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Dear Colleague

FIXED ANNUAL LEAVE FOR JUNIOR DOCTORS

Summary

1. This Director's Letter contains guidance in respect of arrangements around the use of fixed annual leave for Junior Doctors which have been formally agreed by Management Steering Group (MSG) and British Medical Association (BMA) Scotland. These are outlined in ANNEX A.

Action

2. NHS Boards are asked to put the necessary arrangements in place to ensure the 1 August 2020 deadline set out in ANNEX A is met.
3. NHS Boards, Special Health Boards and NHS National Services Scotland (Common Services Agency) are asked to ensure that this letter is drawn to the attention of all interested parties.
4. Employers are asked to make their own arrangements for obtaining additional copies of this Director's Letters (DL) which can be viewed at www.sehd.scot.nhs.uk.

Yours sincerely



Sean Neill
Deputy Director, Health Workforce Division

DL (2019) 10

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Addresses:

For action

Chief Executives, NHS
Boards and Special Health
Boards and NHS National
Services Scotland (Common
Services Agency)
Directors of Human
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For information

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In some rosters annual leave is allocated to Junior Doctors in set weeks. This is often referred to as “Fixed Leave”. It is intended that over time the use of fixed leave becomes the exception, and that the increasing use of electronic rostering systems will assist NHS Boards in achieving this aim.

Where fixed leave is in use, local systems should exist to allow Junior Doctors to agree their leave periods allowing, in the majority of cases, for leave to be taken at a time when the Junior Doctor wishes.

Where possible, Junior Doctors will be notified six weeks before the commencement of any confirmed period of leave. From 1 August 2020, this will be a requirement for all rotas where fixed leave remains in use. NHS boards which are currently struggling to achieve six weeks’ notice will be required to review their current arrangements to ensure they are compliant from this date.

Where confirmation of placement allocation is less than six weeks before the start of a rotation, any confirmed leave must be scheduled late enough in the rotation to still meet the six weeks’ notice requirement.

Junior Doctors should retain the ability to request a swap of leave periods after commencement of the rota. Local rules should be in place in each roster to determine how many people can be on annual leave at the same time, and rota leads will need to ensure that this flexibility does not lead to these rules being breached, or with issues around New Deal Contract or Working Time Regulations compliance.

Junior Doctors should be fully informed of local leave rules at the beginning of their placement, and encouraged to work in partnership with each other and employers to create enough flexibility around the allocation of leave while ensuring patient and staff safety is not compromised.