

Unpaid Leave Policy & Procedure for Medical & Dental Staff

Issue Date	Review Date	Version
May 2014	Extended to November 2021	6.5

Purpose

To provide guidance for the Medical Director, Service Line Managers and Directors to use when medical and dental staff request leave without pay.

Who should read this document?

All Medical and Dental Consultants on the 2003 contract
 Care Group Directors and Service Line Directors
 Care Group General Managers and Service Line Managers

Key messages

Accountabilities

Production	Medical HR Manager
Review and approval	Medical Staff Panel
Ratification	Director of Human Resources & Organisational Development
Dissemination	Medical Workforce Office
Compliance	Medical Director

Links to other policies and procedures

Version History

4.1	Oct 2008	Medical Staff Panel
4.2	Feb 2009	Medical Staff Panel Agreed Clarified Terms Throughout MSP/LNC/BMA
5.1	Mar 2011	Trust Commitment to Valuing People amended in line with the Equality Act 2010 Electronic policy paths updated
5.2	Jun 2011	Review date extended
5.3	Jun 2012	Review date extended
6	May 2014	Reviewed and updated
6.1	Nov 2018	Extended to April 2019 by HR SMT
6.2	Oct 2019	Extended to February 2020 by Lisa White
6.3	August 2020	Extended to April 2021 by Medical Staff Panel
6.4	June 2021	Extended to August 2021
6.5	September 2021	Extended to November 2021

The Trust is committed to creating a fully inclusive and accessible service. By making equality and diversity an integral part of the business, it will enable us to enhance the services we deliver and better meet the needs of patients and staff. We will treat people with dignity and respect, promote equality and diversity and eliminate all forms of discrimination, regardless of (but not limited to) age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage/civil partnership and pregnancy/maternity.

**An electronic version of this document is available on Trust Documents.
Larger text, Braille and Audio versions can be made available upon request.**

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1 Introduction

- 1.1 To provide guidance for Medical Director and Directorate Managers to use when medical and dental staff request leave without pay

2 Key elements

2.1 Scope and Definitions

- 2.1.1 Ordinarily, the arrangements set out in this document apply to all medical and dental staff employed by the Trust, including those honorary contract holders in the paid employment of the University of Plymouth.
- 2.1.2 However, these arrangements will not apply to those individuals engaged on recognised training programmes, which include work other than in the UK.

2.2 Practice and Guidance

- 2.2.1 There is no automatic entitlement to leave without pay and, as such, it is subject to the discretion of the Service Line.
- 2.2.2 The maximum period of leave without pay should not normally exceed 12 months; in special circumstances it may be extended by the Medical Director. Length of service and any extenuating circumstances should be taken into account when considering such requests, together with the amount of advance notice given by the individual requesting unpaid leave, usually no less than 8 weeks' notice. There is no automatic entitlement to leave without pay.
- 2.2.3 Failure to return to work on the agreed date may result in disciplinary action which could lead to the termination of employment.
- 2.2.4 Any absence of more than 12 months would, for the whole period, be considered as a Disqualifying Break for pension purposes and occupational sick pay. As such, no contribution (and subsequent benefits), will be attached to the period of absence. Individuals should obtain information and advice on pension rights from the Superannuation Officer, Plymouth Financial Shared Services Agency.
- 2.2.5 The administration arrangements are as follows:
- Unpaid leave application form (see Annex 4) available from StaffNet to be completed by applicant
 - Less than 6 months leave request to be approved by the Service Line Manager after consultation with the Service Line Lead. More than 6 months leave requires further approval from the Medical Director.
 - Approval will only be given when: suitable plans to cover for period of leave have been agreed; return to work date is confirmed .
 - The Medical HR Team will notify payroll

3 Consultation and Ratification

The design and process of review and revision of this policy will comply with The Development and Management of Trust Wide Documents.

The review period for this document is set as default of three years from the date it was last ratified, or earlier if developments within or external to the Trust indicate the need for a significant revision to the procedures described.

This document will be approved by the Medical Staff Panel and ratified by the Director of HR & OD.

Non-significant amendments to this document may be made, under delegated authority from the Director of HR & OD, by the nominated author. These must be ratified by the Director of HR & OD and should be reported, retrospectively, to the Medical Staff Panel and HR & OD Committee.

Significant reviews and revisions to this document will include a consultation with named groups, or grades across the Trust. For non-significant amendments, informal consultation will be restricted to named groups, or grades who are directly affected by the proposed changes

4 | Dissemination and Implementation

Following approval and ratification, this policy will be published in the Trust's formal documents library and all staff will be notified through the Trust's normal notification process.

Document control arrangements will be in accordance with The Development and Management of Trust Wide Documents.

Core Information				
Document Title	Unpaid Leave Policy & Procedure for Medical & Dental Staff			
Date Finalised	22 May, 2014			
Dissemination Lead	Medical Workforce Business Partner			
Previous Documents				
Previous document in use?	Yes			
Action to retrieve old copies.	The document controller will ensure that old versions are archived in the archive master file. Access to archived documents will be through the document controller.			
Dissemination Plan				
Recipient(s)	When	How	Responsibility	Progress update
Medical and Dental Consultants	Ratified	Electronic	Medical Workforce Team	
Directorate Managers, Clinical Directors and Service Line Directors	Ratified	Electronic	Medical Workforce Team	

Review		
Title	Is the title clear and unambiguous?	Y
	Is it clear whether the document is a policy, procedure, protocol, framework, APN or SOP?	Y
	Does the style & format comply?	Y
Rationale	Are reasons for development of the document stated?	Y
Development Process	Is the method described in brief?	Y
	Are people involved in the development identified?	Y
	Has a reasonable attempt has been made to ensure relevant expertise has been used?	Y
	Is there evidence of consultation with stakeholders and users?	Y
Content	Is the objective of the document clear?	Y
	Is the target population clear and unambiguous?	Y
	Are the intended outcomes described?	Y
	Are the statements clear and unambiguous?	Y
Evidence Base	Is the type of evidence to support the document identified explicitly?	Y
	Are key references cited and in full?	Y
	Are supporting documents referenced?	Y
Approval	Does the document identify which committee/group will review it?	Y
	If appropriate have the joint Human Resources/staff side committee (or equivalent) approved the document?	Y
	Does the document identify which Executive Director will ratify it?	Y
Dissemination & Implementation	Is there an outline/plan to identify how this will be done?	Y
	Does the plan include the necessary training/support to ensure compliance?	Y
Document Control	Does the document identify where it will be held?	Y
	Have archiving arrangements for superseded documents been addressed?	Y
Monitoring Compliance & Effectiveness	Are there measurable standards or KPIs to support the monitoring of compliance with and effectiveness of the document?	Y
	Is there a plan to review or audit compliance with the document?	Y
Review Date	Is the review date identified?	Y
	Is the frequency of review identified? If so is it acceptable?	Y
Overall Responsibility	Is it clear who will be responsible for co-ordinating the dissemination, implementation and review of the document?	Y

Core Information	
Manager	Yvonne Linley-Shaw
Directorate	HR & OD
Date	March 2014
Title	Unpaid Leave Policy & Procedure for Medical & Dental Staff
What are the aims, objectives & projected outcomes?	To provide guidance for Medical Director and Service Line Managers and Directors to use when medical and dental staff request leave without pay.
Scope of the assessment	
Collecting data	
Race	This is mitigated as the guidelines can be made available in alternative languages
Religion	The document has no impact in this area
Disability	This is mitigated as the guidelines can be made available in alternative formats
Sex	The document has no impact in this area
Gender Identity	The document has no impact in this area
Sexual Orientation	The document has no impact in this area
Age	The document has no impact in this area
Socio-Economic	The document has no impact in this area
Human Rights	The document has no impact in this area
What are the overall trends/patterns in the above data?	There are no trends/patterns in this data. External consideration has been given to 2011.12 NHS Litigation Authority Risk Management Standards for NHS Trusts.
Specific issues and data gaps that may need to be addressed through consultation or further research	Trust wide documents can be made available in a number of different formats and languages if requested. No further research is required as there are no further equality issues.
Involving and consulting stakeholders	
Internal involvement and consultation	These guidelines have been compiled by Senior Medical Staff representatives and has been circulated for consultation to LNC members and the Medical Staff Panel.
External involvement and consultation	None

Impact Assessment

Overall assessment and analysis of the evidence	<p>The assessment has shown that there could be an impact on race or disability groups. However, this document can be made available in other formats and languages if requested.</p> <p>The document does not have the potential to cause unlawful discrimination. The document does not have a negative impact.</p>
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Action Plan

Action	Owner	Risks	Completion Date	Progress update
Provide documents in alternative formats and languages if requested	Medical Workforce Business Partner	Potential cost impact	Ongoing	This action will be addressed as and when the need occurs

Name

Grade

Speciality

Directorate

I wish to take the following leave without pay:-

From To Total Days

Are you a member of the NHS Superannuation Scheme Yes/No

Please give details of why you are requesting Leave Without Pay.

I accept that during the period of Leave Without Pay, I will have no occupational sick pay for that period. I also acknowledge that no pension benefits will accrue during the period of unpaid leave unless by prior agreement by the Trust.

Applicant Signature Date

Service Line Manager Signature Date

Service Line Director Signature Date

Medical Director (6 months or more).....Date.....

Medical HR Manager informed

Copy of completed form sent to applicant Date.....