Leicestershire Partnership NHS Trust

Study Leave Policy

This policy outlines the principles and processes that must be followed by staff planning to and undertaking a period of learning/study away from their place of work that is not a mandatory or role essential

Key Words:	Study, leave, training, shadowing, work experience, application, funding, course, programme, placement, continuing professional development, career progression, expenses, student
Version:	4
Approved by:	Strategic Workforce Group
Ratified by:	People and Culture Committee
Date this version was Ratified:	March 2024
Please state if there is a reason for not publishing on website:	n/a
Review date:	September 2026
Expiry date:	31 March 2027
Type of Policy	Clinical	**Non-Clinical** √

Contents

1.0 Version Control and Summary of Changes

Version number	Date	Comments
1	Dec 2016	Updated policy in line: particular changes relate to funding, criteria for approval and new processes
2	Dec 2018	Updated descriptions of services and inclusion of PIA
3	Dec 2019	The Learning & OD Group were assured that current principles were working well and supported the policy for renewal in January 2021. No amendments were made.
4	Jan 2024	Updated as required. Inclusion of managerial supervision compliance as a requirement for study leave approval

1.1 Key individuals involved in developing and consulting on the document

Name	Designation
Alison O'Donnell	Head of Education Training and Development
Wider consultation	All LPT Staff Bands 7 and above inc trust policy group
Governance groups	Training Education and Development Clinical Education Forum

1.2 Governance

Level 2 or 3 approving delivery group	Level 1 Committee to ratify policy
Strategic Workforce Group	People and Culture Committee

1.3 Equality Statement

Leicestershire Partnership NHS Trust (LPT) aims to design and implement policy documents that meet the diverse needs of our service, population and workforce, ensuring that none are placed at a disadvantage over others. It takes into account the provisions of the Equality Act 2010 and promotes equal opportunities for all. This document has been assessed to ensure that no one receives less favourable treatment on the protected characteristics of their age, disability, sex (gender), gender reassignment, sexual orientation, marriage and civil partnership, race, religion or belief, pregnancy and maternity. If you require this policy in any other format please contact the Corporate Governance Team.

1.4 Due Regard

LPT will ensure that Due regard for equality is taken and as such will undertake an analysis of equality (assessment of impact) on existing and new policies in line with the Equality Act 2010. This process will help to ensure that:

- Strategies, policies and procedures and services are free from discrimination.
- LPT complies with current equality legislation.
- Due regard is given to equality in decision making and subsequent processes.
- Opportunities for promoting equality are identified.

Please refer to due regard assessment (Appendix 3) of this policy.
For further information contact:

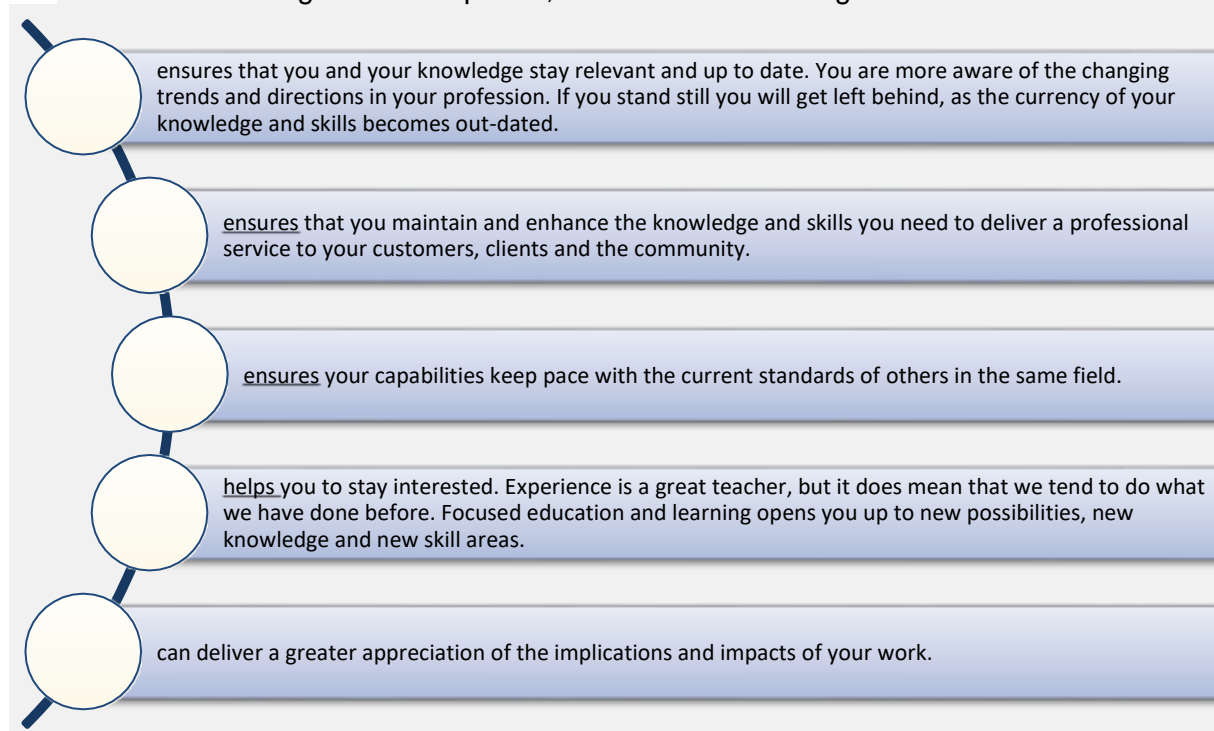Learning & Development: lpt.studyleave@nhs.net

1.5   Definitions that apply to this Policy

Study leave	This is a pre identified **time away from the work** area for the purposes of gaining new knowledge and skills. This includes informal learning such as shadowing other services with the purpose of gaining new knowledge or time away from work to research evidence to support new/current practices. It may or may not include the approval of funding for a course or approval of a course application.
Mandatory Training	Compulsory training identified by the organisation taking into consideration legal requirements, healthcare standards and local priorities.
Course Fees	Refer to the explicit cost of the training and not the additional costs that can be incurred such as backfill, mileage or resources such as books.

2.0   Purpose and Introduction

2.1   The aim of this policy is to set out the processes for identification of appropriate learning which will be supported by the Trust, the processes all staff must follow before and after receiving approved study, and the responsibilities of staff during and following a period of learning/study.

2.2 Your continuing self-development, education and training:

ensures that you and your knowledge stay relevant and up to date. You are more aware of the changing trends and directions in your profession. If you stand still you will get left behind, as the currency of your knowledge and skills becomes out-dated.

ensures that you maintain and enhance the knowledge and skills you need to deliver a professional service to your customers, clients and the community.

ensures your capabilities keep pace with the current standards of others in the same field.

helps you to stay interested. Experience is a great teacher, but it does mean that we tend to do what we have done before. Focused education and learning opens you up to new possibilities, new knowledge and new skill areas.

can deliver a greater appreciation of the implications and impacts of your work.

2.3   Through the application of this policy a consistent approach to study leave and identification of development opportunities will occur, which will ensure that all staff

are supported appropriately and our services continue to improve as a result of their new knowledge and understanding.

2.4 Where leave from work for study has not followed this policy it will not be honoured and individuals could be reviewed in line with the Performance Management Policy.

2.5 Whilst the trust recognises the value of continuing development, education and training it is important that any planned time away from practice is appropriate and in line with trust requirements.

2.6 Other policies to consider when planning and approving study leave:
- Supporting Performance Policy and Procedure
- Mandatory Training and Role Essential Policy
- Appraisal Policy
- Medical Appraisal and Revalidation Policy And Procedure
- Attendance Management and Wellbeing Policy and Procedure.

3. Summary of Study Leave Principles

1. All study must be discussed, identified and approved as part of the staff members Appraisal or manager supervision/contact meetings.

2. Learning objectives must benefit the staff members practice and work service.

3. Prior to undertaking study leave a plan should be in place about how the staff member will share their new knowledge.

4. Training must be included on the Annual Training Needs Analysis as part of the yearly process or as soon as it has been identified (can be confirmed with L&D).

5. Completion of the study leave process can be concluded before the study leave is required.

6. For Doctors in training study leave must be discussed and agreed with their clinical and educational supervisor and approved by the Director of Medical Education. Any training must also be recorded in their Royal College educational portfolio

Approval can only be granted if the staff member:
- ✓ Has a completed Appraisal within the last year recorded on uLearn (or equivalent for medical staff)
- ✓ Had Clinical Supervision within the last 3 months (clinical staff only) and managerial supervision recorded on uLearn (or equivalent for medical staff)
- ✓ Has a good attendance record on previous training
- ✓ Has no outstanding or incomplete learning or training objectives from previous study leave
- ✓ Has completed all Trust Mandatory Training
- ✓ Has no performance concerns unless the training is related to improving performance
- ✓ Will not be leaving the organisation within the next 6 months (potential

exemptions include medical trainees, Redundancy and Retirement).

4. Learning Opportunities

4.1 Learning can be formal or informal such as through organised courses or objective led self-directed study. Below are some suggestions of where informal learning can occur and where the implementation of this policy is required.

- Informal learning:
  - Work shadowing – time out of normal work area observing other practices and can be internal or in external organisations
  - Workshops, conferences and forums – out of the work area to share good practices and learn from peers/colleagues
  - Self-directed – time out of work which has clear learning objectives e.g. for research.

- Formal learning:
  - University courses
  - Distance learning programmes
  - E-learning.

4.2 It is expected that a study leave application form will be submitted for both informal and formal learning that require time out of work/practice to undertake. Note: if training is booked and recorded on uLearn a study leave form is not required.

5. Categories of Study

Mandatory / Statutory

Role Essential

Is required in order that staff can fulfil the requirements of their job role and is pre- approved and planned by Heads of Service and L&OD Group

Booked on uLearn, or study leave form if external, and recorded on uLearn

100% study leave pre-approved and Trust funded

Desirable

Is a development that will enhance the performance of staff within their current role or support an employee's career or professional development

study leave form required, recorded in personal file and on uLearn

% of study leave inc. any funding to be negotiated with line manager

Developmental

Is not directly linked specifically to an individual's career/job role but may benefit the organisation longer term

Study leave form required, recorded in personal file and on Trust system

% of study leave inc. any funding, not guaranteed and must be approved by Service Lead

6.   Duties within the Organisation

The Trust Board has a legal responsibility for Trust policies and for ensuring that they are applied effectively. Trust Board Sub-committees have the responsibility for ratifying policies and protocols.

6.1   **Directorate Directors and Heads of Service are responsible for:**

1. Dissemination of this policy throughout their area of responsibility.

2. To share the Trust and Services vision and workforce plan to help line managers make decisions about study leave.

3. Provide appropriate support for the development of staff within their service.

4. Approving the organisation's annual training plan and allocating resources as appropriate.

5. Ensuring staff complete all mandatory training requirements and annual Appraisal

6.2   **Managers and Team leaders are responsible for:**

1. Approving study leave based on principles outlined in policy. If refusing study leave a clear explanation must be given to the individual and an indication of whether it could be approved in the future e.g. Mandatory training not in date and will approve once completed.

2. Ensuring equality of access to staff development and training opportunities.

3. Managing performance and identifying individual training needs through Appraisal and regular one-to-ones with their team members and feeding these into the annual L&D Survey.

4. Compliance with Mandatory requirements and Role Essential training where required.

5. Ensuring/creating opportunities for new skills and knowledge are applied in the workplace.

6. Creating learning opportunities for individuals whenever possible (this includes the whole range of staff development opportunities, for example coaching and mentoring as well as more formal training).

7. Ensuring that outcomes of study are disseminated to other staff /team members where appropriate and feedback/learning is linked back into practice.

8. Ensuring that individual needs such as dyslexia, disability and sensory impairment are identified and appropriate learning support needs met.

9. Ensuring study leave applications are considered in the context of service delivery, staff provision including backfill (if required) and budgetary realities.

10. Ensuring study leave application form is completed fully in partnership with applicant and financial and leave requirements are appropriately authorised prior to approval of study leave and submission of form.
11. Managing sickness and absence during any study leave in accordance with Trust policy.

12. Ensuring all learning and development documentation is recorded in staffs personal file including the financial agreement.

13. Reclaiming costs incurred by the trust if staff member leaves organisation or does not complete the study in accordance with section 11.

6.3 **Responsibility of Staff**

1. Maintaining compliance with mandatory and role essential training requirements.

2. Identifying own learning and training requirements in order to carry out their role and duties effectively and ensure they are discussed and recorded as part of their appraisal.

3. Requesting and sourcing funding and study leave in a timely manner, using the correct Trust processes (online application).

4. Working collaboratively with their managers and colleagues in the identification and meeting of their learning needs.

5. Evaluating what they have learnt, providing appropriate feedback and sharing their learning with colleagues.

6. Individuals should highlight learning needs such as dyslexia, disability and sensory impairment when they apply for study leave to ensure additional support requirements are agreed.

7. Be responsible for their own application to education providers and ensuring they are appropriately booked on courses and are aware of pre-course requirements.
8. Ensure they attend all study and complete assessments as required by education provider.

9. If unable to attend training prior to its start staff are responsible for informing their line manager, the education provider and updating trust records.

10. To report sickness and absence which occurs on any approved study leave in accordance with Trust policy and services processes.

11. Reporting completion, interruption, failure and withdrawal from any internal/external training onto uLearn.

12. Have consider different funding options such as charitable funds, service development funds, self-funding and charities and sought agreement from most appropriate source.

13. To be responsible for ensuring that any funding requirements are in place prior to attending the course/programme.

14. Complete financial agreement prior to undertaking study leave.

7. Study Leave outside of working hours

7.1. With prior agreement from their manager, if a part-time employee has study leave outside of their normal working hours, time off in lieu will be given up to a maximum of their normal daily contracted hours.

7.2. With prior agreement from their manager, where full time employees are required to attend a study event that falls on a day they would not normally work, including weekends, time off in lieu will be given up to a maximum of their normal daily contracted hours.

7.3. Where staff who normally work nights are required to attend training activity during the day and consequently miss a night shift, they will receive the same enhancements they would have received for night work.

7.4. If it is a requirement for part time employees to attend a full time event, or work above their normal contracted weekly hours, a discussion must be facilitated in conjunction with Human Resources to determine whether time off in lieu should be granted, equivalent to additional hours worked. The objective of this is to ensure no detriment to part time workers.

7.5. If further leave is required, an individual has the option to take annual leave, or apply for unpaid leave as appropriate.

8. Online Learning (eLearning)

8.1 Appropriate study leave must be given to staff undertaking e-learning or distance learning programmes. This should normally be the same as for equivalent lecture based programmes if time is not specifically stated for the programme. Staff must negotiate with their line manager prior to commencing the programme.

8.2 Bank staff must seek agreement from the Centralised Staffing to confirm any salary/expenses to be claimed.

9. Bank Staff

9.1 The principles outlined in the policy should also be adhered to by bank staff, as this group of staff are an essential component of our workforce and thus should have equivalent development opportunities.

9.2 Where it refers to Manager this relates to Centralised Staffing or a manager who has been delegated this responsibility by Centralised Staffing.

9.3 Study leave requests will be considered on a case by case basis.
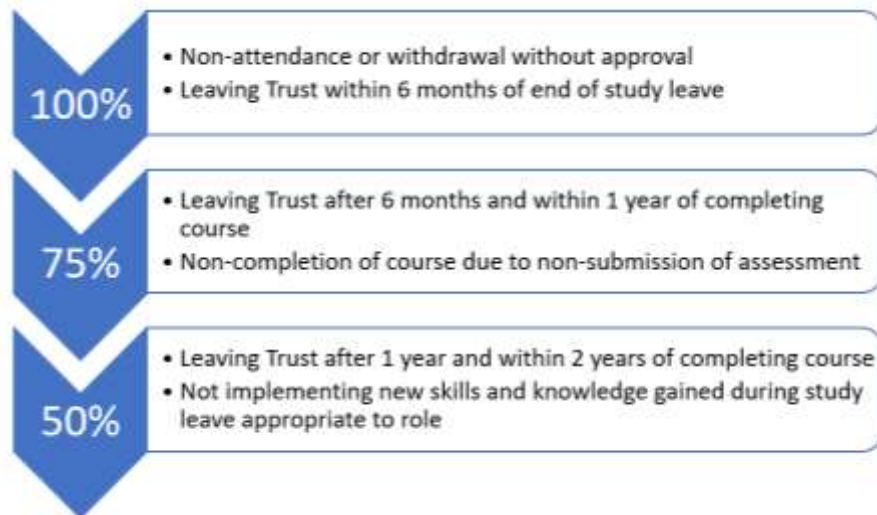
10. Study leave costs and reimbursement

10.1 Apart from in exceptional circumstances e.g. redundancy, if applicants leave the

Trust's employment during the course of their study they may be required to repay all or part of the costs incurred by the Trust e.g. course fees and study time away from work area. This applies to extended study programmes and it is not intended to recover fees for one/two day study programmes. Staff should contact their line manager or HR adviser for further clarification.

10.2   Payment of any examination fees should be included in the initial Study Leave request.

10.3   Where there is an additional cost to re-take, due to a failure of the assessment of a programme, then this will be incurred by the member of staff/student unless otherwise agreed by their line manager. If further study leave and/or funding is agreed then a new study leave application is required.

10.4   Where staff are required to pay a percentage of the training costs, this is to be arranged directly with the training provider wherever possible. In exceptional circumstances, where an employee is unable to pay/meet their agreed proportion of the cost of the training and development activity in the first instance, the organisation will pay the full cost of the invoice upon receipt of the invoice from the training provider. The manager will then ensure the employee completes a 'Deduction from Salary Request Form' and submit it to lpt.hrinputting@nhs.net and the Finance Department, in order for their proportion of costs be paid back to the Trust through their salary in negotiated and agreed instalments.

10.5   Failure to attend any supported learning and development activity, without discussion/notification and agreement from line manager may result in disciplinary investigation and potential sanctions.

10.6   If an individual withdraws without managers approval, does not complete or pass the course or leaves the Trust's employment during the course of their study, they will be required to repay 100% of the course fees and possibly study leave time, which the Trust has paid. This applies to all study programmes including one/two day study programmes.

10.7   Managers must ensure the Financial Agreement is completed by the applicant and a copy retained in their personal file.

10.8   Notice to payroll of the amount to reclaim must be given on the termination notification form.

10.9   In all circumstances individual cases will be considered.

11.   Repayment of study leave costs

11.1   The Trust can reclaim funding from individuals through payroll or after staff have left the organisation.

11.2   Staff who do not complete the financial declaration form could have any funding requested refused.

11.3   Amount of repayment due to the Trust is dependent on the rational below and the following percentages have been agreed. There is no lower or upper limit of funding that can be reclaimed by the Trust. However, each case will be considered individually, see below:

- **100%**
  - Non-attendance or withdrawal without approval
  - Leaving Trust within 6 months of end of study leave

- **75%**
  - Leaving Trust after 6 months and within 1 year of completing course
  - Non-completion of course due to non-submission of assessment

- **50%**
  - Leaving Trust after 1 year and within 2 years of completing course
  - Not implementing new skills and knowledge gained during study leave appropriate to role

12. Overseas Study Leave

All applications for overseas training/study leave will be considered in accordance with the normal procedure and process as above. However, the Divisional Director / Enabling Service will be required to approve the study leave and the costs. The Chief Executive must approve overseas study leave requests for Directors, and the Chairman must approve overseas study leave for the Chief Executive and Non-Executive Directors.

13. Travel Expenses:

13.1 When the study leave will incur travel or subsistence expenses, then the level of reimbursement to be claimed must be approved by the line manager prior to the approval of the study leave application.

13.2 See NHS Terms and Conditions of Service Handbook (Section 17) for details of travel and subsistence.

13.3 Staff should complete Easy-pay indicating that mileage is **Training Miles** unless manager has approved otherwise.

14. Appeals Procedure

14.1 Funding for training and development is ultimately restricted by the finances available. Study leave/Time off with/without pay is subject to the demands of the service.

14.2 Failure to obtain funding/approval for time off can be discussed with the line manager in the first instance, who will discuss the outcome with the designated budget holder as necessary, in order to seek clarification as to the decision made.

14.3 It is hoped that any disagreements will be resolved as quickly as possible. Where individuals are unhappy with the outcome they do have the right to formalise their complaint.

15. Training Needs

There is no training requirement identified within this policy.

16. Monitoring Compliance and Effectiveness

Page / Section	Minimum Requirements to monitor	Process for Monitoring	Responsible Individual /Group	Frequency of monitoring
	Completion of online study leave form	uLearn reports	Training Education and Development Group	Quarterly

17. Standards/Performance Indicators

Staffing – Qualified, competent and experienced staff must be in place, ensuring that fundamental standards are met. Staff must receive the support, training and supervision that they need to help them do their job (CQC).

TARGET/STANDARDS	KEY PERFORMANCE INDICATOR
Staff to submit study leave for all non-mandatory training	uLearn to hold all personal development records
Staff to have opportunities to development and education	85% of staff to have completed some form of education and training each year.

18. References and Bibliography

Policy was drafted with reference to the following:

University Hospitals of Leicester: Study Leave and Funding Support for Non-Medical Staff Policy and Procedure.

Appendix 1 Flowchart

Appraisal Manager to confirm previous study completed. New development needs identified as appropriate
↓
Staff member looks for appropriate training to meet identified development need and seeks confirmation from manager of their support to have study leave and agreement of key factors
↓
Ideally at least 6 weeks before period of study leave Staff member to submit online application for study leave, indicating if any funding is required
↓

Application will be reviewed by L&D Staff member's compliance with mandatory training, appraisals + supervision is assessed	**Funding** If funding is requested, L&D will forward on to appropriate approver who will then inform L&D if funding is available

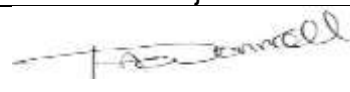| |
|---|
| ↓ |
| Staff member will be informed whether study leave is *confirmed*.
If any queries are highlighted during this process, then staff member's manager and themselves will be informed, for individual situations to be considered. |
| ↓ |
| All approved study leave courses will be inputted by L&D on staff members uLearn records |
| ↓ |
| On completion of study staff member must update their uLearn record of training according to their level of achievement of the period of study or course |
| ↓ |
| **Appraisal**
Managers to confirm study leave records on uLearn are accurate and a true reflection of the staff member's achievements. |
| ↓ |
| **Study leave costs**
Manager to activate process for reimbursement of any costs incurred by the Trust should the staff member not meet study leave policy requirements |

Appendix 2 The NHS Constitution

- The NHS will provide a universal service for all based on clinical need, not ability to pay.
- The NHS will provide a comprehensive range of services.

Shape its services around the needs and preferences of individual patients, their families and their carers	☐
Respond to different needs of different sectors of the population	☐
Work continuously to improve quality services and to minimise errors	Yes
Support and value its staff	Yes
Work together with others to ensure a seamless service for patients	☐
Help keep people healthy and work to reduce health inequalities	☐
Respect the confidentiality of individual patients and provide open access to information about services, treatment and performance	☐

Appendix 3 Due Regard Screening Template

Section 1	
Name of activity/proposal	Study Leave Education & Training
Date Screening commenced	January 2024
Directorate / Service carrying out the assessment	Learning & Development
Name and role of person undertaking this Due Regard (Equality Analysis)	Alison O'Donnell Head of Education Training and Development
Give an overview of the aims, objectives and purpose of the proposal:	
AIMS: This policy is designed to enable staff to apply and be supported to undertake learning and development. It is necessary to ensure that all individuals undertaking study leave are supported and it is undertaken appropriately and relates to their area of work.	
OBJECTIVES: This policy outlines the principles and processes that must be followed by staff planning to and undertaking a period of learning/study away from their place of work that is not a mandated/essential requirement of their role.	

Section 2	
Protected Characteristic	If the proposal/s have a positive or negative impact please give brief details
Age	In addition to the Trust Equality Diversity and Human Rights policy please refer to Trust Reasonable Adjustment policy and Gender Reassignment policy which aim to minimise any form of discrimination (direct or otherwise) due to anyone's association with one or more protected characteristic.
Disability	
Gender reassignment	
Marriage & Civil Partnership	
Pregnancy & Maternity	
Race	
Religion and Belief	
Sex	
Sexual Orientation	
Other equality groups?	

Section 3	
Does this activity propose major changes in terms of scale or significance for LPT? For example, is there a clear indication that, although the proposal is minor it is likely to have a major affect for people from an equality group/s? Please tick appropriate box below.	
Yes	No
High risk: Complete a full EIA starting click here to proceed to Part B	Low risk: Go to Section 4. **X**

Section 4			
If this proposal is low risk please give evidence or justification for how you reached this decision:			
This decision was reached because study leave is open to all individuals and the factors which may limit the experiences relate more to the working environment rather than protected characteristics. Should anyone with as a disability request work experience then risk assessments are completed and reasonable adjustments are made if appropriate.			
Signed by reviewer/assessor	*[signature]*	Date	January 2024
Sign off that this proposal is low risk and does not require a full Equality Analysis			
Head of Service Signed	Sarah Willis	Date	March 2024

Appendix 4 Data Privacy Impact Assessment Screening

<table>
<tr><td colspan="4">Data Privacy impact assessment (DPIAs) are a tool which can help organisations identify the most effective way to comply with their data protection obligations and meet Individual's expectations of privacy.
The following screening questions will help the Trust determine if there are any privacy issues associated with the implementation of the Policy. Answering 'yes' to any of these questions is an indication that a DPIA may be a useful exercise. An explanation for the answers will assist with the determination as to whether a full DPIA is required which will require senior management support, at this stage the Head of Data Privacy must be involved.</td></tr>
<tr><td>Name of Document:</td><td colspan="3">Study Leave Policy</td></tr>
<tr><td>Completed by:</td><td colspan="3">Alison O'Donnell</td></tr>
<tr><td>Job title</td><td colspan="2">Head of Education Training & Development</td><td>Date: January 2024</td></tr>
<tr><td colspan="2">Screening Questions</td><td>Yes / No</td><td>Explanatory Note</td></tr>
<tr><td colspan="2">1. Will the process described in the document involve the collection of new information about individuals? This is information in excess of what is required to carry out the process described within the document.</td><td>No</td><td></td></tr>
<tr><td colspan="2">2. Will the process described in the document compel individuals to provide information about them? This is information in excess of what is required to carry out the process described within the document.</td><td>No</td><td></td></tr>
<tr><td colspan="2">3. Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information as part of the process described in this document?</td><td>Yes</td><td>To support funding of individuals their name may be shared with funding organisation e.g. HEE or university. Once funding approved this information will be gathered by external organisation anyway.</td></tr>
<tr><td colspan="2">4. Are you using information about individuals for a purpose it is not currently used for, or in a way it is not currently used?</td><td>Yes</td><td>To report on protected characteristics internally. To plan future funding requirements and training needs with external education providers.</td></tr>
<tr><td colspan="2">5. Does the process outlined in this document involve the use of new technology which might be perceived as being privacy intrusive? For example, the use of biometrics.</td><td>No</td><td></td></tr>
<tr><td colspan="2">6. Will the process outlined in this document result in decisions being made or action taken against individuals in ways which can have a significant impact on them?</td><td>Yes</td><td>They may be required to repay funding. May be removed from training if they do not maintain mandatory training or performance.</td></tr>
<tr><td colspan="2">7. As part of the process outlined in this document, is the information about individuals of a kind particularly likely to raise privacy concerns or expectations? For examples, health records, criminal records or other information that people would consider to be particularly private.</td><td>Yes</td><td>If required to repay funding after leaving the trust there may be investigation into their personal financial situation.</td></tr>
<tr><td colspan="2">8. Will the process require you to contact individuals in ways which they may find intrusive?</td><td>Yes</td><td>Only repayment not forthcoming from individual.</td></tr>
<tr><td colspan="4">If the answer to any of these questions is 'Yes' please contact the Data Privacy Team via <u>Lpt-dataprivacy@leicspart.secure.nhs.uk</u> In this case, ratification of a procedural document will not take place until review by the Head of Data Privacy.</td></tr>
<tr><td colspan="2">Data Privacy approval name:</td><td colspan="2">Sarah Ratcliffe</td></tr>
<tr><td colspan="2">Date of approval</td><td colspan="2">12/02/2024</td></tr>
</table>

Acknowledgement: This is based on the work of Princess Alexandra Hospital NHS Trust