

# SECTION 40: TERMS AND CONDITIONS OF EMPLOYMENT FOR TRAINEES

## Employment, Annual Leave and Attendance

There are two routes of entry into the Course, one for trainees who originate from within the EU, and the other for those based outside the EU. Although all trainees follow exactly the same programme, there is a difference in employment status. Students from the EU are funded by NHS London and are employed through the NHS; those trainees from outside the EU will have alternative sources of funding, and are not employed by the NHS.

Although this Section applies only to trainees who are employed through the NHS, it is assumed that all trainees will follow the guidance on attendance requirements outlined below.

### EMPLOYMENT

Trainees who are in receipt of funding from NHS London are full-time salaried employees of the NHS, as well as being full-time students registered at UCL. This dual status is very unusual and potentially confusing, because it confers student status for some purposes, but also the rights - and hence the obligations - of a full-time salaried employee.

This Section gives you information about basic terms and conditions. It is not intended as a substitute for the contract with Camden & Islington Foundation Trust, which sets out terms and conditions in a formal manner.

#### **Funding, contracts and line management**

Trainees are funded by NHS London. Because the Strategic Health Authority cannot directly employ trainees, it commissions a local Trust to act as the employing Trust and hence to manage all trainee human resources issues related to this employment. For this reason all HR functions are carried out by Camden and Islington Foundation Trust.

**Contract extensions:** Your contract usually allows for three years of full-time funding. Contracts can be extended only under specific circumstances, and usually for no more than 12 months. There is further information about this at the end of this Section.

#### **Line management:**

## ATTENDANCE REQUIREMENTS

### At College and Placement

As full-time salaried NHS employees, trainees are paid for **all** the activities that take place in the working week. This includes time spent in clinical placements, attending lectures in college, undertaking research, undertaking academic study (and even time spent sitting exams).

This is a very unusual situation; not only are trainees paid for activities which are intuitively

Trainees need to keep in mind that they are paid for all activities related to training.

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The main reason for being clear about this issue is that a lack of clarity leads to problems in relation to taking leave, and in relation to attendance at college.

### Attendance at lectures

As above, you are being paid to attend college, and hence attendance is a requirement of your employment contract (in other words, you cannot choose whether to come to lectures).

If you are unable to attend college, you must notify your Course Tutor (via email) and the Placements Coordinator (via Microsoft Forms - <https://forms.office.com/e/1xXPKe31DP>) as early in the morning as is practicable, indicating the reason for your absence. Appropriate reasons for absence are the usual and obvious ones, such as illness, urgent medical consultations that cannot be scheduled for any other time, or unforeseen crises.





### **Leave for “Urgent Domestic Distress”**

Trainees can request leave in order to deal with urgent domestic emergencies, such as burglary, fire or flooding. You can normally be granted 1 day of paid special leave. If the need for time off continues other options may need to be considered such as annual leave, flexible working or unpaid leave.

### **Time off for dependants (carer’s leave)**

This form of leave can be requested to provide support to deal with unexpected or sudden family emergencies.

circumstances up to 5 working days can be granted to cover a single episode in any 12 month period in discussion with your course tutor and your relevant year group line manager.

to planned medical or dental appointments. These need to be taken as annual leave or unpaid leave as appropriate.

Employees who have been employed for a minimum NHS continuous period of 12 months at the time the leave is requested may apply for extended unpaid special leave.

### **Maternity leave**

Entitlement to maternity leave and benefits varies in relation to the length of time you have been on the course or in NHS employment.

Leave Policy in order to understand your entitlements and what information you will need to provide when. You should also discuss with your course tutor who will be able to help you make plans and who formally records your absence from the course, and ultimately with your relevant year group line manager. Detailed requests for advice and paperwork should be directed at Camden and Islington Human Resources.

### **Paternity Leave**

Paternity leave applies to biological and adoptive fathers, husband, wife or partner of the mother. Eligible employees are entitled to up to two weeks paid leave and reasonable time off to attend antenatal appointments and to attend antenatal appointments with their partner. For more information on paternity leave, please contact your line manager or HR.

has organised)

have an adverse impact (for example, a session advising on procedures for the research viva)

to work, and where delay would make it likely that a further extension to training would be required (e.g. revising an ethics application that needs to be approved in order for research to start as soon as the trainee returns to work).

These examples are illustrative, and cases will be dealt with on an individual basis.

expected to be undertaken after returning to work (for example, writing a case report or sections of the research thesis).

The approval of KIT days is at the discretion of your relevant year group line manager, to whom the relevant application form should be submitted by trainees wishing to take a KIT day.

**Religious/ cultural observance**

Trainees who wish to take days for reeld7(f)5(o)-7(rl)22(b)11(7(f)5 )-48(e)11v(f)5 e

-collection is best achieved using a block of time, or who needs to schedule data-collection around hard-to-book lab times

As should be clear from the above examples, decisions about taking research study leave as a block or as a series of days will depend on the need the leave is addressing.

### **Procedure**

a) Trainees should ensure that if they are taking Research Study Leave they will have undertaken enough days on placement to meet the BPS criteria, as indicated in the Training Handbook.

b) In the first instance applications for research leave must be negotiated with the Clinical Supervisor, either early in the placement, or as soon as the need for leave becomes clear. Clinical supervisors are entitled to balance the needs of the clinical placement against the trainee's need to undertake research. This means that trainees may have to take fewer than six days study time, or even no study time at all. On occasion it may be that Research Study Leave is requested later in the placement (for example if there have been unforeseen difficulties with recruitment and the study time is required to manage this).

c) If the clinical supervisor is agreeable to the leave being taken, trainees need to deduct this from their number of placement days.

### **Additional information for international students Tier 4 monitoring arrangements**

For those trainees who are being sponsored by UCL on a103(a)-

Trainee attendance figures are shared with Camden and Islington NHS Trust, and are a formal record of your pattern of leave. On this basis, failing to record leave accurately is potentially a formal



The correct return is still 5 days of annual leave. This is because the study day in any one

Remember that study time is there in recognition of the other duties trainees need to perform.

It is a *notional*  
is no study day.

**Further examples** the weekly pattern is notional; shaded days show days taken as leave