Study Leave/Professional Leave for Consultants and SAS Doctors

<table>
<thead>
<tr>
<th>Reference Number:</th>
<th>141</th>
</tr>
</thead>
<tbody>
<tr>
<td>Author &amp; Title:</td>
<td>Sue Davis Head of HR</td>
</tr>
<tr>
<td>Responsible Director:</td>
<td>Claire Buchanan HR Director</td>
</tr>
<tr>
<td>Review Date:</td>
<td>18 July 2019</td>
</tr>
<tr>
<td>Ratified by:</td>
<td>Joint Local Negotiating Committee</td>
</tr>
<tr>
<td>Date Ratified:</td>
<td>18 July 2016</td>
</tr>
<tr>
<td>Version:</td>
<td>4.0</td>
</tr>
</tbody>
</table>

Related Policies and Guidelines

- Consultant Job Planning Policy
- SAS Doctor Job Planning Policy
- Medical Appraisal Policy
- Expenses Policy
- Mandatory Training Policy
- Grievance Policy
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Amendment History

<table>
<thead>
<tr>
<th>Issue</th>
<th>Status</th>
<th>Date</th>
<th>Reason for Change</th>
<th>Authorised</th>
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<tbody>
<tr>
<td>3.0</td>
<td>Approved</td>
<td>February 2012</td>
<td>New Policy</td>
<td>Strategic Workforce Committee</td>
</tr>
<tr>
<td>4.0</td>
<td>Approved</td>
<td>July 2016</td>
<td>3 year review and update</td>
<td>Joint Local Negotiating Committee</td>
</tr>
</tbody>
</table>
1. Policy Summary

The Trust attaches the greatest importance to the continuing education and training of its professional staff and values education as an integral part of delivering excellent care.

The purpose of this policy is to provide guidance for Consultants and SAS Doctors within the Royal United Hospital, Bath NHS Trust about the requirements and processes applying to study/professional leave.

This policy applies to all Consultants and SAS doctors employed by the Royal United Hospitals Bath NHS Foundation Trust. Employment includes both part time and fixed term workers.

2. Policy Statements

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.

It ensures that the arrangements for approving study/professional leave covered by the policy are clearly outlined, are efficient, timely, transparent and non-discriminatory.

The policy will ensure that Consultants and SAS doctors are able to maintain their personal competence and meet the requirements of medical revalidation.

The policy will ensure that an efficient procedure is in place to enable Consultants and SAS Doctors to apply for and receive approval for study/professional leave in a timely manner.

The policy will ensure that the Trust’s patients and their needs are at the forefront of decision making about doctors absence from work.

The policy will support the achievement of the Trust’s Equality Strategy and Policy which provides that no employee shall receive less favourable treatment than any other, on the grounds of:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation
3. Definition of Terms Used

3.1 Study leave
Study leave includes study (usually, but not exclusively or necessarily on a course), research, teaching, examining or taking examinations, visiting clinics and attending professional conferences.

3.2 Professional leave with pay (but without expenses)
- Duties as an officer, committee member or member of a working party of a Royal College, Faculty, Professional or Scientific Society or NICE.
- Examing 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 the Region.
- Visits to hospitals outside the Region for the purpose of assessing training facilities (B(3)P243/021).
- In connection with responsibilities as Regional Educational Adviser.
- Attendance at External Appointments Committees for Medical Staff outside the Trust
- Attendance at external appeals committees.
- One off delivery of undergraduate or postgraduate lectures within the Region - For details of how to claim expenses please contact the receiving organisation directly.
Examples of activities that are not deemed to constitute professional/study leave.

The following activities are regarded as official duties and therefore study leave or professional leave need not be requested:

- Clinical meetings related to patient care.
- Meetings with local commissioners.
- Local service, delivery and improvement meetings.
- Specialist Network Meetings e.g. 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.
- Attendance at interviews for Doctors in Training.

The Trust has formal agreements to deliver teaching and examining activity with the University of Bristol and the Severn Institute; leave must be granted where funded backfill is provided. Such activity must be reflected in the annual job plan and does not constitute professional leave.

3.3 Day

A ‘day’ is defined as a period of 2 Programmed Activities (PAs) (8 hours) and therefore any member of staff whose normal working day is longer or shorter than 2 PAs will be required to book professional/study leave at a proportionate level. e.g. a working day of 10 hours will equate to 2.5 PAs.

3.4 Calculation of study/professional leave entitlements

3.4.1 Full time Doctors

The consultant and SAS doctor contracts provide, for a full time individual, a standard week of 10 PAs worked between 7.00 am and 7.00 pm Monday to Friday. This equates to a 40 hour week and an average day of 2 x 4 hour programmed activities or 8 hours. Thus entitlement to study/professional leave at 10 days per annum may be counted as 20 programmed activities, 20 notional half days or 80 hours. For consultants working a non-standard contractual pattern (i.e. not 5 days Monday to Friday), study/professional leave should be booked either as PAs, notional half days or hours whichever is most convenient.

Where a non-standard day is worked it will be necessary to book leave equivalent to the length of the day normally worked. For example a normal working day of 10 hours will equate to 2.5 PAs or 10 hours of study leave.
3.4.2 Part time Doctors

Depending on their range of duties, the Trust recognises that the time required to maintain competence for a part-time doctor is likely to be of a similar amount as a full time doctor. Therefore part-time doctors will be entitled to up to 10 days study/professional leave subject to confirmation of their CPD requirements through the Job Planning process and their appraisal.

3.5 Distribution of study/professional leave

Study leave/professional leave should be distributed across DCC and SPA time in a reasonably proportionate manner. Where SPA time is not recorded as part of the individual’s job plan entitlement may be based on timetabled activities only, to ensure even distribution of the allocation.

The leave accounting period will be over three years; individuals wishing to take more than 10 of their 30 days entitlement within a single year will need to raise this issue with their Lead Clinician, Specialty Manager and Divisional Accountant.

4. Duties and Responsibilities

4.1 Responsibilities of Specialty Lead Clinicians

The Lead Clinician;

- Will ensure that study/professional leave arrangements are discussed with their Specialty Manager during capacity planning to enable effective scheduling of activity.

- Annually review professional development plans (PDP) with their Medical and Dental staff as part of the job planning process. Development opportunities should be highlighted within the PDP and study leave orientated to the PDP. This process should take into account the appropriateness of study/Professional Leave with due consideration to meeting contractual obligations. This should be an integral part of the Division’s business and financial planning.

- May approve up to 10 days professional/study leave per year for each individual within their specialty covered by this policy and will normally grant leave to the maximum extent consistent with maintaining essential services. Agreement to the payment of costs will be subject to available funding and thus must be agreed in advance. Essential CPD should be funded as a first priority.

- Must ensure that cover is arranged for the clinician granted leave and that budget is available to provide cover, where costs are incurred.
• Will only grant professional leave where the service impact can be managed effectively and the Trust considers that the purpose of the leave is of importance to the Trust or the wider NHS.

• May authorise a study day in lieu at a mutually agreed time where an individual is expected to attend a course during their day(s) off; this should be agreed in advance.

• Will check that sufficient budget is available when study leave is granted; although the costs of courses and conferences approved for study leave will normally be funded, this cannot be assumed.

• Will ensure that where a practitioner is employed by the Trust and another employer that the only the proportion of leave and funding for the Trust is authorised.

• Will, when granting Professional leave give priority to ensuring that colleagues are not prevented from taking annual leave or essential study leave.

• In exceptional circumstances, where approval of professional leave has been given a significant period in advance, may have to withdraw such approval in order to meet this requirement.

• Authorise as soon as possible, normally within 10 working days, any request for study/professional leave properly submitted and send to the doctor for his or her own records a signed copy of the authorisation form.

• Authorise study leave funding to be used in alternative ways to achieve learning, for instance to purchase professional journals.

• Keep a record of study/professional leave for individuals and notify individuals when they have used their allocation.

### 4.2 Educational tutors/programme leaders

Educational tutors and programme leaders who are responsible for the delivery of under or post graduate teaching of doctors at the Trust may claim Professional Leave with expenses for attendance at essential meetings called by the Severn Institute or Bristol University unless these can be claimed from another body.
4.3 Responsibilities of Individual Clinicians

- Make all reasonable endeavours to arrange prospective cover.
- Agree with their Lead Clinician any requirement for regular professional leave and incorporate this agreement into their annual job plan.
- Give as much notice as possible; normally 8 weeks for any leave which impacts on direct clinical care, unless there are exceptional circumstances.
- Apply to the Lead Clinician for the costs of professional/study leave to be met by completing and submitting the attached application form (appendix 1).
- Limit their application for the costs of professional/study leave to:
  - Course Fees
  - Travel expenses/Subsistence as detailed in the Trust’s Expenses Policy
- Ensure that expenses, travel, and accommodation are arranged as economically as possible and taking advantage of any discounts available for late/early/internet booking.
- Submit original Receipts with expense claim forms.
- Ensure that the acceptance of sponsorship from commercial organisations complies with the Trust’s Standing Financial Instructions and HSG(93)5 Standards of Business Conduct for NHS staff
- Make a declaration of interest for assistance from external agencies, at the time of the request for Study Leave and submit this to the Trust Board Secretary (on line via Trust’s intranet) also noting this during the appraisal process.
- Fund their own updating if granted leave for other purposes such as sabbaticals or career breaks and ensuring that this is completed prior to return to work.
- Record authorised study/professional leave on the Trust’s computerised training database Equini to support medical revalidation.
4.4 Responsibilities of Heads of Division

- Approve study/professional leave for Lead Clinicians.
- Hear appeals from specialty medical staff in relation to decisions of the Specialty Clinical Lead, in line with the Trust’s formal grievance procedure within 10 working days of receipt of appeal.
- Arrange a panel of the Head of Division together with the Divisional Manager from within the relevant division to consider applications for professional/study leave in excess of 10 days per year.
- Where it is not to the benefit of a specialty or division to approve study/professional leave beyond 10 days per annum, Heads of Division may consult with the Medical Director to determine whether the leave is in the wider interest of the Trust.

4.5 Responsibilities of Medical Director

- Approve study/professional leave for Divisional Heads.

4.6 Responsibilities of Chief Executive

- Approve study/professional leave for the Medical Director.
- Hear appeals from Divisional Heads in line with the Trust’s formal grievance procedure in relation to decisions of the Medical Director in line with the Trust’s formal grievance procedure within 10 working days of receipt of appeal.

4.7 Responsibilities of the HR/Learning and Development Functions

- Advise on the interpretation of this policy in accordance with national terms and conditions.
- Review the policy in conjunction with the Joint Local Negotiating Committee in line with Trust policy.
- Train medical staff in how to record their study/professional leave on the electronic staff record Equiniti and where required their professional leave on the electronic job planning system (if appropriate).
• Train decision makers in the Trust’s requirements relating to Equality and Diversity.

• Nothing in this policy prevents the Trust's grievance procedure being invoked where an individual considers that this is the best way to resolve any outstanding issue.

5. Monitoring Compliance

The implementation of and compliance of this policy will be monitored using the following key performance indicators:

• Lead Clinicians have received training on the contents of this policy;
• The use of Doctor’s Study/Professional leave is actively managed and there is documentary evidence of this;
• Decisions regarding the allocation of Doctor’s Study/Professional Leave have been fair and in line with policy and have not been successfully challenged by the employee.

Monitoring will be performed by HR Business Partners, in conjunction with Divisional Managers.

Should the monitoring uncover any shortfalls in the implementation of the policy, the Divisional Manager and HR will work with the relevant departmental manager to draw up an action plan for improvement. This action plan may include:

• Additional training for the line manager;
• A risk assessment within the area of work;
• A review of departmental management processes;
• A review of the number of individuals within the department taking Study/Professional Leave.

6. Review

This policy will be subject to a planned review every three years as part of the Trust’s Policy Review Process. It is recognised however that there may be updates required in the interim arising from amendments or release of new regulations, Codes of Practice or statutory provisions or guidance from the Department of Health or professional bodies. These updates will be made as soon as practicable to reflect and inform the Trust’s revised policy and practise.
7. Training

Managers are responsible for ensuring all their staff receive the type of initial and refresher training that is commensurate with their role(s).

Staff must refer to the Mandatory Training Profiles, available on the intranet, to identify what training in relation to Study and Professional Leave for Consultants and SAS Doctors is relevant for their role and the required frequency of update. Further information is available on the statutory and mandatory training web pages about each subject and the available training opportunities.

The Mandatory Training Policy identifies how training non-attendance will be followed up and managed and is available on the intranet.

Training statistics for mandatory training subjects are collated by the Learning & Development team, and are reported to the Strategic Workforce Committee. Staff must keep a record of all training in their portfolio.

All staff and managers can access their mandatory training compliance records via the Trust’s mandatory reporting tool (STAR) available on the intranet.

8. References

Consultants’ Terms and Conditions and SAS Terms and Conditions.
Appendix 1 - Study/Professional Leave Application Form

Please refer to the Study / Professional Leave Policy for Consultants before completing this form.

<table>
<thead>
<tr>
<th>NAME OF APPLICANT:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>GRADE:</td>
<td></td>
</tr>
<tr>
<td>SPECIALTY:</td>
<td></td>
</tr>
<tr>
<td>DIRECTORATE:</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DETAILS OF LEAVE REQUESTED:</th>
<th>No. of days paid leave requested</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>STUDY LEAVE:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PROFESSIONAL LEAVE:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ADDITIONAL STUDY/PROFESSIONAL LEAVE:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DIRECTORATE:</td>
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Study Leave
Please detail the learning objectives and indicate relevance to the agreed personal development plan.

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Date of last appraisal:........................................................................................................................................

Document name: Study Leave/Professional Leave for Consultants and SAS Doctors Policy
Issue date: 22 July 2016
Author: Sue Davis – Head of HR
Page 12 of 17
Ref.: 141
Status: Final
Please provide details of the course/conference programme or other learning activity

Number of CME Points 
Internal Course  ☐  External Course  ☐

Costs to be claimed form the Trust:
Travelling £................ Subsistence £................
Accommodation £.............. Course Fee £................

Professional Leave
Please state how the professional leave will:

a) Be of benefit to the Trust/ Wider NHS

b) Be of benefit to the applicant

IMPORTANT: Please submit all receipts with an expenses claim form.

State if grant or financial assistance will be given from any other source, or whether a proportion of expenses will be paid by applicant (give details)

Note the requirement to declare such sponsorship on the Register of Interest forms
- Which should be submitted online http://webserver.ruhs-bath.swest.nhs.uk/staff_resources/about/Form_declaration_of_interest/form.asp
COVER ARRANGEMENTS

Please detail direct clinical care and on call commitments during the period of absence:

........................................................................................................................................................................

........................................................................................................................................................................

........................................................................................................................................................................

I have asked ........................................................................................................................... .......to cover my duties during my absence and he/she* has agreed to do so.

OR

A Locum is required for:

........................................................................................................................................................................

........ (Inclusive dates)

APPLICANT’S SIGNATURE: .................................................................

DATE: .................................

APPROVED BY: .................................................................

DATE: .................................

Specialty Lead/Head of Division / Medical Director/Chief Executive (as appropriate).

<table>
<thead>
<tr>
<th>To be completed by speciality administrative team:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total professional /study leave granted in accounting period including this leave:</td>
</tr>
<tr>
<td>Remaining professional /study leave allowance (maximum 10 days per year /30 days over three years):</td>
</tr>
</tbody>
</table>

Please ensure that you have updated your OLM recorded with your study leave once your leave has been approved.

Original to the Finance Department
One copy to be retained by applicant
## Consultation Schedule

<table>
<thead>
<tr>
<th>Name and Title of Individual</th>
<th>Date Consulted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Head of Division</td>
<td>22.03.2016</td>
</tr>
<tr>
<td>HR Business Partners</td>
<td>22.03.2016</td>
</tr>
<tr>
<td>Divisional Managers</td>
<td>22.03.2016</td>
</tr>
<tr>
<td>Clinical Leads</td>
<td>22.03.2016</td>
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<tr>
<td>Joint LNC Policy Sub-Group</td>
<td>31.03.2016</td>
</tr>
<tr>
<td>Joint LNC Committee</td>
<td>18.07.2016</td>
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The following people have submitted responses to the consultation process:

<table>
<thead>
<tr>
<th>Name and Title of Individual</th>
<th>Date Responded</th>
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</thead>
<tbody>
<tr>
<td>Robin Fackrell, Head of Division - Medicine</td>
<td>28.03.2016</td>
</tr>
<tr>
<td>Alex Clare, HR Business Partner – Surgery</td>
<td>30.03.2016</td>
</tr>
<tr>
<td>Noeleen Foley, Chair LNC</td>
<td>28.04.2016</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Name of Committee/s (if applicable)</th>
<th>Date of Committee</th>
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</table>

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Document name: Study Leave/Professional Leave for Consultants and SAS Doctors Policy  
Ref.: 141  
Issue date: 22 July 2016  
Status: Final  
Author: Sue Davis – Head of HR  
Page 15 of 17
Dear Dr Tim Craft

Please review the following information to support the ratification of the below named document.

Name of document: Study Leave/Professional Leave for Consultants and SAS Doctors

Name of author: Sue Davis

Job Title: Head of HR

I, the above named author confirm that:

- The Policy presented for ratification meets all legislative, best practice and other guidance issued and known to me at the time of development of the Policy;
- I am not aware of any omissions to the Policy, and I will bring to the attention of the Executive Director any information which may affect the validity of the Policy presented as soon as this becomes known;
- The Policy meets the requirements as outlined in the document entitled Trust-wide Policy for the Development and Management of Policies (v4.0);
- The Policy meets the requirements of the NHSLA Risk Management Standards to achieve as a minimum level 2 compliance, where applicable;
- I have undertaken appropriate and thorough consultation on this Policy and I have documented the names of those individuals who responded as part of the consultation within the document. I have also fed back to responders to the consultation on the changes made to the Policy following consultation;
- I will send the Policy and signed ratification checklist to the Policy Coordinator for publication at my earliest opportunity following ratification;
- I will keep this Policy under review and ensure that it is reviewed prior to the review date.

Signature of Author: ___________________________ Date: 18 July 2016

Name of Person Ratifying this policy: Dr Tim Craft

Job Title: Medical Director

Signature: ___________________________ Date: 18 July 2016

To the person approving this policy:

Please ensure this page has been completed correctly, then print, sign and post this page only to: The Policy Coordinator, Apley House, (E5), Royal United Hospital

The whole policy must be sent electronically to: ruh-tr.policies@nhsl.net
Equality Impact: (A) Assessment Screening
To be completed when submitted to the appropriate Executive Director for consideration and approval.

<table>
<thead>
<tr>
<th>Person responsible for the assessment:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name:</td>
<td>Sue Davis</td>
</tr>
<tr>
<td>Job Title:</td>
<td>Head of HR</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Does the document/guidance affect one group less or more favourably than another on the basis of:</th>
<th>Yes/No</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race</td>
<td>No</td>
<td></td>
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<tr>
<td>Ethnic origins (including gypsies and travellers)</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Nationality</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Gender (including gender reassignment)</td>
<td>No</td>
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<tr>
<td>Culture</td>
<td>No</td>
<td></td>
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<tr>
<td>Religion or belief</td>
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<td>Sexual orientation</td>
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<tr>
<td>Age</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Disability (learning disabilities, physical disability, sensory impairment and mental health problems)</td>
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<td></td>
</tr>
<tr>
<td>Is there any evidence that some groups are affected differently?</td>
<td>No</td>
<td></td>
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<tr>
<td>If you have identified potential discrimination, are there any valid exceptions, legal and/or justifiable?</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Is the impact of the document/guidance likely to be negative?</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>If so, can the impact be avoided?</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>What alternative is there to achieving the document/guidance without the impact?</td>
<td>N/A</td>
<td></td>
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<tr>
<td>Can we reduce the impact by taking different action?</td>
<td>N/A</td>
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</tr>
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</table>

If you answered **NO** to all the above questions, the assessment is now complete, and no further action is required.

If you answered **YES** to any of the above please complete the **Equality Impact: (B) Full Analysis**