

Rt. Hon. Jeremy Hunt MP  
Secretary of State for Health  
Richmond House  
Whitehall  
London



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Dear Secretary of State

I enclose a copy of the letter I sent to Mark Porter and Johann Malawana yesterday. This outlines the much improved offer that was made at a meeting at Tavistock House earlier in the day which was also attended by Clare Panniker and Danny Mortimer. Before making this offer Clare and I consulted with the senior reference group who have been assisting us since early January and also a wider group of senior leaders in the NHS in England: all of whom agree it to be fair and reasonable for doctors in training and for the service.

The offer provides an improved position on the substantive issues that had not been agreed when talks under the auspices of ACAS concluded on the evening of 29 January and represents a contract that is safer for patients and fairer for doctors than the current contract.

Intermittent negotiations have been ongoing since 2012. There has been substantial progress since the end of last year and all significant issues associated with safety and training had largely been addressed before Christmas. Despite the most recent progress and substantial agreement on many elements of the contract, the BMA has refused to compromise on its insistence that the whole of Saturday must be paid at a premium rate. In contrast Employers' position has moved several times, on each occasion offering more hours attracting premium pay. Regardless of these changes no agreement has been possible. It became clear that the only way to move forward was to make a 'best and final' proposal in the hope that this would lead to settlement.

Yesterday I asked the BMA to respond to my letter by 3pm today confirming that they would unequivocally recommend this offer to the JDC meeting on 20<sup>th</sup> February or I would otherwise have no alternative but to conclude that there was no realistic prospect of a negotiated outcome. Regrettably no such assurances have been received.

Everyone's first preference has always been for a negotiated outcome. Unfortunately this no longer seems possible. Following consultation with Chief Executives and other leaders in the service, it is clear that the NHS needs certainty on this contract and that a continuation of a dispute, with a stalemate and without any clear ending, would be harmful to service continuity, with adverse consequences to patients. On this basis I therefore advise the government to do whatever it deems necessary to end uncertainty for the service and to make sure that a new contract is in place which is as close as possible to the final position put forward to the BMA yesterday. I can confirm that this position is supported by both the NHS Confederation and NHS Providers, together with support from Chief Executives across the country, and their names are supplied.

Throughout the discussions between NHS Employers and the BMA both parties have maintained that a settlement should protect the safety and welfare of doctors in training and enable a safe and effective service for the NHS. Both parties have acknowledged that there are underlying issues which, over a number of years, have created the conditions for doctors in

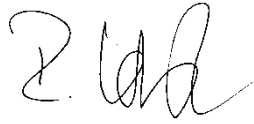
training to feel a high level of discontent. I wish to confirm my recommendation to you that an urgent Review of these long standing concerns should be established which can make meaningful recommendations to improve the welfare and morale of trainees. The conduct of this independent review, to be commissioned by the Academy of Medical Royal Colleges, Health Education England and NHS Employers, must also ensure that the voices of junior doctors are directly and personally heard.

Yours sincerely


A handwritten signature in black ink, appearing to read 'Sir David Dalton', with a horizontal line drawn underneath the signature.

**Sir David Dalton**  
**Chief Executive**  
**Salford Royal NHS Foundation Trust**

The following Chief Executives have confirmed that the best and final position of NHS Employers is considered 'fair and reasonable'. They also confirm that the NHS needs certainty on the Junior Doctors' contract and that a continuation of the dispute, with a stalemate and without clear ending, would be harmful to service continuity, with adverse consequences to patients.



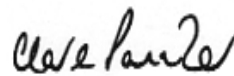
**Rob Webster**  
Chief Executive  
NHS Confederation

**Chris Hopson**  
Chief Executive  
NHS Providers




**Daniel Mortimer**  
Chief Executive  
NHS Employers

**Clare Panniker**  
Chief Executive  
**Basildon & Thurrock University Hospitals**  
NHS Foundation Trust

Basildon and Thurrock University Hospitals   
NHS Foundation Trust

Name	Trust
Sir David Dalton	Salford Royal NHS Foundation Trust
Clare Panniker	Basildon & Thurrock University Hospitals NHS FT
Claire Murdoch	Central & North West London NHS FT
Susan Acott	Dartford & Gravesham NHS FT
Sir Andrew Cash	Sheffield Teaching Hospitals NHS FT
Andrew Foster	Wrightington, Wigan & Leigh NHS FT
John Adler	University Hospitals of Leicester NHS Trust
Peter Miller	Leicestershire Partnership NHS Trust
Sheena Cumiskey	Cheshire & Wirral Partnership NHS FT
Joe Harrison	Milton Keynes NHS FT
Peter Homa	Nottingham University Hospitals NHS Trust
David Sloman	Royal Free London NHS FT
Sir Leonard Fenwick	The Newcastle Upon Tyne NHS FT
Robert Woolley	University Hospitals Bristol NHS FT
James Scott	Royal United Hospitals Bath NHS FT
Heather Tierney-Moore	Lancashire Care NHS FT
Miles Scott	St George's University Hospitals NHS Trust
Stephen Dunn	West Suffolk NHS FT
Matthew Kershaw	East Kent Hospitals University NHS FT
David Loughton	Royal Wolverhampton NHS Trust