

Standard Operating Procedure for ensuring Foundation Doctors can access their leave entitlement.

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Director of Medical Education, July 2017

Foundation Doctors (FDs) move placements every four months and have 9 days of annual leave to take in each placement. Some FDs find it difficult to take leave within the constraints of the rota. This guidance aims to enable FDs to take their leave in each placement.

- 1) Full time FDs will take 9 days of annual leave in each 4 month placement to equate to 27 days per year. Leave should not be carried over from one placement to another unless in exceptional circumstances and prior authorisation should be sought from an FPD who, if approved, will then liaise with relevant rota masters.
- 2) FDs are encouraged to request annual leave prior to commencing a post or as early as possible once in post and must give a minimum of six weeks' notice.
- 3) Rotas will be available 6 weeks before commencement of a post. Leave can be applied for from this point onwards and once started in placement the FDs should expect to hear back within 5 days if their leave request has been approved and the master rota will be updated. Leave will be approved on a first come first served basis. An early request for leave does not automatically ensure approval.
- 4) Leave may be requested more than 6 weeks in advance of commencing a post for special circumstances (referred in the new contract 2016 as "life changing events") such as for your own wedding and will be agreed in principle to allow FDs to plan ahead.
- 5) Eight weeks from the end of the placement, any outstanding leave may be allocated by a rota coordinator in order to enable the leave be taken. In this situation the leave will be allocated according to staffing levels. FDs will be informed directly by the rota co-ordinator of any allocated leave a minimum of seven days before.
- 6) If a FD wishes to take alternative leave to the leave that has been allocated or leave that has already been approved, they must liaise with the rota coordinator for approval which will be subject to adequate staffing and contract compliance.
- 7) If not allocated, it is the responsibility of the foundation doctor to request their leave with the required notice.
- 8) Failure to comply with the above may result in leave being forfeited.

This guidance adheres to the “Terms and Conditions of Service for NHS Doctors and Dentists in Training (England) 2016” with relevant points from this document copied below:

Allocated leave is residual leave which is allocated to an individual doctor after requests for leave have been accommodated as best as possible.

Fixed leave is leave built into the construction of the rota with days or weeks blocked out for each doctor in advance.

Principles (p47):

- 1. It is in the interest of doctors' health and wellbeing and the continued safety of patients in their care, that they take their full annual leave entitlement.*
- 3. The employer and the doctor must make every effort to work together to ensure that the doctor is able to take the full annual leave entitlement.*
- 14. A doctor shall normally provide a minimum six weeks' notice of annual leave to be approved in accordance with local policies and procedures.*
- 15. The employer shall, where possible, respond positively to all leave requests, and shall normally agree reasonable requests.*
- 16. Employers must allow annual leave to be taken for life-changing events, for example a doctor's wedding day, provided that the doctor has given notice to the employer in accordance with paragraph 14 of this Schedule.*
- 17. If, due to circumstances beyond the doctor's control, a reasonable request is made for leave outside the minimum six weeks' notice period, then the employer will fairly consider this request while paying due regard to service requirements.*
- 18. The doctor and the employer will work together to ensure that leave is appropriately planned and taken across the year. This is to ensure both access to training and the maintenance of service delivery, and to protect the safety of both doctors and patients.*
- 19. In exceptional circumstances where agreement on planning leave is not possible despite the best reasonable efforts of the doctor and the employer, some leave may need to be allocated to ensure that all doctors are able to take their full leave entitlement while maintaining safe coverage of services. However, leave should not be fixed into a working pattern for this or any other reason without agreement from the doctor.*
- 20. In cases where exceptional circumstances or service demands have prevented a doctor from taking the full leave allowance, up to five days of leave per annum (pro rata for contracts or placements of less than 12 months' duration or for doctors who work less than full time), may be carried forward to the next post or placement with the same employer. This is not an entitlement and must be with the agreement of the relevant department, in line with the employer's local policy. With the agreement of the employer and in line with local policy, payment in lieu can be made for up to five days' annual leave (pro rata as appropriate) which could not be taken before a move to a new employer.*