the issue is not fundamentally an industrial one, it has industrial implications leading into the next round of enterprise bargaining.

Queensland Health has met its commitment to review elements of SMO working hours through a joint union/management survey process. This was managed through the Medical Workforce Forum, which is a joint union/management group.

Queensland Health has been developing an Alert Doctor Strategy to address the risk associated with medical officer fatigue in Queensland Health, and a Confidential Management Discussion Paper is currently being finalised. This is the strategy referred to in correspondence with the QPSU. Whilst development work is not yet finalised, and a Departmental position is not yet endorsed, it is proposed that such a strategy would include elements relating to identification and control of risks, education of doctors and managers, development of policies and guidelines, strategies to address working pattern problems, and a communication strategy.

#### **Senior Medical Officer Study and Conference Leave**

Queensland Health's strategy for the medical workforce, going into enterprise bargaining, is to re-examine a range of entitlements and their application, in order to best position the Department as an employer of choice. This involves looking at the totality of available incentives, and negotiating an attractive total mix. An extensive paper analysing the options available to Queensland Health in determining its medical officer employment package, and its corresponding enterprise bargaining strategy, will be submitted for consideration before the end of April.

Queensland Health has verified, through a range of consultation processes, that SMOs' perceive this entitlement as being compromised. In a time of medical workforce shortages, such a perception places Queensland Health at a disadvantage in attracting and retaining medical staff.

Through the Medical Workforce Forum, and in anticipation of the next round of enterprise bargaining, "without prejudice" discussions have been occurring as to how Queensland Health could improve the perception of this entitlement.

### **'DOCTORS' HOURS AND SENIOR MEDICAL OFFICER STUDY AND CONFERENCE LEAVE'**

**MEDIA IMPLICATIONS:**

The issue of safe doctors' hours is currently regularly in the media due to the AMAQ campaign. Medical officer entitlements and remuneration generally have also been highlighted in the media, especially due to the anaesthetists' dispute late last year. Both issues are likely to be highlighted by unions in the lead up to enterprise bargaining.

***Key Messages:***

A co-operative, problem-solving approach from the QPSU over these issues is welcomed by Queensland Health.

Considerable work has been done by the Department on both issues, and Queensland Health is committed to working towards mutually beneficial solutions.

The enterprise bargaining process, which is about to begin, will consider a range of issues of interest to the medical workforce, and Queensland Health looks forward to constructive discussions with the QPSU on these issues.

**IS THIS IN ACCORDANCE WITH ANY COMMITMENTS / INITIATIVES:**

The review of elements of SMO working hours is a commitment of the current enterprise agreement.

**RECOMMENDATION:**

It is recommended that the Minister note this briefing.

**ATTACHMENTS:**

Attachment 1. Letter dated 18 February 2005 from the QPSU regarding doctors' working hours.  
Attachment 2. Response from the Minister for Health.

**MEDIA RELEASE: (Optional)**

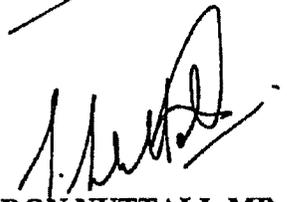
YES       NO

**COMMUNICATION STRATEGY / SPEECH: (Optional)**

ATTACHED       NOT ATTACHED

**COMMENTS:**

*Noted*



**GORDON NUTTALL MP**  
**Minister for Health**  
**Member for Sandgate**

*5/4/05*

Document1

  
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**'DOCTORS' HOURS AND SENIOR MEDICAL OFFICER STUDY AND CONFERENCE  
LEAVE'**

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Cleared by: (Must be Senior Exec Director /  
Manager)  
Bill Stewart  
A/Senior Executive Director  
Resource Management  
3234 1685

Cleared by:  
Bronwyn Nardi  
A/Executive Director  
Human Resources and Corporate Services  
Branch  
3234 1080

Date: .....

Date: .....

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*(Please include Contact Officer details below)*

Prepared by: Anne Crossland  
Unit: Corporate HR/IR Policy and Strategy Centre  
Contact No: 3234 0355

**RECOMMENDATION:**

**BRIEFING**

Noted: .....

**COMMENTS:**

**GORDON NUTTALL MP**  
**Minister for Health**  
**Member for Sandgate**

/ /

Document1

**'DOCTORS' HOURS AND SENIOR MEDICAL OFFICER STUDY AND CONFERENCE  
LEAVE'**

  
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MI 126686  
DATE REC ESU: 22/3/05



**MINISTERIAL**

OPTION: \_\_\_\_\_  
ACTION OFFICER: SED/m

REPLY FOR MINISTERS SIGNATURE \_\_\_\_\_  
DUE BY: 15/3/05

Queensland Public Sector Union  
135

The Honourable Gordon Nuttall  
Health Minister  
GPO Box 48  
Brisbane, Qld 4001  
February 18, 2005

BRIEF ALSO REQD

REFERS MI: \_\_\_\_\_

NRN - FOR INFORMATION ONLY

SCANNED: 23/2/05

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on QHERS  
copy: SED/H/S  
for information

Dear Minister,

I am writing to you regarding a campaign that is being launched by the Queensland Public Sector Union to stop doctors in Queensland Health from working unsafe hours.

Delegates and members have asked us to run this campaign to deal with ongoing problems related to the hours of work that doctors are often required to work.

A/DC/HR/PSU  
Please prepare a response  
24/2/05

The campaign has three objectives. Firstly, we have set up a hotline for doctors to report incidences of unsafe hours. We will be using provisions in the current Enterprise Bargaining Agreement to report this to Queensland Health and seek management solutions. Our objective is to gather real facts and have a sensible discussion with Queensland Health. This would be greatly assisted if Queensland Health assigns an officer to liaise with the QPSU. While we will announce the launch of this campaign via the media our intention is to deal directly with the department to resolve any issues reported.

Secondly we are attempting to educate doctors about their rights under the current awards and agreements. We believe that many problems could be avoided if members understand their rights and advocate for them to be respected.

Finally, we are asking members to lobby the government to introduce legislation that specifies safe working hours for doctors who work for Queensland Health and applies penalties to manager who breach this legislation.

Suzanne  
Please discuss our response  
Greg  
24/2/05

Our members understand that the unsafe hours that are worked are often the result of a shortage of medical officers. We would be supportive of any pressure that the Queensland Government would put on the Federal Government to address the shortage of medical officers.

I would be willing to meet to discuss the issues this campaign is attempting to address in more detail.

Yours Sincerely,

Alex Scott  
General Secretary

**RECEIVED**  
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23 FEB 2005  
OFFICE OF EXECUTIVE DIRECTOR, HRCSE

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OFFICE OF THE MINISTER FOR HEALTH			
Acknowledge	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Prepare Reply	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
URGENT	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Prepare Brief	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Other:			
Cameron Milliner Adviser Date FEB 2005			

MI126686

Mr Alex Scott  
General Secretary  
Queensland Public Sector Union  
PO Box 15175  
City East Qld 4002

Dear Mr Scott

Thank you for your letter dated 18 February 2005, regarding your Union's campaign to stop doctors in Queensland Health from working unsafe hours.

Queensland Health is committed to ensuring that its workplaces are safe, as are the medical staff in those workplaces. Any workplace controls that Queensland Health puts in place will not by themselves address any intolerable risks that might exist. The responsibility for safety is shared, as it also requires employees to be safe when they present for work.

As you already know the issue is quite complex, particularly as it involves medical staff. Given this complexity, Queensland Health has for a number of months been researching and developing a comprehensive strategy that is aimed at having alert doctors provide public health services. It is anticipated that by the end of April, Queensland Health will have a firm position in relation to this matter and will be able to provide you with further details.

In the interim, I can confirm that this strategy will be comprehensive and integrated across Queensland Health.

Queensland Health will also be requesting unions and the Australian Medical Association of Queensland to work pro-actively with Queensland Health to implement the strategy. The strategy will also incorporate a key point of contact for unions who wish to raise related issues.

Queensland Health does support involving the Medical Registration Board of Queensland in any process to address this problem. However, any Board or legislative action must go broader than just Queensland Health, as inappropriate practices in the private sector contribute to the problems being experienced in the public sector.

In relation to the shortage of medical officers, Queensland Health is supporting the Commonwealth in creating additional medical undergraduate places. This approach has its own challenges as greater numbers of graduating doctors will require additional support and education in the workplace from more senior doctors. Therefore, it is imperative that Queensland Health balance the need for more medical graduates with the ability to train those graduates.

Should you have any queries regarding my advice to you, Susanne Le Boutilier, Team Leader, Corporate HR/IR Policy and Strategy Centre, will be pleased to assist you and can be contacted on telephone number 323 40059.

Yours sincerely

**GORDON NUTTALL MP**  
**Minister for Health**  
**Member for Sandgate**