

Study Leave Policy

This policy sets out study leave and curriculum delivery arrangements for postgraduate medical and dental trainees in Foundation, Specialty and Dental programmes.

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Introduction

This policy sets out the study leave arrangements for postgraduate medical and dental trainees who come under the remit of Health Education England, East of England (HEE, EoE). It applies to the financial year 2018/19 onwards.

National Guidance and Policies

There are a number of national documents relating to study leave arrangements for trainees, which have been taken into consideration during the writing of this policy. These include:

- The Junior Doctors' Terms and Conditions of Service, March 2017
<http://www.nhsemployers.org/case-studies-and-resources/2017/03/junior-doctors-terms-and-conditions-of-service-march-2017>
- The Gold Guide
https://www.copmed.org.uk/images/docs/gold_guide_7th_edition/The_Gold_Guide_7th_Edition_January_2018.pdf
- A Reference Guide for Postgraduate Dental Specialty Training in the UK
<http://www.copdend.org/data/files/Dental%20Gold%20Guide/3rd%20Edition%20June%202013.pdf>
- The Foundation Programme Reference Guide
<http://www.foundationprogramme.nhs.uk/pages/curriculum-eportfolio/e-portfolio/reference-guide>
- Enhancing Junior Doctors' Working Lives
https://www.hee.nhs.uk/sites/default/files/documents/Enhancing%20junior%20doctors%E2%80%99%20working%20lives%20-%20a%20progress%20report_0.pdf

Principles

HEE's document, "[Enhancing Junior Doctors' Working Lives](#)", includes a commitment from HEE to ensure that every trainee has the opportunity to gain all competences relevant to their level of training as defined in each curriculum. This means it is important that HEE EoE directs funding towards curriculum delivery as our first priority. In order to improve quality and access to study leave and curriculum support, HEE EoE is committed to working in collaboration with our trusts, trainees and educators to comply with the following curriculum delivery principles:

- Providing clarity about the total amount of funding available to support study leave and how this is being used, recognising that there is a finite amount
- Ensuring equity of access to relevant education and development opportunities required by curricula, regardless of speciality, grade or employing Trust.
- Improving trainee access to local teaching and development.
- Improving trainee access to regional teaching and development.

- Prioritising delivery of courses and other learning opportunities which are explicitly required by the relevant curriculum
- Prioritising support for additional education and development opportunities relevant to the curriculum, which have been agreed as part of trainees' personal development plans (PDPs). Trainees, together with their educational supervisors, have a responsibility to ensure that additional training opportunities are accessed at a time in their training when the maximum benefit will be gained.
- Allocating funding to individuals flexibly, recognising that there is wide variation in the cost of the delivery of different curricula depending on the level of training and the specialty programme
- Commissioning training from NHS providers in the EoE, wherever possible.
- Monitoring of attendance at all locally delivered training events.
- Monitoring the quality of the training delivered to ensure it is of an appropriate standard and meets trainees' needs.

Trainees should discuss their personal and curricular study leave requirements with their Educational Supervisor and/or Training Programme Director (TPD) at the beginning of each placement and at each educational review in order to ensure that these are reflected in their PDP. Proposals for prolonged periods of study leave or activities which will cost in excess of £600 should also be discussed in advance with all those involved, including the trainee's TPD, Director of Medical Education (DME) and service lead.

Trainees are reminded of their responsibility to attend all relevant local teaching sessions and to prepare carefully for examinations. Failure to do so may call into question their commitment to training and jeopardise any future study leave applications. Trainees are expected to share their learning and provide feedback if requested from any courses, conferences or other events that they have attended.

Public Sector Equality Duty

On 5 April 2011, the Public Sector Equality Duty (the equality duty) came into force. The equality duty was created under the Equality Act 2010. The equality duty was developed in order to harmonise a number of pre-existing pieces of equality legislation and to extend protection across what the Act described as "protected characteristics". Protected characteristics is the term used to describe groups that may be discriminated against because they possess one or more of these characteristics and the Act identified nine protected characteristics and these are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

An Equality Impact Assessment (EqIA) will be carried out on an annual basis and/or following any amendments to ensure that this policy will not have a positive or adverse impact on any trainee groups with protected characteristics.

Funding arrangements after April 2018

From April 2018, the study leave budget will be held centrally.

The main uses of the study leave budget will be for educational development opportunities designed to gain competences defined in each curriculum.

Examples of funding arrangements include:

- Locally delivered teaching.
- Regional study days (including reasonable subsistence costs such as lunch and refreshments).
- Simulation training programmes
- Other regionally-commissioned internal courses which meet curriculum requirements, including leadership & management courses, train the trainer courses and advanced communication skills courses
- External courses which are explicitly required by the relevant curriculum
- External courses which are a cost-effective way of delivering parts of the relevant curriculum
- Life support courses (e.g. ALS, ATLS, APLS) when these are curriculum requirements.
(Any mandatory/statutory training courses, including life support courses that are employment requirements and not curriculum requirements should be funded locally by the employing Trust)
- Other individual training needs required to meet the curriculum, as agreed in individual trainee's PDPs

Excluded Expenses

- Enrolment on to training programme and payment for portfolio access
- ALS and other life support courses which are not curriculum requirements
- Statutory and mandatory training required by employers
- Other employer-related leave
- Bursaries for medical education courses unless they are curriculum requirements
- Fellowships (e.g. simulation fellows)
- Professional examination fees at any point of training
- Courses for specialty examinations during Foundation Programme
- Interview Leave

Funding of Regional and Local Teaching (including Simulation Activity)

Each School will identify the provisional costs of delivering local and regional teaching (including simulation) to all of its trainees in all specialties and grades in the relevant section of its Annual Development Plan. Trainees should work in collaboration with their TPD and Head of School to assist with identifying their programmes' local and regional training plans. The Heads of School should then meet with their allocated account managers to agree their annual local and regional training budget.

Individual Study Leave Requests

These will be made to the trainee's employing Trust following the local application process. In line with national principles trainees may submit claims that have been explicitly identified as requirements of the trainee's specialty's curriculum and/or ARCP decision aid. Such activities can be signed off at Trust level provided the total cost (including the costs of the activity, travel and subsistence) is £600 or less. For activities that cost more than £600, additional sign off from the TPD (or Head of School if TPD is unavailable) will be required.

Trainees may also submit claims for "aspirational" activities. Whilst not explicitly recognised as requirements for the trainee's curriculum, such activities may help the trainee complete parts of the curriculum. It is essential that any aspirational activity is included in the trainee's PDP and it will also require an additional level of sign off from the TPD (or Head of School if TPD is unavailable). The trainee will be expected to provide a supporting statement explaining why competencies gained from such an activity cannot be achieved from local and/or regional programmes and what will be their personal gain.

Aspirational activities will only be approved if the trainee has achieved their core curriculum competencies for their stage of training and has obtained an outcome 1 or 6 at their most recent ARCP (or is on track to do so). An exception to this is where the trainee has received an outcome 2 or 3 for exam failure; in that case the trainee will be able to apply for examination preparation courses.

Payments for individual study leave requests will be made to trainees by the employing Trust.

Study leave funding will be distributed as fairly and as effectively as possible within the guidance provided in this policy. A flexible approach to how much funding is allocated to individuals will be adopted, recognising that there is wide variation in the cost of the delivery of different curricula depending on the level of training and the specialty programme.

Time for Study Leave

Study leave is not an automatic entitlement for any trainee. Providers of medical education are reminded of the basic principle that every trainee's educational needs should, where possible, take precedence over purely service needs, as long as patient safety is not compromised. Study leave should therefore be well planned and spread throughout the trainee's training programme. There is an expectation that training placements approved by HEE, EoE will have capacity to facilitate study leave.

Each trainee will have an annual entitlement of 30 days' study leave, with the exception of Foundation Year 1 trainees, who have an annual entitlement of 15 days. Mandatory regional teaching/training days are included in the 30 day allowance, and the time off will need to be applied for prior to attendance.

For the purposes of allocating time for study leave, each trainee's study leave year runs from the changeover date of their programme to the changeover date in the following year (e.g. for programmes with nationally agreed start dates in August, the leave year is from the first Wednesday in August until the last Tuesday in August the following year).

Trainees who start or complete their training part way through the study leave year will have a pro-rata entitlement until the end of their programme's leave year.

Less Than Full-time (LTFT) trainees will have a pro-rata entitlement; however, if the number of days taken in any one year exceeds their entitlement, some discretion should be used during the approval process.

Where a trainee takes parental leave, their entitlement to study leave continues. This may be taken during 'keeping in touch' days; alternatively, it will accrue and should be taken at a later date.

Unused study leave entitlement cannot be carried forward to the next leave year.

The entitlement to Study Leave ends once a trainee reaches CCT and trainees are not entitled to Study Leave during the Period of Grace.

Trainees on Out of Programme Experience (OOPE), Out of Programme Research (OOPR) or Out of Programme Career Break (OOPC) are not entitled to study leave for the period they are out of programme. Trainees on Out of Programme Training (OOPT) are normally only entitled to study leave for this period if they are occupying a training post on a training programme in our region.

For study leave taken over weekends, bank holidays and days when the trainee would not otherwise be working, trainees can either take the time off in lieu or not count it as a study leave day (so that they don't use up any days from their study leave allowance).

Specific Guidance for GP, Public Health and Foundation trainees

GP

Individual study leave funding is administered by HEE EoE and reimbursed by the lead employer, further details can be found following this link: https://heeoee.hee.nhs.uk/gp_lead_employer

Public Health

Due to the nature and requirements of their training programmes, a separate application process and policy apply to Public Health trainees; these can be found here:

<https://heeoee.hee.nhs.uk/node/1869>

Foundation

The legal requirements for study leave in the Foundation Programme (FP) are complex, as the arrangements for F1 and F2 trainees differ. The principle of study leave within the FP is that professional leave or study leave should normally only be granted for the purposes of supporting the FP curriculum. For full guidance please refer to the Foundation webpage here:

https://heeoee.hee.nhs.uk/foundation_main

Trainees appointed through the Medical Training Initiative (MTI)

This group of trainees has the same study leave entitlement as trainees on HEE EoE training programmes. This should be funded by the employing Trust. However, we continue to support the invitation of trainees appointed through the MTI to appropriate local and regional teaching events on a 'marginal cost' basis.

SAS and Trust Grade Doctors

Postgraduate medical trainees' study leave funding should not be used to fund courses that are not directly related to supporting the training of postgraduate medical trainees. However, we continue to support the invitation of SAS and Trust Grade doctors to appropriate local and regional teaching events on a 'marginal cost' basis.

Access to development opportunities for SAS doctors is available through a separate funding stream. Please see the SAS pages of the HEE EoE website: https://heeoee.hee.nhs.uk/sas_home

Appeals process

If a trainee has reason to believe that their study leave application was processed unfairly or incorrectly, they are able to request a review of the process by which their application was considered by making a written submission to Health Education England, East of England. This should include the reason/s for his/her complaint and any evidence to support their appeal. All written submissions must be sent via email or as an attachment, with the original application form and outcome received. This should be emailed to studyleave.eoe@hee.nhs.uk and must be made within 10 working days of being notified of their outcome. Two members of the Senior Leadership Team at HEE, EoE will review the decision made, taking into account the evidence submitted and HEE EoE's Study Leave Policy. The decision following appeals is final; there is no further right of appeal.

Guidance for Employers/Local Education Providers (LEPs)

Each LEP's Education Centre will be expected to keep a clear and concise record of all study leave time taken by individual trainees. This must be submitted monthly to the HEE local office at studyleave.eoe@hee.nhs.uk

All funding allocations and development opportunities should be made available to all trainees, not just those who are in tariff-funded posts.

Study leave funding is not provided for courses that are required to fulfil the service commitment of the post (e.g. to meet the Trust's clinical governance and CNST responsibilities) i.e. study leave funding is provided to meet the requirements of the trainee's curriculum.

Requests for time to prepare for and take examinations should be managed in line with the employing LEP's policies.

Where a trainee is rotating between one or more LEPs during their programme, any study leave time must be approved by the LEP which will be employing the trainee at the time the study leave is taken. Furthermore, if the trainee were to rotate to a different region the trainee will follow the study leave policy of that region.

Funding of overseas study leave will only be considered for an individual who is the first author and sole presenter of a paper which has been accepted for presentation at a conference abroad. Where this paper is based on the trainee's own research, study leave funding may be granted subject to the limitations of funding available and will be available from UK port of entry.

Where a course is available locally, funding should not normally be approved for a trainee to undertake the course elsewhere.

Any travel and subsistence expenses that are claimed by a trainee are subject to prior approval by the employing LEP and must be in accordance with that LEP's terms and conditions of service.

Where study leave with pay is granted, the trainee must not undertake any remunerative work during the study leave period without the written permission of the leave granting LEP. Written permission must be obtained before the study leave commences.

Document History

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