

The Scottish Government

Directorate for Health Workforce, Leadership
and Service Reform
NHS Pay and Conditions



Scottish Government
Riaghaltas na h-Alba
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Dear Colleague

**ANNUAL LEAVE AND PUBLIC HOLIDAY
ENTITLEMENTS:
CONSULTANTS (SCOTLAND) (2004)
SPECIALTY DOCTORS (SCOTLAND) (2008)
ASSOCIATE SPECIALISTS (SCOTLAND) (2008)
NHS HOSPITAL MEDICAL AND DENTAL STAFF
AND DOCTORS AND DENTISTS IN PUBLIC
HEALTH MEDICINE AND THE COMMUNITY
HEALTH SERVICE (SCOTLAND) (2007)
GP SPECIALTY REGISTRARS IN GENERAL
PRACTICE**

Summary

1. This circular advises NHSScotland employers of changes to the terms and conditions of service for Consultants; Specialty Doctors and Associate Specialists; Junior Doctors (including GP Specialty Registrars) and other staff covered by the NHS Hospital Medical and Dental Staff and Doctors and Dentists in Public Health Medicine and the Community Health Service (Scotland) Terms and Conditions of Service.

2. Agreement has been reached to amend the annual leave and public holiday entitlements for these staff groups as detailed below.

27 May 2021

Addressees

For action

Chief Executives, Directors of Finance, Directors of Human Resources, NHS Boards, Special Health Boards, NHS National Services Scotland (Common Services Agency), Healthcare Improvement Scotland

For Information

Members, Scottish Partnership Forum Members, Scottish Terms and Conditions Committee Members, Scottish Workforce and Governance Group, Management Steering Group

Enquiries to

Scottish Government Health Workforce
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Agreement

3. A number of NHS Boards already have local agreements with the BMA Local Negotiating Committees (LNCs) representing medical and dental staff which substitute two of their ten public holidays with three days additional annual leave (pro rata for those working less than full time), as provided by Section 2.3 of the General Whitley Council Conditions of Service.
4. The NHSScotland Management Steering Group and BMA Scotland have now agreed to apply the substitution of two public holidays with three additional annual leave days on a permanent, pan-NHSScotland basis for all those doctors and dentists who fall under the terms and conditions of service covered by this circular.
5. The provisions of this circular do not apply to those substantive salaried GPs employed by NHS Boards who are currently entitled to ten public holidays a year. That does not prevent equivalent arrangements being introduced locally where all parties are in agreement, subject to no detriment to any individual.
6. The two public holidays that will be removed for those covered by the circular are those which currently apply locally only to medical and dental staff, aligning their remaining eight public holidays with those which already apply to the non-medical staff employed by the NHS Board.
7. The change will increase the annual leave entitlement to 6.6 weeks for those grades previously entitled to 6 weeks' leave, and to 5.6 weeks for those previously entitled to 5 weeks' leave. At the same time, their public holiday entitlement will reduce from 10 to 8 public holidays per year.
8. With the exception of new Foundation Year 1 trainees, the change for junior doctors and dentists will come into effect at the August changeover on 4 August 2021. For new Foundation Year 1 trainees, the change will come into effect from the date of their appointment, i.e. the start of their paid shadowing and induction period.
9. For all other doctors and dentists covered by this circular, the change will be implemented from 1 August 2021 or the end of their individual leave year, whichever is later.
10. NHS Boards will need to agree arrangements with their LNC for managing the transitional period, including agreement on the two additional medical and dental public holidays for 2021/22 and ensuring there is no detriment to any individual member of staff as a result of the changes.
11. The necessary changes to the relevant terms and conditions of service will be agreed and issued in due course.
12. NHS Boards and LNCs should now agree local implementation arrangements in advance of 1 August 2021 for all medical and dental staff covered by this circular.
13. The provisions outlined in this circular should be applied to less than full time staff on a pro rata basis.
14. NHS Education for Scotland will need to agree appropriate arrangements with BMA Scotland for those GP Specialty Trainees moving between secondary care and GP placements, given that most GP practices have agreed locally ten public holidays a year and will continue to do so.

Action

15. NHS Employers are required to make the necessary arrangements to implement the new provisions from August 2021 onwards.

16. NHS Employers are asked to make their own arrangements for obtaining any additional copies of this circular which is available on the SHOW website at <http://www.show.scot.nhs.uk/publications/publication.asp> or the MSG website at <http://www.msg.scot.nhs.uk/publications>.

Enquiries

17. Employees should direct their personal enquiries to their employing Board, Special Health Board or NHS National Services Scotland (Common Services Agency).

18. NHS Employers should direct enquiries to the Scottish Government contact detailed on page one of this circular.

Yours sincerely



Laura Zeballos
Deputy Director for Health Workforce
27 May 2021