**Lead Employer Annual Leave Guidance**

**Tool Kit**

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	1. **2002 TCS:**

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| --- | --- |
| Service | Entitlement (Excluding bank holidays) |
| First and Second incremental points |  25 days |
| Third incremental point and above |  30 days |
| All trainees  | 2 statutory days in addition to the above |
| Statutory bank holidays  | In line with English Gov BH entitlements  |

**1.11. 2016 TCS:**

|  |  |
| --- | --- |
| Service | Entitlement (Excluding bank holidays) |
| On first appointment to the NHS: | 27 days |
| After five years’ completed NHS service | 32 days |
| Statutory bank holidays  | In line with English Gov BH entitlements |

**1.12. Agenda for Change (AFC):**

|  |  |
| --- | --- |
| Service | Entitlement  |
| On appointment to the NHS | 202.5 hours |
| After 5 full years NHS service | 217.5 hours |
| After 10 full years NHS service | 247.5 hours |
| Statutory bank holidays  | In line with English Gov BH entitlements |

* 1. **Bank Holidays**

Statutory bank holidays are added to the Doctors overall annual leave entitlement. For example a Doctor working full time with an average working day of 8 hours will have an additional 64 hours of leave added to their entitlement. Please not bank holiday entitlement is in line with English government bank holiday entitlement and may fluctuate. A doctor who in the course of their duty is required to be present in their Host Organisation at any time (from 00.01 to 23.59) on a bank holiday, or who is rostered to be on call on a bank holiday, will be entitled to a standard working day off in lieu. Where a doctor’s working pattern includes scheduled rest days (sometimes known as zero hours’ days) and such a day falls on a bank holiday, then the doctor will be given a day off in lieu of the bank holiday. Where a public holiday, including Christmas Day (25 December), Boxing Day (26 December) or New Year’s Day (1 January), falls on a Saturday or a Sunday, the public holiday will be designated instead as falling on the first working weekday thereafter. In such circumstances, no day in lieu then arises for the work undertaken on Christmas Day (25 December), Boxing Day (26 December) or New Year’s Day (1 January).

On each and every occasion that a trainee takes paid time off on a Bank Holiday, which is part of their basic working week, you should deduct the normal working hours for that day from their overall annual leave entitlement.

* 1. **Bank Holiday Entitlement**

Bank holiday entitlements for all trainees will depend on the number of bank holidays which fall in the year. There are normally 8 per year, however this may change and will be calculated accordingly. Bank holiday entitlement for part time trainees will be prorated.

1. **Annual Leave for LTFT Trainees**

Annual Leave for less than full time trainees should be calculated on a pro-rata basis. So for example, a less than full time trainee working 60% of a full time rota should receive 60% of the full time entitlements of annual leave, plus 60% of the entitlement to Bank Holidays. Bank holiday hours should only be deducted if this is the trainees normal working day

1. **Approval of Leave**

Trainees should apply for leave to the relevant personnel at each host organisation to which they rotate. Leave will be approved by each host organisation who ensure that ESR is updated and accurate records of trainees annual leave is provided to the Lead Employer in line with local processes. A trainee shall normally provide a minimum six weeks’ notice of annual leave to be approved in accordance with local policies and procedures.

1. **Annual Leave Carry Over**

All Trainees should make every effort to take their annual leave proportionately across their placements i.e. if you have 27 days per year and have two six month placements then 13.5 days leave should be taken in each placement and this is primarily for two reasons:

1. Educational – Each Trainee will during their placements take annual and study leave and there may be occasions when further leave is taken i.e. special leave or sick leave. If Trainees also carry unused annual leave over to their next placement then this may mean that they will not spend enough time in that placement to be ‘educationally signed off’.

Rotas – Trainees will normally be assigned to rotas with on-call duties which will factor in annual leave for the number of Trainees assigned to the rota. Carrying over any unused annual leave impacts upon service provision and can lead to other colleagues having to work a disproportionate number of on-call duties.

Only in exceptional circumstances should Trainees apply to carry over annual leave, in which case please note that:

* Trainees must be able to demonstrate the reason for the request i.e. they have not been permitted to take annual leave in their current placement, although this should be raised as a concern to their Host Organisation and the Lead Employer in a timely manner to enable this to be addressed before the end of the placement. Trainees must also seek full agreement from the current and receiving placement that they may carry over annual leave to establish whether appropriate arrangements can be put in place to accommodate the request without adversely impacting the service or other Trainees within their new Host Organisation.
* A maximum of 5 days (pro rata for LTFT) only may be considered subject to the above.
1. **Annual Leave Application Form**

 N.B Trainees should apply for annual leave using the procedures in place at the Host Organisation at which they are based at the time of the proposed leave. In exceptional circumstances, where this is not possible, trainees may use the below application form and return to lead.employer@sthk.nhs.uk



1. **Annual Leave Flowchart**