



Reasonable Adjustments Policy and Procedure: NMC / HCPC approved programmes

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This policy should be considered in addition to Northumbria University's:

- *Equality and Diversity Policy (2017)*
- *Academic Support for Disabled Students Policy (2014) which is held by the Student Support and Wellbeing Service.*

It is written for students and staff where the programme of study is approved by the Nursing and Midwifery Council (NMC) or the Health and Care Professions Council (HCPC). These programmes require students to:

- i) Demonstrate proficiency in practice*
- ii) Meet the professional requirements for good health and good character.*
- iii) Ultimately, be able to deliver safe and effective practice without supervision.*

1.0 General Statement

1.1 Northumbria University is committed to providing an environment in which diversity is valued and encouraged, where there is equal access to opportunities and services and in which all prospective and existing staff and students are treated fairly, with equity, dignity and mutual respect.

1.2 We acknowledge the unique contribution that all individuals can make and it is the responsibility of the University to ensure that no one individual or group is treated less favourably in terms of the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, or any other inappropriate or irrelevant criteria or distinction.

2.0 Public Policy

The Equality Act 2010 ('the Act') is legislation that applies in England, Wales and Scotland. It protects people from discrimination, harassment or victimisation. It does this by specifying a number of 'protected characteristics'. It is against the law to discriminate against anyone because of:

- Age;
- being or becoming a transsexual person;
- being married or being in a civil partnership;
- being pregnant or having a child;
- Disability;
- Race, including colour, nationality, ethnic or national origin;
- Religion, belief, or lack of religion or belief;
- Sex; or – sexual orientation.

2.1 Disability is defined in the Act as a physical or mental impairment that has a substantial or long-term negative effect on a person's ability to do normal daily activities. In the Act, substantial is defined as more than minor or trivial and long term is defined as 12 months or more.

This means that people with a range of health conditions are included in this definition. The Act does not provide a list of health conditions that are considered to be disabilities. It is important to note that people who may not usually describe themselves as disabled may be protected by the Act if the effects of their health condition on normal day-to-day activities are negative, long term and substantial. It is also possible that other people may consider themselves to be disabled, but might not fall within the definition of the Act.

The Act places emphasis on the effect of a health condition – whether a person's health condition has a negative, long-term and substantial effect on their ability to do normal day-to-day activities.

Therefore, it is important that organisations do not make judgements based on assumptions or stereotypes. There are several parts to the Act, which place different responsibilities on different kinds of organisations in relation to the protected characteristics.

2.1.1 Education providers have responsibilities to their students and applicants to make sure that they are treated fairly. This includes making reasonable adjustments for disabled people. Like all public bodies, the 'public sector duty' applies to them. This means they are also required to take steps to actively promote equal opportunities and develop good relations with people who have a protected characteristic and people who do not.

2.1.2 Organisations who provide placements in practices also have a responsibility to make sure that they do not discriminate and to put in place reasonable adjustments for disabled students on placements

2.1.3 Regulatory Bodies, for example NMC or HCPC. Public Sector Duty also applies to these organisation and, as such, they are required to ensure that their policies are fair and do not discriminate against disabled people.

3.0 Reasonable Adjustments

What adjustments are reasonable for an institution/organisation to take will depend on individual circumstances, for example, the type of work placement being provided, the nature and length of the placement and the importance of the placement to the course or to the particular student's learning. The implications of a student's disability are also relevant in the context of a placement provider's own Reasonable Adjustment policies and procedures and where appropriate the need to initiate organisational health and safety risk assessments.

Some of the other factors to be taken into account in determining what is reasonable are:

- The financial resources available to the placement provider
- The cost or practicality of making a particular adjustment
- Grants or loans available to assist disabled students with reasonable adjustment such as the Disabled Students' Allowances
- The extent to which aids or services will otherwise be provided to disabled students
- The need to maintain academic and other standards as prescribed by Professional / Regulatory Bodies
- The relevant interests of other students / individuals

Some examples of adjustments that may be made include:

- Variation/flexibility in working hours (including to accommodate rehabilitation or regular treatment)
- Provision of a support worker, where appropriate
- Modification of or provision of specific equipment, e.g., a chair, a mouse, specialist software
- Change in work allocated
- Relocation to a different practice placement
- Adjustments to premises
- Modification of Instructions, processes or procedures

4.0 General Data Protection Regulations (2018)

The GDPR applies to the processing of "personal data" which means any information relating to an identified or identifiable natural person ('Data Subject'). An identifiable person is one who can be identified, directly or indirectly from that data.

It includes any expression of opinion about the individual and any indication of the intentions of any person in respect of the individual.

Processing includes the collection, use, disclosure, destruction and merely holding data. Even disclosing personal data from one part of an organisation to another will amount to processing. The definition is technology neutral. It does not matter how the personal data is stored – on paper, on an IT system.

The University will provide data both fairly and lawfully, and only when relevant to the specific and lawful purposes for which they are required. In all cases, students will be informed of the nature of the data to be shared and the data provided will be no more than is sufficient for the purposes for which it is provided.

4.1 Sharing data with placement providers

To this end, the University has identified a mandatory requirement to share a certain amount of student personal information with placement providers.

Both the University and the placement providers have an obligation to ensure that people involved in clinical practice, or those working with vulnerable people are suitable and do not pose a risk to those they will meet. The sharing of information is therefore based upon the lawful basis provided under the GDPR Articles 6 1(e), Article 9 2 (g) and on the basis of UK Data Protection Act 2018 schedule 1 Part 1 Paras 1 & 2 relating to 'Employment, social security and social protection' and 'health or social care purposes'. For this reason, processing does not require the consent of the individual.

Personal Data Shared includes:

- Student Name, student number and cohort.
- Student University email address.
- Student birthday and month (not the year).
- Student DBS reference number and clearance date.
- Student Occupational Health clearance date.
- Requirement for 'reasonable adjustments' in practice.
- Verification of good health and good character as required by the professional bodies.
- Verification of statutory and mandatory skills that have been undertaken before commencing in practice.
- For Nursing & Midwifery students, the NMC (2010, 2018) standards, require that a student shares the outcome of previous placements with their Practice Supervisors, Assessors, Educators/Clinical Educators via an 'ongoing record of achievement'

5.0 Procedure to be carried out for students requiring reasonable adjustments

Northumbria University acknowledges the work and guidance given by:

- Advance HE (Previously the Equality Challenge Unit)
- The Scottish collaboration for the enhancement of pre-registration nursing¹

Specifically the values and commitments set out in the student centred reasonable adjustments model (SCRAM).

5.1 At admission

All students applying for NMC / HCPC approved programmes are encouraged to disclose their disability on their application form or at interview.

5.1.1 The admissions tutor will discuss with the applicant referral to Occupational Health/Disability Services to determine whether any reasonable adjustments may need to be

¹ Dickens, G.L, Craven, R., Hallett, N., (2016) *Well adjusted? A systematic integrative review of empirical research about making 'reasonable adjustments' in clinical placements to support pre registration health students who have a disability.* NHS Education Scotland/ University of Abertay

made within the practice environment and whether it will affect the applicant's ability to either access or make use of learning opportunities when allocated to practice placements.

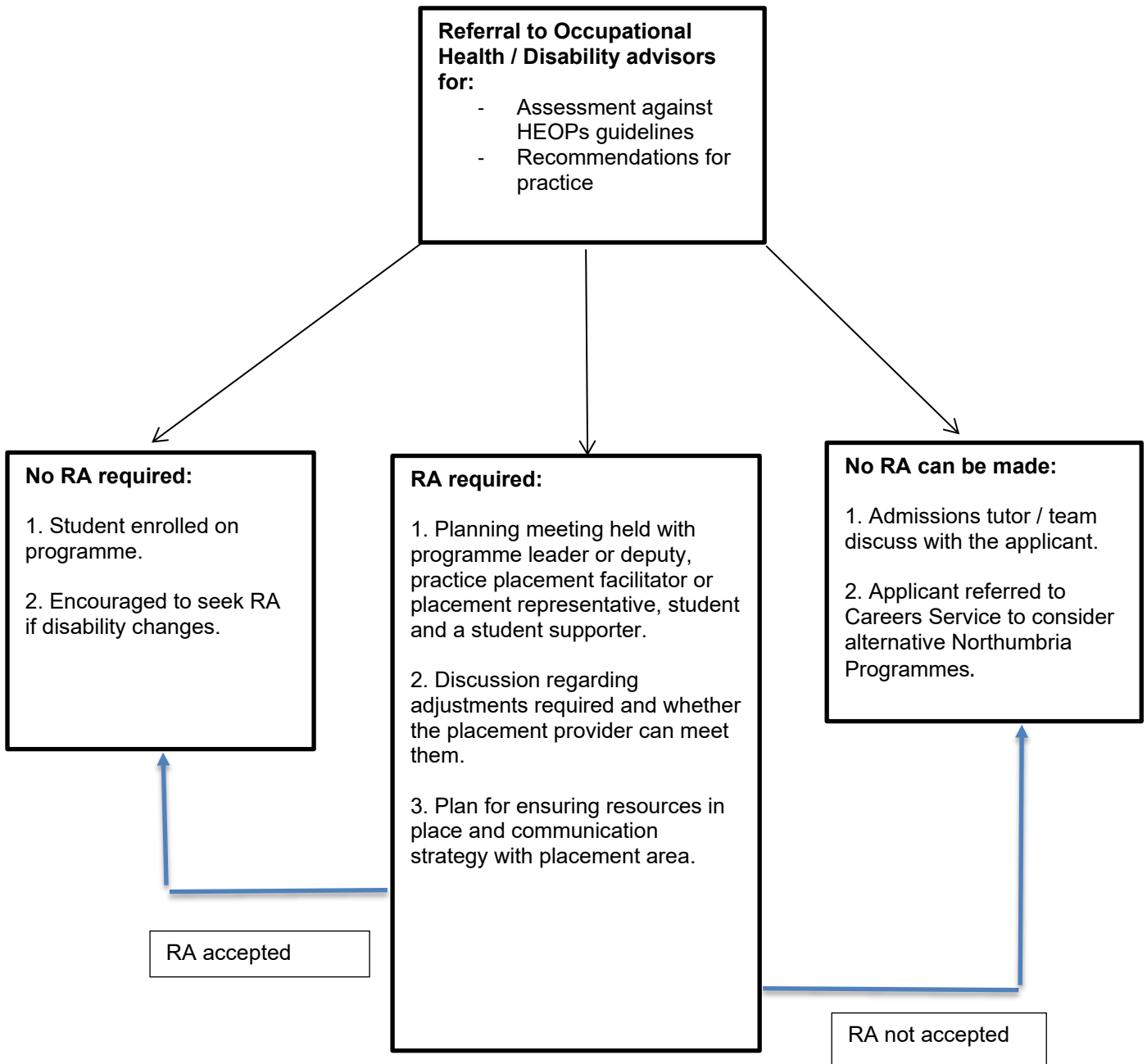
The Admission Tutor / member of the admissions team will advise the applicant that any offer of a place on the programme will be conditional upon:

- (a) Referral for Occupational Health/Disability Services assessment prior to commencement of the programme. Occupational Health assessment will be in line with Higher Education Occupational Physicians (HEOP) guidelines.
- (b) Occupational Health/Disability Services providing reports following such assessment before the commencement date of the first placement that will indicate whether:
 - **No reasonable adjustments are required** **or**
 - *There is a requirement for 'reasonable adjustments' to be made with a clear indication of what these should be* **or**
 - **No reasonable adjustments can be made**
- (c) The placement provider's capacity to meet reasonable adjustments identified in the Occupational Health/Disability Services Report(s)

The availability of appropriate practice placements in partner organisations, which the applicant will be able to access / make effective use of.

The flow chart (1) indicates the action to be taken:

Chart 1: Action following disclosure of a disability at admission:



5.2 Disability disclosed during programme.

If it becomes apparent or the student's Practice Supervisors, Assessors, Educators/Clinical Educators suspects that the student has a disability or the student discloses to their mentor/educator that they have a disability, this (with the students consent) should be discussed with the Practice Placement Facilitator or relevant Programme Placement Co-ordinator. The Practice Placement Facilitator/ Programme Placement Co-ordinator must inform the student's Programme Leader at the earliest opportunity who will then advise the student that a referral to Occupational Health/Disability Services is required to ensure the student has the support required to meet programme requirements.

5.2.1 The relevant Programme Leader, or designated deputy, will request an assessment by the University Occupational Health and/or Disability Services.

(a) If it is felt that the disability is such that it materially impacts on the student's ability to continue on their current placement then consideration may need to be given to discontinuing the placement / or providing an alternate placement until the Occupational Health Assessment is completed

(b) Occupational Health/Disability Services provide a report. The report will indicate whether:

- **No reasonable adjustments are required or**
- **There is a requirement for 'reasonable adjustments' to be made with a clear indication of what these should be or**
- **No reasonable adjustments can be made**

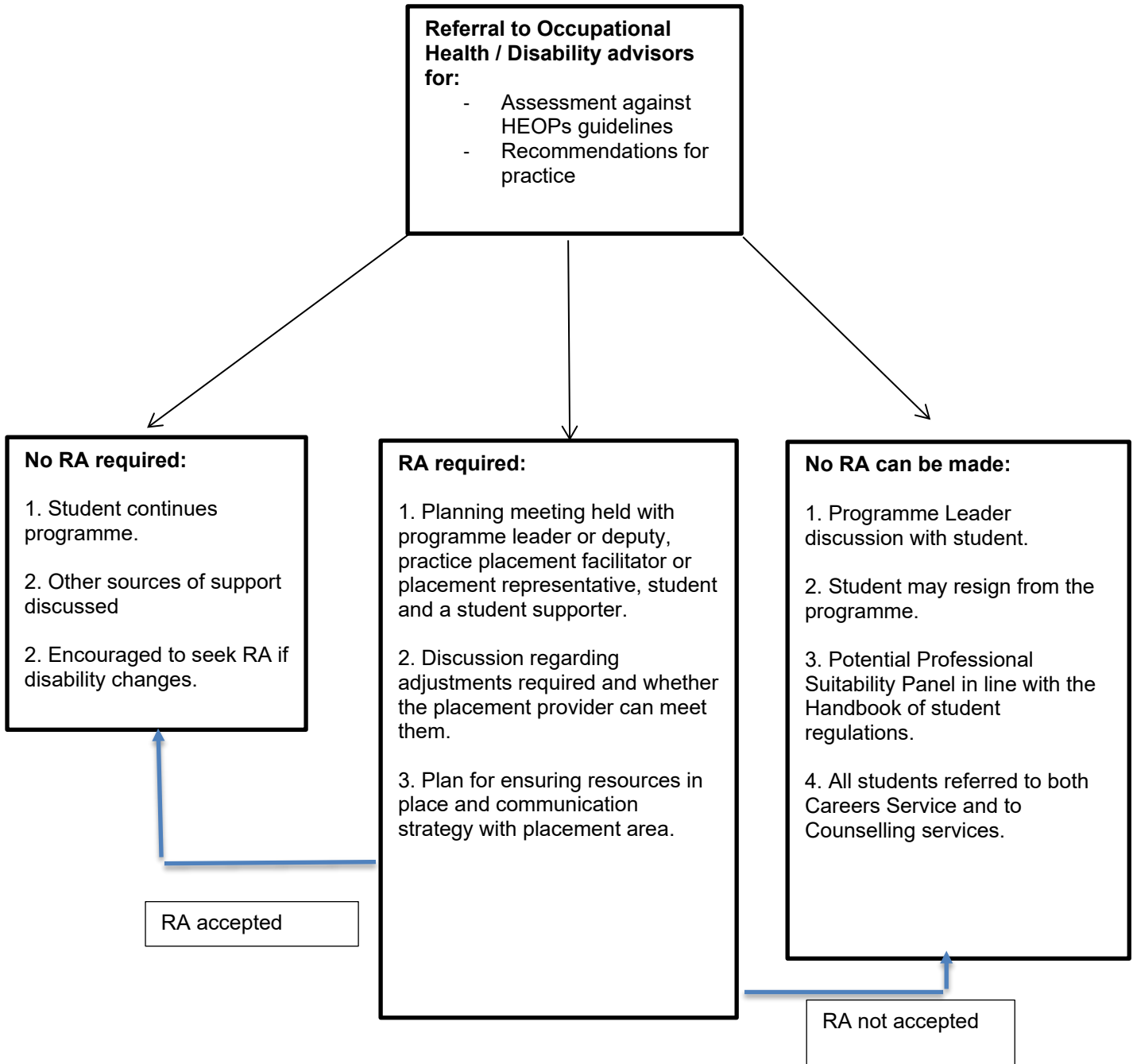
(c) Placement providers will determine whether any appropriate reasonable adjustments can be made

(d) The availability of appropriate practice placements, with partner organisations, which the applicant/student will be able to access/make effective use of

The Programme Leader, or designated deputy, will liaise with the student throughout this process

Chart (2) indicates the action to be taken.

Chart 2: Action following disclosure of a disability during the programme:





5.3 Monitoring and Review

5.3.1 Placement staff (Personal Tutors, Practice Supervisors, Assessors, Educators/Clinical Educators, etc.) in consultation with the student will monitor any adjustments in placement to ensure they are working well for the student with a disability and that they are responsive to the student's current needs.

5.3.2 Any complaints of harassment and/or discrimination on a work placement should be reported to the placement provider and investigated promptly. The aim should always be to resolve complaints locally and speedily to minimise disruption to the placement. Northumbria University may in some cases need to terminate the placement if the provider fails to ensure that the student will not face further harassment or discrimination. In such cases, alternative arrangements will be put in place to allow the student to gain appropriate work experience elsewhere.

5.3.3 Students should be offered a post placement tutorial, by their Personal Tutor, to discuss their placement experience within the context of personal development.

5.4 Evaluation and Development

Placements that support reasonable adjustments will be evaluated by the student to ensure that they are providing appropriate standards and learning opportunities. Feedback will be available to the placement provider and lessons learned from the evaluation will be fed into the strategic planning of placements.

6.0 Breach of Policy

Students who believe they have experienced any form of discrimination, harassment or victimisation are entitled to raise the matter through the Student Complaints Procedure. A copy of this procedure is available in the Handbook of Student Regulations.