

UKPHR Reasonable Adjustments Policy

Introduction

UKPHR are committed to ensuring equality of opportunity for all registrants and applicants and expect employers to provide appropriate support. It is important that those who are renewing, revalidating/re-registering or judged to be ready for registration, will not be placed at a substantial disadvantage on the grounds of disability or health.

All reasonable adjustment requests will be considered with reference to UKPHR's ability to measure individuals against the mandatory competence standards set by UKPHR, the statutory regulators and the Faculty of Public Health. UKPHR will not make adjustments to the application of a competence standard but may consider adjustments to the process by which attainment of the standard is determined.

Decisions will be made by a Reasonable Adjustments Panel, specifically convened for the purpose of assessing and approving applications.

Where recommendations cannot be implemented for the reasons outlined, the Registrar is responsible for communicating this decision to the applicant/registrant.

Purpose

The purpose of this policy is to ensure that:

1. UKPHR complies with its duty under the Equality Act 2010 to make reasonable adjustments for individuals with a disability
2. UKPHR has a clear procedure in place for applicants/registrants to follow if they wish to apply for an adjustment to their application/registration
3. All applications for reasonable adjustments will be reviewed in a fair and timely manner

This policy sets out:

- UKPHR's arrangements for making reasonable adjustments for applicants/registrants when appropriate
- How applicants/registrants may qualify for reasonable adjustments
- The reasonable adjustments UKPHR will accept, and the timescales required so that reasonable adjustments can be agreed

Scope

This policy applies to any applicant/registrant who is applying to register, renew or revalidate/re-register with UKPHR, or who is going through the registration process and who:

- has a disability as defined by the Equality Act 2010 (see definition section)

Individuals with a disability may apply for:

- a reasonable adjustment for an application for registration, restoration, revalidation/re-registration and annual renewal
- an extension if they are suffering from a long-term, critical illness.

Individuals not satisfied with the response for reasonable adjustment should refer to the UKPHR Appeals Policy.

Applicants/registrants who do not have a disability but who have particular issues impacting on their application/registration date should refer to the UKPHR Exceptional Circumstances Policy.

Although UKPHR does not regulate or have oversight of registrant employers, we expect all of our registrants to be working in environments that support appropriate reasonable adjustments.

Policy statement

UKPHR will evaluate every application and review the evidence provided. If no evidence is provided, UKPHR will ask the applicant to submit relevant evidence. If no evidence is subsequently provided, UKPHR may refuse the application.

An individual who makes an application for a reasonable adjustment to their application/registration will be treated fairly in accordance with this policy. The application process can be found in Appendix 1.

UKPHR will maintain confidentiality at all times, but information may need to be shared with members of the Registration Panel, members of the Registration Approvals Committee, local practitioner scheme coordinators, specialist portfolio assessors, practitioner portfolio assessors and verifiers, members of the Reasonable Adjustments Panel or the Extenuating Circumstances Panel but only if directly involved in the organisation of the application/registration. With reference to practitioner portfolio assessments, reasonable adjustments can be agreed with agreement from the regional scheme coordinator.

UKPHR do not grant exemptions from any part of the application/registration.

Definitions

Equality Act 2010 - The equality Act 2010 in the UK defines a 'competence standard' as *an academic, medical, or other standard applied by or on behalf of an education provider for the purpose of determining whether or not a person has a particular level of competence or ability*. In the case of UKPHR application/registrations, this would mean the standards that an individual has to achieve to demonstrate their competence.

However, it is imperative that the adjustments do not affect the competence standards against which any comparisons are being made. Reasonable adjustments must not affect the reliability of the assessment, but may involve, for example allowing extra time to complete the portfolio or application.

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Section 6 of the Equality Act 2010 defines disability as a '*physical or mental impairment which has a substantial and long-term adverse effect on someone's ability to carry out normal day to day activities*'. It covers a wide variety of conditions, encompassing long-term illness as well as physical or psychological problems and temporary impairments and these are noted in Schedule 1, Part 1 of the Equality Act 2010 and in Regulation 7 of the Equality Act 2010 (Disability) Regulations 2010. Where possible and appropriate, UKPHR will make every effort to help applicants and registrants with a diagnosed disability. For example, those with diagnosed dyslexia may be allocated additional time to submit portfolios, clarifications and resubmissions. This list is not exhaustive.

A long-term effect usually refers to something that has had an effect on an individual, or is likely to affect an individual, for at least a year. In the case of an applicant/registrant being diagnosed with a long-term, critical or life-threatening illness, an application may be made for an extension to the period of registration as an applicant/registrant to give the individual sufficient time to be sufficiently fit for an application/registration.

Section 96 states that a qualifications body (regulator) does not need to make reasonable adjustments but it must ensure that the "*qualification gives a reliable indication of the knowledge, skills and understanding of a person*" (subsection 8b) and the need to "*maintain public confidence in the qualification*" (subsection 8c).

Reasonable Adjustments

The Equality Act 2010 requires organisations to make reasonable adjustments for disabled individuals (within the meaning of the Equality Act 2010). For UKPHR, this means applicants/registrants who could be at a significant disadvantage in comparison to someone who is not disabled. The purpose of any adjustments is to take steps to mitigate the disadvantage the individual is experiencing in the application/registration.

A number of factors may affect an individual and considerations should include, but are not limited to:

- the individual needs of the applicant/registrant
- whether an adjustment enables the individual to complete the assessment process whilst not giving them an unfair advantage
- the cost of the adjustment
- whether the proposed adjustment reflects the normal practice of a person working within public health
- the likely impact of the adjustment upon the applicant and other applicants/registrants.

Adjustments must not:

- compensate the applicant/registrant for any lack of knowledge and skills
- invalidate the assessment requirements of the requirements of the registration and should not alter the required competence standards
- give the applicant/registrant an unfair advantage over other applicants/registrants.
- invalidate the requirement for registrants to be current and fit to practice at the time of registration/ revalidation

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Responsibilities

UKPHR will ensure that the UKPHR staff apply the policy appropriately and review the policy periodically as part of UKPHR's self-evaluation arrangements considering applicant/registrant feedback, actions of the regulatory authorities or other relevant external agencies, or changes in legislation and advise the Board of these necessary revisions.

UKPHR will publicise that reasonable adjustments can be made to application/registrations for those who have a disability, receive requests for reasonable adjustments from applicants/registrants and process them in a timely manner, ensure that all requests for reasonable adjustments are considered fairly and consistently in line with this policy, request further information from applicants/registrants in order to fully understand the applicant/registrant's needs and rights for reasonable adjustments to an application/registration, and inform applicants/registrants of the outcomes of their requests for reasonable adjustments including the arrangements which have been put in place

Applicants/registrants will read this policy prior to applying for reasonable adjustments to be made, evaluate whether they have a disability under the definitions of the Equality Act 2010, complete the relevant Reasonable Adjustments Form and send it to UKPHR with appropriate evidence in a timely manner to allow for any reasonable adjustments to be reviewed, approved and introduced.

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Resources Referenced:

- GMC Gateways to the Professions
http://www.gmc-uk.org/education/undergraduate/gateways_guidance.asp
- <https://www.gmc-uk.org/education/standards-guidance-and-curricula/guidance/welcome-and-valued>
- GDC Preparing for Practice
[https://www.gdc-uk.org/Aboutus/education/Documents/Preparing%20for%20Practice%20\(revised%202015\).pdf](https://www.gdc-uk.org/Aboutus/education/Documents/Preparing%20for%20Practice%20(revised%202015).pdf)
- Higher Education Occupational Physicians/Practitioners (HEOPS) – Medical
http://www.heops.org.uk/HEOPS_Medical_Students_fitness_standards_2013_v10.pdf
- Higher Education Occupational Physicians/Practitioners (HEOPS) – Dental
http://www.heops.org.uk/HEOPS_Dental_Students_fitness_standards_2013_v11.pdf
- PU PSMD Reasonable Adjustments and Modified Assessment Provision (MAP) Statement for Clinical Programmes of Study (Medicine, Dentistry, & Dental Therapy & Hygiene) 2017
- Implementation Policy: Students with Disabilities in the MD Program, approved in 2007 by the College of Medicine, University of Saskatchewan
- AAMC document entitled Medical Students with Disabilities: A Generation of Practice, published June, 2005
- University of Manitoba Policy entitled Accessibility for Students
- http://www.heops.org.uk/HEOPS_Dental_Students_fitness_standards_2013_v11.pdf
- NEBDN Reasonable Adjustments Policy 2018

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Appendix 1: Procedure for applying for, and making reasonable adjustments for, application/registration applicants/registrants

Who should apply?

Applicants/registrants with a disability are advised to make an application for reasonable adjustments, apply for a different application/registration date for religious reasons, or apply for an extension to a registration period if suffering from a long-term, critical or life-threatening illness using the Reasonable Adjustments Application Form available on UKPHR's website.

If an individual needs to inform UKPHR of adjustments needed because pregnant or on maternity or family leave, applications should be made using the same form.

What UKPHR can do

UKPHR will consider every application for reasonable adjustments to an application/registration on a case-by-case basis. The evidence provided will be reviewed and is a very important part of the process.

The adjustments UKPHR make will be designed to meet the needs of the individual concerned and may be unique to them.

The following principles apply to all requests for reasonable adjustments:

1. Applicants/registrants should check with UKPHR at the start of any preparation to submit an application or registration or re-registration documentation in order to see whether it is possible to have adjustments
2. It is the responsibility of every applicant/registrant to familiarise themselves with the relevant UKPHR documentation relating reasonable adjustments and apply within the time parameters set out by UKPHR
3. Adjustments may not be accommodated if an applicant/registrant has not submitted a Reasonable Adjustments application form and evidence in sufficient time for UKPHR to evaluate the application and arrange the adjustment.
4. Adjustments should not give the applicant/registrant an unfair advantage over others or invalidate the assessment criteria
5. The decision to allow certain adjustments will be based on the professional evidence provided by the applicant/registrant when applying for the reasonable adjustment
6. UKPHR will confirm with assessors, verifiers, moderators and Registration Panel and Registration Approvals Committee members that the reasonable adjustments have been fully understood throughout the process

Limitations

An adjustment **cannot** be granted when:

- it will affect the standards of competence against which assessment is made
- it will compromise the integrity of the application/registration
- when it will put the health, safety and security of the applicant/registrant or other applicants/registrants at risk
- when the overall cost to the organisation and the impact it would have on the costs for other applicants/registrants.

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Time extensions

Where application/registration/assessment activities are time constrained an applicant/registrant may be allowed extra time if s/he has a condition which affects the speed of processing.

Unlimited extra time will not be permitted, and the amount of extra time allowed will be specified by UKPHR before the application/registration/assessment begins. UKPHR will convene a Reasonable Adjustments Panel of one lay member, one registrant (practitioner or specialist) and the Registrar to review the applications and evidence and agree the appropriate additional time.

Applying for an adjustment

Individuals should apply for reasonable adjustments on the form available on the UKPHR website along with the required supporting evidence. It should be submitted before the start of any application process if at all possible, so as to allow the maximum possible time to consider a request.

UKPHR will aim to confirm in writing (email or letter) the receipt of a request within 48 hours of receipt and provide an estimated time for a full response.

In particular, where it is known from the outset that an applicant/registrant will need an adjustment for their application/registration, the application could be submitted with, or soon after, the applicant/registrant registration form. For example, where a medical condition already exists or where a specific learning disability has already been diagnosed or if the application is based on religious grounds – in these cases there is likely to be little reason to delay the application for an adjustment.

Applicants should allow up to 28 working days for written confirmation from UKPHR about the outcome of an application.

If disability or impairment occurs after the start of the application/registration process

UKPHR are aware that in some situations it is not possible for an applicant/registrant to apply for an adjustment if, for example, a health condition is diagnosed after the start of the process.

In these circumstances, individuals can still apply for an adjustment and UKPHR will make every effort to consider the request and make reasonable adjustments. In the event that UKPHR are unable to make the adjustment, UKPHR will inform the individual of this as soon as possible and advise any other course of action available.

If an individual is unwell or has a health condition or impairment close to a submission date, the Exceptional Circumstances Policy may apply.

What evidence do applicants need to provide?

Any application for an adjustment to assessment must be supported by evidence which is valid, sufficient and reliable using UKPHR's prescribed form.

Applicants/registrants should provide supporting additional evidence of the effect of the impairment on their performance in the assessment.

A number of types of evidence may be used and include medical, psychological or professional reports, provided an outline of the nature of the difficulty and consideration of the effect on the

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individual. A statement from a medical professional or a copy of a MATB1 form is required as supporting evidence for individuals who are pregnant at the time of an application/registration.

UKPHR will maintain records of all cases for audit purposes and monitor the effectiveness of the reasonable adjustments that have been made.

CHECKLIST – Application for Reasonable Adjustments

If an individual is applying for an application/registration adjustment, please check that you have:

1. Completed the application on the correct form (which can be found on the UKPHR website)
2. Attached documentary evidence in support of the application
3. Submitted, as far as possible, before the relevant date

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