

HE KSS

Parent Leave Guidance



Guidance to KSS Deanery Schools, Trainees & Trusts on Trainees Requiring Maternity, Paternity or Adoption Leave during their Appointment to an Educationally Approved Training Programme in Kent, Surrey and Sussex Deanery

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Contents

Introduction	Page 3
Generic Information	Page 3
Surrogate parents	Page 3
Before the Trainee commences Parent Leave	Page 4
<i>Annual Review of Competence Progression</i>	Page 4
<i>Covering the post</i>	Page 5
Study Leave - Whilst the Trainee is on leave	Page 5
When the Trainee wishes to return	Page 5
<i>Rotational Arrangements</i>	Page 6
<i>ARCP upon return</i>	Page 7
<i>LTFT</i>	Page 7
<i>Transfer</i>	Page 7
<i>Calculating CCT date</i>	Page 8
If the Trainee decides not to return	Page 8
Parent Leave Notification Form	Page 9

Introduction

The aim of this document is to guide Educational Supervisors in supporting the training needs of the trainee at the various stages of the Parent Leave process. This guidance **must** be read in conjunction with the employers Parent or Maternity / Paternity / Adoption leave policy which details the process as it relates to employment policy.

The terms and conditions around leave are subject to regular changes, and the Educational Supervisor is advised to regularly consult the NHS Employers website or Medical Staffing for up to date information:

<http://www.nhsemployers.org/Pages/home.aspx>

In particular you may find it helpful to download the NHS junior doctor's terms & conditions of service document and refer to the guidance on Maternity Leave & Pay. You can do this via the following link:

<http://www.nhsemployers.org/PayAndContracts/JuniorDoctorsDentistsGPReg/Pages/DoctorInTraining-JuniorDoctorsTermsAndConditions150908.aspx>

As of the 3rd April 2011 the additional paternity leave policy was introduced. Eligible partners are now entitled to a period of additional paternity leave from 2 – 26 weeks. Please ensure that you are familiar with the full details of this policy via the following link to the Direct Gov website:

http://www.direct.gov.uk/en/Parents/Moneyandworkentitlements/WorkAndFamilies/PaternityRightsintheworkplace/DG_190788

Generic Information

The following information is intended as a rough guide to the amount of time Educational Supervisors will need to plan for Parent Leave, for full and accurate details please ensure you read the local employer's policy on Parent or Maternity / Paternity / Adoption Leave and pay:

- Maternity leave may begin any time from the 11th week before the expected date of childbirth and the date of the birth
- Maternity leave is compulsory for the first 2 weeks from the date of the birth
- Maternity leave can last up to a maximum of 52 weeks broken down into 26 weeks 'ordinary maternity leave' and 26 weeks 'additional maternity leave'
- Eligible partners are entitled to additional paternity leave if the mother returns to work prior to using their full 52 weeks maternity leave. The additional paternity leave can be taken when the child is between 20 weeks – 12 months old

Surrogate Parents

If you and your husband, wife or partner are having a child through surrogacy, you will not normally be eligible for Statutory Maternity or Adoption Leave. However you will be eligible

for unpaid parental leave once you have got a parental order, subject to local arrangements for unpaid leave requests.

Before the Trainee commences Parent Leave

Please check the employers relevant leave policy for details of when and who the Trainee needs to inform of their intention to take Parent Leave.

In addition to the requirements of the employers relevant Leave policy it is essential that the trainee informs their Educational Supervisor and the Deanery Specialty Workforce/GP Team of the planned leave (for GP Trainees the Programme Director would also need to be informed). This is done by completing the *Parent Leave Notification Form* which can be found in the appendix of this document.

Annual Review of Competency Progression (ARCP)

To enable the Training Programme Director (TPD) to effectively support and plan for the Trainees return, it is essential to establish the trainee's current progress through their Training Programme and the total amount of time in programme they have completed before the leave commences.

ARCP is the formal process by which trainees are assessed for their level of training. As the ARCP's only happen annually, trainees are likely to begin Parent Leave at a time that does not coincide with the ARCP process. Therefore the TPD must ensure that the trainee arranges and completes the following prior to their leave:

For specialty trainees (other than GP):

- An Interim Appraisal Review with their current Educational Supervisor discussing how long they will be away, which site (if different) trainee will return to, what competencies or assessments are completed and outstanding.
- To complete and sign a Structured Report with their Educational Supervisor a few days before their Parent Leave highlighting any remaining WBA's and competencies to be completed.
- To complete Multisource Feedback (MSF) (if applicable for their trainee grade) and request a MSF Summary from their Educational Supervisor.
- Ensure ePortfolio is up to date for presentation at any ARCP that may occur during their leave
- Complete a Form R, complete with Revalidation declaration.

For GP Trainees:

- a) An Interim Appraisal Review with their current Educational Supervisor discussing how long they intend to be away, the proposed site the trainee will return to, and what competencies or assessments are completed and outstanding.
 - the ES must comment on whether the progression of the trainee has been satisfactory from the time of the last ARCP until they go on leave. In particular the completeness of appropriate curriculum coverage needs to be mentioned for hospital posts in ST1/2, (this is particularly important if less than the 4month hospital post has been completed) in order for the ARCP panel (and thus the RCGP) to recognise this as a valid contributor to the totality of the training. This

comment would go in the free text at the end of the review and the trainee then needs to be given an 'out of post ' outcome.

- b) To complete and sign a Structured Report with their Educational Supervisor a few days before their Parent Leave highlighting any remaining WBA's and competencies to be completed.
- c) Ensure that their ePortfolio is up to date for any review that may need to occur during their leave
- d) The trainee should complete an enhanced Form R, complete with Revalidation declaration.

As it can take up to 4 weeks for a CCT to be awarded, GP Trainees with less than four weeks training to complete can be signed off prior to their return to complete their final training time remaining, providing all assessments and the eportfolio are complete, that they have taken less than 12 months leave in total and their ES is able to confirm satisfactory progress by completing their review no more than 8 weeks before the end of training.

Whilst the trainee is on leave, they are considered to be outside of training and so should not complete assessments or update their ePortfolio with competences intended to count towards ARCP. Your status on your ePortfolio will therefore be recorded as Out of Programme in order to suspend your ePortfolio until your return.

Covering the post

The Trust will be left with a vacancy which they will need to consider filling with either a Locum Appointed for Training (LAT) or a Locum Appointed for Service (LAS). Please consult the KSS Deanery LAT Process document for full details of the process.

Trust Medical Staffing/HR departments must agree arrangements with the appropriate Specialty Workforce Team at the Deanery before proceeding with **any** locum appointments.

Where a GP trainee takes Parent Leave whilst in a GP placement these posts would not normally need to be filled, however the Trust may wish to consider filling any subsequent hospital posts that were planned for that individual that may be left vacant during the leave period. The Trust will normally work with the GP Programme Directors to determine the most appropriate way of doing this.

Study Leave - Whilst the Trainee is on leave

Trainees should refer to the KSS Deanery Study Leave guidance for queries related to Study Leave whilst on Parent Leave. This is available on the KSS Deanery web site at www.kssdeanery.org/study-leave .

When the Trainee wishes to return

Please refer to the employer's relevant leave policy for information on who and when the trainee should contact to arrange their return.

In addition to the information given in the policy Trainees wishing to return from Parent Leave must inform the Deanery via the Deanery Specialty Workforce/GP Team of the date they wish to return with at least 8 weeks written notice.

GP Trainees who are in their final year of training and take up to 12 months leave would need to complete the remaining duration of their training period on their return, providing that the ES is assured that the competencies have been maintained.

Where a GP trainee takes 12 months leave or longer the RCGP will require them to complete a minimum of 3 months training on return (even if the remainder of training period was less) in order for the ES to ensure that competencies have been maintained.

Where a GP trainee returns to a GP placement they will need to ensure they have the appropriate Medical Indemnity Insurance and have registered on the Medical Performers List (this usually should be completed 6 weeks in advance of commencing the placement). The GP trainee should also complete the relevant FPGPR1/SEGPR1 form with the ES and return this to the Deanery.

Rotational Arrangements

A trainee has the right to return to work with no detriment to the terms and conditions they enjoyed before they started their leave and on no less favourable conditions unless:

- There is some reason which makes it impractical for the employer to take the trainee back in their old position, in which case the trainee will be offered alternative work on terms and conditions which are not less favourable than those contained in their original contract of employment.
- There is no suitable alternative position; in which case the trainee will be treated in accordance with their contractual and statutory rights.

Owing to the nature of most specialty programmes where trainees are placed into a rotation it is not possible for trainees to return to the same post that they left as another trainee will have rotated into the vacancy. The TPD will work with the trainee to identify a suitable training post for them to return to within the programme that will meet their training needs. When these arrangements are made whilst the trainee is on leave, the trainee must keep their employing Trust and Educational Supervisor up to date with any planned changes. Where the trainee does not maintain contact with the Deanery whilst on leave, suitable rotational arrangements will be made in their absence by the TPD and Specialty Workforce Team.

Due to the post and specialty make-up of GP training programmes, GP trainees should ensure that they record all learning and assessments in each specialty post as comprehensively as possible from the very start of the post in order that any shortened period of time in that post can be considered a valid part of their training by the ARCP panel and the RCGP.

ARCP upon return

The trainee will be required to participate in the ARCP process as it occurs on their return. The panel will take into account any period of leave as a mitigating factor during which time the training time with respect to progress is suspended.

As before, it is likely that the ARCP won't coincide with the trainees return to the training programme. Therefore the TPD must ensure that the trainee arranges and completes the following on their return:

- Arrange another Interim Appraisal Review with current or new Educational Supervisor (at their new site) (for GP Trainees this would be a meeting with the ES to discuss the return to practice plan)
- If the trainee is returning to a different site and an ARCP has not occurred during the trainee's leave the new Educational Supervisor needs to ensure that an up to date structured report is completed in time for the next ARCP review. This should include the latest training they have received on return to work and ensure that any outstanding WBAs and competencies are highlighted.

LTFT

Trainees may request to return on reduced hours, known as Less Than Full Time (LTFT). There are several options available and trainees should refer to the guidance on the KSS Deanery website relating to LTFT training <http://kssdeanery.org/ltft-training> . Trainees will need to follow the Less Than Full Time Training process to secure eligibility confirmation firstly and then educational and funding approval. Please note that this process can take a while to set up so trainees should be encouraged to consult with the LTFT training team at the earliest opportunity, approximately 4 months prior to their due date of return. Please refer to the KSS Deanery LTFT policy for further information, which can be downloaded from the website.

- Trainees who are already training LTFT will need to check whether their LTFT Training Approval is due to expire whilst on leave or soon after their return date. They will need to contact the LTFT Training Team and request a LTFT Training Extension Application Pack. We would recommend doing so 3-6 months prior to the return from leave date.

Transfer

If a trainee wishes to *return to a different Deanery* at the end of their Parent Leave, they will need to apply for an Inter-Deanery Transfer. If a trainee wishes to *return to a different Trust* at the end of their Parent Leave they will need to make an application to their Head of School and Training Programme Director.

Details of the Inter-Deanery Transfer process can be found on the KSS Deanery web site at <http://kssdeanery.org/IDT>.

If successful in a transfer application, trainees are required to give 3 months' notice before the end of their leave. If a trainee on Parent Leave does not provide this information, the employing Trust will be entitled to reclaim their occupational maternity pay minus any SMP they received.

Calculating CCT date

The period that the trainee spends on Parent Leave will affect their expected CCT date and will extend this date by the period on leave. Time on Parent Leave does not count towards CCT.

If the Trainee decides not to return

If a trainee decides *not to return* from their Parent Leave, they are required to give 3 months notice to both the Employer (for employment purposes) and to the Deanery (to confirm resignation from the training programme) before the end of their leave.

If a trainee on Parent Leave does not provide this notice, the Trust will be entitled to reclaim their occupational maternity pay (OMP) minus any SMP they received. Equally, if the trainee is receiving OMP and decides to return for less than 3 months, the trainee may be asked to repay their OMP less the SMP received.

In cases where the Trust considers that to enforce this provision would cause undue hardship or distress, the Trust shall have discretion to waive the right to recovery of their pay.

Parent Leave Notification Form

For the purpose of requesting an extension to the planned Specialty training programme.

Section 1: Personal details (to be completed by the Trainee)

Name			
GMC Number			
Email address			
Telephone number			
Specialty			
Current year of training (e.g. CT1, ST4 etc)		Current planned CCT date	

Section 2: Notification of Parent Leave (to be completed by the Trainee)

IMPORTANT: The Deanery requests that leave notifications are received by the 15th week of EDD

1. Please state the type of leave that is being planned (maternity / paternity or adoption leave)		
2. I have discussed my Parent Leave with my Educational Supervisor	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3. I confirm that I have discussed my Parent Leave with my employer and submitted a copy of my MATB1 form / equivalent adoption paperwork to my employer.	<input type="checkbox"/>	<input type="checkbox"/>
4. Proposed start and end dates of planned leave.	Start Date	End Date
5. Month of your next planned ARCP (this may be whilst on leave)		
6. Date of your next Educational Supervisor review (you should arrange a review meeting to occur BEFORE going on leave).		

Section 3: Declaration (to be completed by the Trainee)

I am notifying KSS Deanery of my Parent Leave and understand that:

- A. I will need to liaise closely with my Training Programme Director so that my re-entry into the clinical programme can be facilitated and I will notify my KSS Deanery Specialty School in advance of my planned return to training.
- B. I will ensure KSS Deanery are notified of any change of address or contact details that occur during my planned leave, and respond in a timely manner to all communication from the Deanery related to my training programme.
- C. I understand that failure to maintain contact with the Deanery whilst on leave may result in the Deanery being unable communicate changes which may affect the placement to which my return is planned.
- D. I am aware that should I wish to return to work earlier or later than the above planned date that the placement will depend on availability at that time and this may result in having to wait for a placement. I understand that I will need to liaise with my Training Programme Director and relevant KSS Deanery Specialty School.
- E. All employers affected by my planned leave have been notified.
- F. I understand that an ARCP may occur in my absence and I therefore will ensure an Educational Supervisor's report is completed and my portfolio is up to date prior to commencing my planned leave.

Trainee signature

Date

Training Programme Director Signature

Date

Please return this form by post to:

[Specialty School Name]
KSS Deanery
5th Floor, Alpha House
100 Borough High Street
London SE1 1LB

or for GP trainees, please return this form to:
GP Training Recruitment Manager,
KSS Deanery
7 Bermondsey Street,
London SE1 2DD

Or email a signed and scanned copy to the relevant Specialty School.

Section 4: Data Protection Statement

The information you provide on this form will be used by KSS Deanery for the purpose of facilitating your extension to the originally planned specialty training programme following your Parent Leave period. The information will be stored on your records within the Deanery and will not be shared with other organisations without your permission. We may discuss your planned leave with your employing Trust, Educational Supervisor or members of your Specialty School. Your data will be treated with sensitivity and confidentiality at all times.