



Dear Colleague

ANNUAL LEAVE IN 2020-21

- [DL\(2020\)9](#) set out the provisions for carry-over of annual leave from the 2019-20 leave year necessitated by the COVID-19 emergency, and [DL\(2020\)16](#) indicated a desire to return to a more normal approach to the management of annual leave in 2020-21. Following partnership discussions through the Scottish Terms and Conditions Committee, this letter provides further guidance on this issue.
- Whilst acknowledging the exceptional circumstances which have marked the beginning of 2020-21, there remains an expectation that every member of staff¹ will fully utilise their entitlement to annual leave during the leave year in which it accumulates, wherever possible.
- Annual leave allows time away from work for rest and recuperation and, given the pressure which COVID-19 has placed on the service, it is doubly important that staff have regular time away to relax and recover.
- It is also important that we prevent a scenario where large numbers of staff have significant amounts of annual leave left at the end of the leave year, since the NHS depends on staff staggering their leave so that services can be maintained at all times.
- As with any normal year, therefore, staff and managers must work together to look at the remaining months of 2020-21 and agree a fair distribution of leave which ensures that staff can take the whole of their entitlement whilst adequate cover remains for service delivery.

Shielding Staff

- As a general principle, managers and shielding staff must stay in regular contact. Even if the shielding individual is not able to work from home, it is important that they are kept up to date with developments in their department and that every effort is made to ensure they continue to feel part of NHS Scotland's healthcare team.

DL (2020) 22

17 July 2020

Addresses

For action

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

For information

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

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¹ Subject to the GWC provisions regarding annual leave which remain extant for medical and dental staff.

7. Although still to be confirmed, if infection rates across Scotland continue to be low, it is likely that the current period of shielding will not extend beyond 31 July. If this happens, those who are shielding will no longer receive blanket advice to stay away from physical workplaces. However, any return to work will have to be managed safely, ensuring that risks to employees who have been asked to shield are adequately assessed and managed.

8. The Scottish government will provide guidance to support conversations between employers and employees on assessing and managing risk and this will be issued shortly. It should also be noted that, although the current period of shielding may come to an end in July, the list of those asked to shield will be maintained, and shielding guidance will be kept under review and updated in line with clinical evidence about local and national virus prevalence.

9. As with all other staff, managers and shielding staff should work together to agree a programme of annual leave for the remainder of 2020-21. Staff can still be asked to do work by their employer whilst shielding, so agreeing clearly defined annual leave time when the team member cannot be disturbed will be helpful for shielding employees' wellbeing in the same way as it is helpful for any employee to have periods of time which are entirely their own.

10. There may be exceptional instances where the restrictions placed on employees by shielding make it impossible to enjoy an adequate level of rest and recuperation, even during time designated as annual leave. Employers are therefore asked to bear in mind that there may be circumstances where it would be unreasonable to expect a shielding staff member to take all their annual leave in 2020-21. Every individual's situation will be different, so each scenario, and any potential for carryover of leave, will need to be dealt with on a case by case basis at a local level.

Review

11. As with all policies put in place in response to COVID-19, this policy will be kept under partnership review to ensure it continues to meet the needs of NHS Scotland.

Action

12. NHS Boards and Special Health Boards should ensure that this policy is widely publicised to staff and managers.

Yours sincerely

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