



Department
of Health

*From the Rt Hon Jeremy Hunt MP
Secretary of State for Health*

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Dr. Johann Malawana
Chair of Junior Doctors' Committee
British Medical Association
BMA House
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17 NOV 2015

Dear Johann,

As you prepare your plans for unprecedented strike action, I wanted to reiterate my appeal to you to come back to the table for talks about the new contract for junior doctors, and to restate the assurances I have given you. I remain firmly of the view that a strike by junior doctors is entirely avoidable and we should both do all we can to avert any action that risks harm to the patients we serve.

You have talked repeatedly about the government holding numerous "preconditions" which prevent the British Medical Association from returning to negotiations. As I have made clear, including in our meeting following your election to lead the Junior Doctors' Committee in September, and in public statements, there are no preconditions to talks whatsoever. We are prepared to negotiate about anything within the current pay envelope – but I am sure you understand that we have to reserve the right to make changes to contracts if there is no progress on one of the issues preventing a truly 7 day NHS, as promised in our manifesto and endorsed by the British people at the last election. Not only is a 7 day NHS a mission for this government, it is, as Professor Sir Bruce Keogh has said, a moral and clinical cause shared by those who work in our NHS – and I believe it is a cause that your members share.

I repeat our guarantees that no junior doctor working within legal limits will see their pay cut and that none will be required to work longer hours – in fact, to improve doctors' working conditions we are reducing the maximum number of hours that can be worked in any one week.

I continue to believe this is a mission on which we can work together, including by negotiating a new contract which is fairer for doctors as well as safer for patients.

The BMA rightly scrutinises the contents of all new contract proposals on behalf of its members, but we are now nearly three years into this process and I do believe we need to move forward, together. While there is already both public and professional concern that the JDC is proposing the withdrawal of labour by half the hospital medical workforce, I do not think that such action is inevitable.

As I have said publicly and privately, including in four letters to you over the last seven weeks, I would be very happy to restart discussions as soon as the BMA wishes to do so. We have set out a clear, positive offer as the basis for these discussions, as I made clear when NHS Employers published the offer earlier this month. This offer is informed by the 22 recommendations of the independent DDRB, which I said needed to provide the basis for talks but which of course leave further scope for negotiation. There are not 22 pre-conditions. As you know many of the recommendations will be welcomed by juniors and were provisionally agreed by Junior Doctor negotiators. It is not unreasonable after three years to need to move forward to a new contract without the threat of a BMA veto.

I know from my own direct conversations with trainee doctors that we need to engage on these important issues if we are to improve working patterns and patient care, including Saturday pay rates, safe hours limits, support for medical researchers, flexible work allowances and improvements to training, and I remain happy to talk to you. I am also aware from my conversations that there is a broader set of issues, built up over a longer period of time, which have contributed to low morale among junior doctors – such as MTAS and the ongoing inadequacy of training in some specialties. Once again, I am very happy to work together to address these.

NHS Employers and the BMA agreed nearly three years ago that the status quo was not an option. The current contract does not fairly reward staff or protect patients. Therefore I urge you once again to return to negotiations and help us to deliver a solution which works for all parties.

A handwritten signature in blue ink, appearing to read 'J Hunt', is written above the printed name.

JEREMY HUNT