Study Leave / Professional Leave Policy for Consultants and SAS Doctors Policy

**Study Leave / Professional leave Policy for Consultants and SAS Doctors**

**1.         Quick Reference Guide**

This policy sets out a process for the requesting and the subsequent granting of Study and Professional Leave entitlement for Consultants and SAS Doctors. It seeks to ensure that consistent processes are maintained across the Trust for the taking of such leave.

**2.         Introduction**

2.1       This policy sets out Salisbury NHS Foundation Trust’s processes governing the requesting of study and professional leave for Consultants, as well as other senior doctors including Associate Specialists, Specialty Doctors and Specialist grade doctors, referred to in the document collectively as SAS doctors.

2.2       The policy aims to provide a robust framework and associated guidance to support consistent decision making across the organisation in relation to the requesting of such leave, thereby supporting both leave requesters and Trust decision makers.

**Version Details**

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| --- | --- | --- | --- |
| **Version No.** | **Updated by** | **Updated on** | **Description of changes** |
| 1 |  Deputy Director of OD & PeopleDeputy Medical Director   | October 2022 | New policy created from the combination of existing study and professional leave documents. |
|   |   |  24th November 2022 | Approved By JLNC  |
|   |   |  14th February 2023 |  Ratified by OD&P Board |

**3**.         **Purpose**

3.1       The Trust attaches great importance to the continuing education and training of its professional staff and fully appreciates that professional training and medical excellence are inextricably linked. The purpose of this document is to provide guidance on Trust processes for applying for and receiving approval of study and professional leave for Consultant and SAS Doctors.

3.2       This policy fulfils the contractual obligation provided by the Terms and Conditions of Service – Consultants (England) 2003 Handbook and the 2008 Specialty Doctor and Associate Specialist Contract and the 2021 SAS contract and will help ensure that Consultants and SAS doctors are able to maintain their personal competence and meet the requirements of medical revalidation. Where these Terms and Conditions are referenced in this policy, they refer to all these senior medical staff groups unless specifically stated.

3.3       This policy and the monetary allowances associated with these processes will be reviewed annually by management and the Joint Local Negotiating Committee (JLNC) for implementation with effect from 1st April each year.

**4.         Scope**

4.1       This policy applies to all Consultants and SAS Doctors employed by Salisbury NHS Foundation Trust. Employment includes full time, part time and fixed term workers.

**5.         Definitions**

5.1       For the purposes of this policy the term **Study Leave will be used to describe both professional and study leave** as defined in the National Terms and Conditions of Service (2003). This includes:

* Study, usually but not exclusively, on a course or programme
* Research
* Teaching
* Taking examinations
* Visiting clinics and attending professional conferences
* Training

5.2       In line with National Terms and Conditions Consultants and SAS Doctors should receive study leave up to a maximum of 30 days over a 3-year period and professional leave up to 5 days at discretion.

5.3       For the purpose of this policy the term manager is used to describe the Trust employee responsible for making a decision linked to a request for professional leave.  The actual job title of this manager may vary in accordance with the individual leave request and include posts such as the Medical Director, the Lead Clinician, a Clinical Director, or a Directorate Manager in exceptional circumstances.

**6.         Policy Statements**

6.1       This policy applies to study leave taken by Consultants and SAS Doctors for the purposes of:

* Continuing professional development (CPD)
* Completion of activities not already included within the Supporting Professional Activities (SPA) allowance agreed as part of the Consultant or SAS Doctors job plan.

6.2       Such study leave is discretionary and may be granted by the Trust to allow an individual to undertake external duties on behalf of the Trust or the wider NHS.

6.3       The Trust recommends that no more than 10 days study leave is taken in any one year. In exceptional circumstances and with the agreement of the Medical Director up to 5 days of leave may be brought forward from the subsequent year’s allowance.

6.4       It is expected that the individual will minimise the impact of any study leave absence on direct clinical care. Such leave will only be granted where service impact can be managed effectively, and the Trust considers the purpose of the leave to be of importance to the Trust or the wider NHS.

6.5       When granting study leave, priority should be given to ensuring that colleagues are not prevented from taking annual leave or essential study leave. In exceptional circumstances, where approval of study leave has been granted a significant period in advance, such approval may need to be withdrawn to meet with this above requirement. Such a process could occur following discussion between the individual, Lead Clinician, the Divisional Clinical Director and if necessary, the Medical Director.

6.6       To meet the needs of enhanced appraisal for revalidation most study leave will reflect development needs identified in personal development plans (PDPs). Trust strategic priorities and clinical developments that emerge over a year which require a doctor to undertake further training and skill development should be added to the PDP during the course of the year.

6.7       However some doctors will have their work accepted for presentation or be invited to speak at symposia and these may not necessarily reflect in their PDP.  Study leave to attend such meetings may be supported through discussion with the Divisional Clinical Director.

6.8       In addition there are some circumstances where the Trust may require and therefore direct an individual to undertake further study and development. For example:

* Urgent remedial action for an individual linked to professional capability
* Specific organisational or clinical skill development for an individual or team (eg. Enhanced Recovery Programme)
* Specific managerial skill development (eg. High level Leadership skills, Service Line Management, Negotiating Skills)

The Trust has an obligation to support such requirements.

6.9       Individuals considering application to and acceptance of a significant external position (eg. Regional Training Adviser, CCG role etc.) must discuss the time implications associated with the role and the potential impact of this on the Trust, with the Clinical/Medical Director prior to accepting the role. Support for the Consultant’s / SAS Doctors clinical team must be considered in this process.

6.10     Approval for such external activity will be reviewed on an annual basis by the Divisional Clinical Director who will support the Lead Clinician in ensuring that opportunities to participation in approved external activity are rotated throughout the specialty as appropriate.

6.11     Funded work (with reimbursement to the Trust) will be considered on an individual basis.

6.12     Where an individual is attending Court as an Expert Witness and this is not on behalf of the Trust, annual or unpaid leave must be requested.

6.13     Individuals are not normally expected to claim expenses from the Trust for participation in professional or external NHS duties (as defined in the National Terms and Conditions of Service). Expenses for such activities would normally be claimed from the relevant external body/organisation.

6.14     Examples of paid study leave without expenses which have been agreed by the Trust are detailed below. Please note this is not an exhaustive list.

* Duties as an officer, committee member or member of a working party of a Royal College, Faculty, Professional or Scientific Society or NICE.
* Examining for Royal College, University, or other body
* Attendance as a College Assessor at an Advisory Appointments Committee inside/outside Region.
* Attendance at officially constituted bodies giving advice to the Department of Health.
* Duties as a member of a Mental Health Act Commission.
* Duties as a member of a Medical Defence Society.
* Attendance at British or International Standards Committees.
* Duties as a member of the Medical Research Council.
* Membership of Editorial Board of a Scientific Journal.
* Clinical Trials Working Party (should be taken as annual leave if remunerated by external body)
* Duties in relation to postgraduate educational activities outside the Trust.
* Lecturing outside Region.
* Visits to hospitals outside the Region for the purpose of assessing training facilities.
* Attendance at Regional Service Committees, AdHoc Groups etc.
* In connection with responsibilities as Regional Educational Adviser.
* Attendance at External Appointments Committees for Medical Staff outside Salisbury NHS Foundation Trust.
* Attendance at external appeals committee.
* One off delivery of undergraduate or postgraduate lectures within the Region.

6.15     Leave for Trade Union duties are not to be counted as study leave. Further information linked to this can be found in the Trust’s *Recognition Agreement for Negotiation & Consultation with Trade Unions & Associations* available on Microguide.

6.16     Leave that does not fall into any of the above categories and therefore by definition is difficult to define must be discussed and agreed with the Divisional Clinical Director with referral to the Medical Director as required.

6.17     The following activities are regarded as official duties and therefore the requesting of study leave is not necessary:

* Consultant to consultant meetings related to patient care
* Meetings with local commissioners.
* Local service delivery and improvement meetings.
* Specialist Network Meetings eg. Cancer, Cardiology
* In House mandatory training (see mandatory training matrix on the intranet).
* Attendance at a Coroner’s inquest or court if required by the Trust
* Meetings in connection with management of patients across Trust boundaries.

6.18    The Trust has formal agreements to deliver teaching and examining activity, such activity must be reflected in the annual job plan and do not constitue study leave

6.19   Where work is undertaken for another employer, total study leave allocation should be divided proportionately between the two employers.

**7.         Calculation of Used Study Leave**

7.1       The study leave year commences on 1st April.

7.2       Study leave days are counted when travelling to and in attendance at study leave activities. If a study leave day falls on a day where a doctor would not routinely work, for example if the doctor is part time, if the study leave day is at a weekend, or if the rota includes non-working days, time off in lieu will be given.

7.3       Study leave is granted in full or half days, regardless of how many programmed activities are normally worked during that day.

7.4       Attendance at meetings outside of the United Kingdom (UK) is discretionary. However, approval for such events would normally only be granted if equivalent and suitable UK training is not available. International travel costs would only be reimbursed by exception only and with prior approval.

7.5       The Trust will not normally grant study leave to attend events where CPD accreditation is less than 4 hours per day. Study leave requests to attend such events must be discussed with the Divisional Clinical Director and authorised by the Medical Director.

**8.         Part-time employees**

8.1       Entitlement to Study leave will be applied to part time employees as follows:

|  |  |
| --- | --- |
| Number of Contracted PA’S | Study Leave entitlement |
| 7-10 | 30 days over 3 years/10 days per year |
| 5-7 | 24 days over 3 years/8 days per year |
| Less than 5 | 18 days over 3 years/6 days per year |

Where employees change their number of contracted PAs during the 3-year period, study leave should be reallocated based on annual entitlement figures prior to and after the contract change and confirmed with the employee at the same time as agreeing their new job plan.

**9.         Locums**

9.1       Long term NHS employed locums who have been in post with the Trust for a period exceeding 3 months, will be entitled to apply for paid study leave. This will be assessed by the Clinical Director on an individual basis.

Locums in post with the Trust for less than 3 months will be expected to take unpaid leave to attend study events and will be asked to fund the cost of the event and any expenses.

**10.       Staff retiring and returning**

  10.1       Doctors that choose to retire from their substantive contract with the Trust and return on a new contract will receive   a pro-rata amount of study leave based on the duration of their new contract. eg. Consultants returning on a one   year contract will be entitled to receive up to 10 days study leave, depending on their PA commitment upon return.

  10.2      Any allowance granted may be subject to repayment if the Doctor leaves their post prior to their expected contract   end date. Repayment arrangements would be discussed and agreed on a case-by-case basis by the Medical   Director at the time of approving any additional allowance.

**11.       Evaluation of Study Leave Activities**

  11.1     Consultants and SAS doctors who attend approved study leave activities will be expected to complete an evaluation of the event.

  11.2   It is important for such learning to be shared with colleagues and the wider team when back in the Trust.  Confirmation that the Consultant/SAS doctor has attended the event and shared the learning may be sought from the Lead Clinician before any further study leave is granted.

**12.       Study Leave Funding**

   12.1    Funding of study leave expenses will not normally exceed £2500 over a 3-year period. A record of the expenditure for each  Consultant/SAS doctor will be held by the relevant Division, reduced, as per the table below, for less than 10 PA’s

|  |  |
| --- | --- |
| Number of Contracted PA’S | Study Leave expenses |
| 7-10 | £2500 |
| 5-7 | £2000 |
| Less than 5 | £1500 |

   12.2     If in exceptional circumstances a Consultant or SAS doctor requires a larger sum, then the individual should discuss this with the Clinical and if necessary Medical Directors. Any decision will consider the needs of the individual, the needs of the service and overall departmental expenditure.

   12.3     Additional expenditure above £2500 over a 3-year period (or the pro rata amount for part time employees) may be funded by bringing forward the Consultant/SAS doctors’ allowance for future years or through self-funding.

   12.4     If a clinical team wishes to pool their study leave allowance, the total amount of study leave funding for that year may be calculated and used as a set budget for the team / department.

12.5     Funding will not be carried over from one financial year to the next.

**13.       Requesting Study Leave**

  13.1     All study leave requests must be submitted to the Divisional Clinical Director or nominated deputy at least six weeksin advance of the proposed activity. (See Appendix A for study leave request form). No study leave will be approved or funded retrospectively.

  13.2     The study leave form should be accompanied by details of the course or activity and if relevant a copy of the individual’s personal development plan from the last appraisal.

  13.3     If the leave is approved the requesting applicant will be notified by email. The approved request form should then be forwarded to medical HR and Finance by the applicant.

  13.4     If the Divisional Clinical Director feels unable to approve the request it should be forwarded to the Medical Director for further discussion.

  13.5     Clinical sessions should not be cancelled until the request has been approved, and any cancellations must have a minimum of 6 weeks’ notice. The course or activity may be provisionally booked or reserved until the leave is approved.

  13.6     When the leave is approved, and agreement to cover study leave expenses is granted the requesting individual may either:

(a) Pay for the course fees and travel expenses and apply for reimbursement at a later date.

 (b) Send the course application form to Finance for the funds to be raised. This is the more-cost effective route for the Trust given that the course VAT can be reclaimed

  13.7     After attending the course, a completed expense claim form with original receipts for travel (within the UK) and subsistence must be submitted within three months of the event to medical HR who will check against the original form and forward to finance for payment

  13.8     Medical HR will keep a record of study leave granted and expenses reimbursed, and this information will be sent to the Clinical Directors and Medical Director on a quarterly basis. Expenses paid will be verified with Finance

  13.9     The Division Management Team should also keep a record of granted study leave.

13.10     If a Consultant or SAS doctor is aggrieved in relation to the application of this policy then a grievance can be raised via the Trust’s Grievance Policy.

**14.       Roles and Responsibilities**

**14.1     Medical Director**

* Overall review and monitoring of this policy within agreed timescales.
* Final decision maker to either approve or not approve study leave requests where there is disagreement between the applicant and their Divisional Clinical Director.

**14.2         Divisional Clinical Director**

* Responsible for assessing and agreeing study leave requests and ensuring that such requests are linked to personal development plans.
* Ensuring that study leave requests fall within the scope of this policy
* Ensuring that study leave arrangements are discussed with the Divisional Director of Operations to confirm that the absence can be covered, and that activity can be scheduled appropriately
* Must ensure that budget is available to provide cover, where additional costs may be incurred.
* Authorise or refuse any appropriately submitted request for study leave as soon as possible, usually within 10 working days, and confirm this to the requester by e-mail.
* Keep a record of all agreed study leave.

**14.3     Lead Clinician**

* Confirm that the learning from the study leave event has been shared with the wider team

**14.4     Divisional Director of Operations**

* In conjunction with the Divisional Clinical Director agree that absence can be covered, and that activity can be scheduled appropriately

**14.5     Medical HR**

* Check, record and file a copy of study leave forms
* Receive reimbursement claim forms and check against the original application. Forward such forms to the Finance department for payment
* Keep a record of study leave granted and expenses reimbursed
* With the help of the Finance department send a record of study leave granted and expenses reimbursed to Divisional Clinical Directors and the Medical Director on a quarterly basis

**14.6     Consultants/SAS Doctors**

* Ensuring that all study leave requests are only for activities either in a personal development plan or necessary for the development of the service.

**15.       Monitoring Compliance with and the Effectiveness of this Policy**

This policy will be reviewed by the Deputy Director of OD & People on an annual basis to ensure compliance with employment legislation.

This policy will be reviewed by the Deputy Director of OD & People at least every 3 years to ensure compliance with employment legislation.

**16.       Equality Impact Assessment for Policies**

Salisbury NHS Foundation Trust aims to design and implement services and policies that meet the diverse needs of its services, population, and workforce, ensuring that none are placed at a disadvantage over others

*This document has been assessed against the Trust’s Equality Impact Assessment Tool which was presented to the ratifying committee.*

**17.       Appendices**

Appendix 1 – Study Leave Application / Claim form -

[https://mg.salisbury.nhs.uk/media/3484/study-leave-claim-form.doc](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fmg.salisbury.nhs.uk%2Fmedia%2F3484%2Fstudy-leave-claim-form.doc&data=05%7C01%7Cclaire.grover2%40nhs.net%7Ced5657aee9c04c03f81f08db4be43a44%7C37c354b285b047f5b22207b48d774ee3%7C0%7C0%7C638187215817898499%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=gMgDEJI1ukr5HnLlVDw%2BkBx5a2Opu%2FPBFZjTn%2FarvmI%3D&reserved=0)

Appendix 2 - Professional Leave Application form -

[https://mg.salisbury.nhs.uk/media/3483/professional-leave-policy-appendix-a.doc](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fmg.salisbury.nhs.uk%2Fmedia%2F3483%2Fprofessional-leave-policy-appendix-a.doc&data=05%7C01%7Cclaire.grover2%40nhs.net%7Ced5657aee9c04c03f81f08db4be43a44%7C37c354b285b047f5b22207b48d774ee3%7C0%7C0%7C638187215817898499%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=5%2Bu5SHC51XdCaT3dsjuEGUc%2BBxq4c26wvYmjN9TfTds%3D&reserved=0)

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| --- | --- |
| **Post Holder /Author Responsible for Policy:** | Deputy Director of OD & People |
| **Date Written:** | October 2022 |
| **Approved By:** |   |
| **Ratified by:** |   |
| **Next Due for Review:** | October 2025 |