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# Minimum standards for annual leave for resident doctors

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## Purpose and scope

These minimum standards support delivery of point 3 of the [NHS 10 point plan to improve resident doctors' working lives \(https://www.england.nhs.uk/long-read/10-point-plan-to-improve-resident-doctors-working-lives/\)](https://www.england.nhs.uk/long-read/10-point-plan-to-improve-resident-doctors-working-lives/). **Resident doctors must be able to take annual leave in a fair and equitable way which enables wellbeing.** It is vital that leave is allocated in a way that meets individual needs while maintaining service delivery.

## To deliver this:

- every trust must have a specific published annual leave policy for resident doctors
- leave must be approved or declined in a timely fashion with clear reasons
- rotas must be flexible enough for resident doctors to take their full leave entitlement
- where possible, every resident doctor should have the opportunity to take two consecutive weeks of leave which may be a combination of annual

- leave, rostered non-working days, and bank holidays
- resident doctors must be supported to take their annual leave allowance just like any other staff
- the guidance informs organisational and departmental policy and supports board reporting of annual leave practice for assurance

These minimum standards set out to resident doctors, employers and rota coordinators how annual leave must be requested, approved and allocated following 3 core principles of equity, fairness and consistency.

Chief executives need to ensure these standards are followed as they are responsible for ensuring all staff can and do take annual leave entitlement.

Please note that all processes and procedures must comply with the current [Terms and Conditions of Service for NHS Doctors and Dentists \(England\) 2016](https://www.nhsemployers.org/publications/doctors-and-dentists-training-terms-and-conditions-england-2016) (<https://www.nhsemployers.org/publications/doctors-and-dentists-training-terms-and-conditions-england-2016>) (“the TCS”) and all NHS policies.

This guide is limited to annual leave but can be applied to study and professional leave. It does not cover statutory leave or any other issues related to TCS, which take precedence.

## **1. Leave policies**

- Organisations need a published annual leave policy for resident doctors which aligns to this guidance and the 2016 TCS (England).
- All departments need an annual leave policy which recognises differences in delivering care that may need specific leave approaches.
- The policy and guidance must clearly set out the requirements for submitting leave requests.
- Policies must be published on the organisation’s website and intranet.
- Each rota should have a coordinator who is part of the operational team, with support from a resident doctor lead and/or consultant or SAS doctor within the department.
- The coordinator needs a clearly defined role descriptor and appropriate induction and training to carry out the role.
- Organisations need a structure to help rota coordinators implement this guide with a clear method for escalating and resolving rota challenges.
- Clinical leads with dedicated responsibilities for overseeing rotas must have time in their allotted job plan activities for these duties.

## 2. Leave request process

- Departments need a clear process, described in local guidance and referencing the organisational policy, for requesting leave.
- The guidance needs to be given to each doctor in the department as soon as they are aware of their placement there, by email on request and with other recruitment documents and work schedules.
- Organisations need an identified point of contact for queries about annual leave, with a clear process for contacting this person, timescales and monitoring set out in policies.
- Leave needs to be approved or declined in a timely fashion with the timeline stated in the policy.
- Processes are needed to handle leave requests made prior to the start of a placement.
- It must be possible to take leave across the full duration of the post, including where induction requirements allow.
- The contractual obligation for leave to be granted for a 'life changing event' needs to be in the policies.
- Leave requests for other significant life events need to be prioritised.
- If a leave request is declined, the reason needs to be provided at the time of rejection.
- An appeal process with timelines needs to be in policies, with a named person overseeing this process.

## 3. Shift swaps to facilitate leave

- Shift swaps to facilitate leave, including into vacant shifts, need to be considered and, where declined, a clear reason provided.

## 4. Leave allowance

- The leave allowance for the year (or fixed time period with an employer, if less than 1 year) must be confirmed at the start of the employment or leave year, whichever is longer.
- In each 12-month period, every doctor must be able to take 2 consecutive weeks leave. This can be done:
  - via 2-3 consecutive weeks with no rostered shifts which attract an enhancement as in the [Good rostering guide](https://www.nhsemployers.org/publications/good-rostering-guide) (<https://www.nhsemployers.org/publications/good-rostering-guide>), where possible
  - through a mix of annual leave, rostered non-working days, and bank holidays
  - with shifts attracting enhancements being swapped

- A process for ensuring this needs to be in place.

## **5. Transfer and payment of unused leave**

- Policies need to include a clear statement of the number of leave days that can be transferred from one year to the next, and from one department to the next in the same organisation, consistent with TCS.
- Carry over applies only between placements with the same employer. Where a resident doctor moves to a different employer, unused leave (up to 5 days) may be paid in lieu, in line with the TCS.
- Departments need a clear policy outlining processes for unused leave to be paid in line with their organisation's policy.

## **6. Rota design**

- Rotas must have sufficient flexibility for all resident doctors to take their full annual leave, public holiday and study leave allowance.

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