



**Northumbria
University**
NEWCASTLE

Initial Teacher Education: Reasonable Adjustments Policy and Procedure

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

Initial Teacher Education: Reasonable Adjustments Policy and Procedure

- *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.

General Statement

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.

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 favorably 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.

1. Introduction

Fundamental to all initial teacher education (ITE) programmes is the requirement to undertake and be assessed in a practice based placement. Northumbria University is committed to ensuring that disabled students have the same opportunities as non-disabled students to access practice placements. In achieving this Faculty Placements and Partnerships Office is mindful of:

1.1 *The Equality Act 2010*

This Act applies in England, Wales and Scotland. It protects individuals 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 in a civil partnership
- Being pregnant or having a child
- Disability
- Race including colour, nationality, ethnic or national group
- Sex; and
- Sexual orientation

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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 twelve months or more.

As such people with a range of health conditions or disabilities are included in the definition. Specifically, people who may not usually describe themselves as disabled may be protected by the Act if the effects of their condition or impairment are negative, long term and substantial on normal day to day activities.

The implication of the Act for Higher Education Institutions (HEI's) is to ensure all students and applicants are treated fairly. This includes making *reasonable adjustments* for disabled people. Like all public bodies they are subject to the 'public sector duty'. As such they must actively promote equality of opportunity and foster good relationships between people who share protected characteristics and people who do not. When a student is allocated to a placement area, the placement provider is required to treat the student 'as an employee' and, as such, is required to put in place reasonable adjustments. There is therefore an overlap in the responsibilities of the University and the placement provider in terms of making reasonable adjustments.

The Equality and Human Rights Commission has responsibility for the promotion and enforcement of equality and non-discrimination laws in England, Scotland and Wales:

<http://www.equalityhumanrights.com/>

1.2 Office for Standards in Education, Children's Services and Skills (Ofsted) 2015

In examining the *Leadership and Management of the partnership*, Ofsted notes the importance of: *How well the partnership meets current statutory initial teacher training criteria and requirements and all relevant legislation, including that related to:*

- promoting equality and diversity
- eliminating discrimination. (Ofsted 2015 no. 150033 p. 45)

1.3 Quality Assurance Agency (QAA):UK Quality Code for Higher Education

<http://www.qaa.ac.uk/assuring-standards-and-quality/the-quality-code>

Part B: Assuring and Enhancing Academic Quality

Chapter B3: Learning and Teaching

Indicator 2 – Learning and teaching activities provide every student with an equal and effective opportunity to achieve the intended learning outcomes.

Chapter B4: Enabling Student Development and Achievement

Indicator 3 – A commitment to equity guides Higher Education in enabling student development and achievement.

Indicator 5 – To enable student development and achievement, Higher Education providers put into place policies, practices and systems that facilitate successful transitions and academic progression.

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Chapter B10: Managing Higher Education provisions with others

Indicator 12 – When making arrangements to deliver a programme with others, degree awarding bodies fulfil the requirement of any professional, statutory and regulatory body (PSRB).

2. Policy Statement

To discharge its duty to the relevant Acts and meet the standards of the Quality Assurance Agency (QAA), The Faculty of Health and Life Sciences, in consultation with placement providers, has agreed the following policy and procedure to facilitate reasonable adjustments that support students with a disability, to access and make full use of off campus practice placements.

This policy and associated procedure applies to all programmes in the Faculty of Health and Life Sciences that require student allocation to a practice placement as part of a programme of study. In considering the need for **reasonable adjustments** the following approach is adopted, as outlined in Able to Teach (2007)

The provider's occupational health adviser (OHA) will categorise candidates into one of three groups:

(a) Fit to teach: *those who are in good health and free from conditions that might be likely to interfere with efficiency in teaching.*

(b) Fit to teach with reasonable adjustments: *those who are in good health but who have conditions which are likely to interfere to some extent with their efficiency in teaching either all subjects, or certain specified subjects. However, these conditions are not serious enough to make the candidate unfit for the teaching profession. This includes some disabled people who need reasonable adjustments to enable them to provide effective and efficient teaching.*

(c) Unfit to teach: *those whose condition makes them unfit for the teaching profession. Candidates will not normally be included in this category unless they have a psychiatric condition or physical impairment likely to interfere seriously with regular and efficient teaching of either general subjects, or the subject they intend to specialise in (eg. PE or science subjects), or if they have a condition that may carry a risk to the safety or welfare of the pupils*

“In deciding whether a candidate is fit to teach, the provider's occupational health adviser (OHA) will consider whether candidates:

- Have the health and well-being necessary to deal with specific types of teaching and associated duties (adjusted, as appropriate) they are engaged in
- Are able to communicate effectively with children, parents and colleagues
- Possess sound judgement and insight
- Remain alert at all times
- Can respond to pupils' needs rapidly and effectively
- Are able to manage classes
- Do not constitute any risk to the health, safety or well-being of children in their care
- Can, wherever necessary and appropriate, be enabled by reasonable adjustment to meet these criteria

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'Teaching' is legally defined as:

- Planning and preparing lessons and courses for children
- Delivering lessons to children
- Assessing the development, progress and attainment of children, and
- Reporting on the development, progress and attainment of children

This legislation is designed to ensure that teachers are not required to carry out tasks that could be delegated to other members of school staff. It may be helpful to bear this in mind when considering whether a person is fit to teach. It means that, for example, there should be no presumption that a teacher has to be able to lift heavy objects, drive a car, swim, deal with every child's physical needs, or go on physically demanding trips.

(TDA 2007 Able to Teach)

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 providers 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 including the HCPC, TCSW and QAA
- 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, eg, 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

3. Procedure – (Reference to Appendix 1)

3.1 Disability Disclosed on Application or at Interview (Appendix 1)

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If a disability is declared on the relevant application form or at interview, the Admissions Tutor will inform the relevant Programme Leader who, in consultation with the applicant, will recommend referral to Occupational Health/Disability Services to determine whether any reasonable adjustments may need to be made within the practice environment and whether it will impact on the applicant's ability to either access or make use of learning opportunities when allocated to practice placements. **This referral will be made within 1 week of receiving notification of the disability.**

The Admissions Tutor/ Programme Leader must advise the applicant that any offer of a place on the programme will be conditional upon:

- (a) Referral for Occupational Health/Disability Services assessment at least two and no later than four weeks before the commencement of the programme.
- (b) Occupational Health/Disability Services providing reports following such assessment usually within four weeks or at least four weeks 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 providers' capacity to meet reasonable adjustments identified in the Occupational Health/Disability Services Report(s).
- (d) The availability of appropriate practice placements in partner organisations, which the applicant/student will be able to access/make effective use of.

The relevant Programme Leader will liaise with the applicant throughout this process

3.1.1 Receipt of the declaration of a disability (i.e. via application form or interview)

Within one week of receiving the declaration, The Admissions Tutor (with student's consent) will inform the relevant Programme Leader who will complete and submit Form RA1 – Notification of applicant/student disability and forward to the University Occupational Health and the Disability Services Department to

- Initiate Occupational Health/Disability Services Assessments
- Dependent upon outcome of Occupational Health Assessment / Disability Services Report(s) and in consultation with Programme Leader confirm suitability of applicant to meet the demands of the programme

3.1.2 No requirement for a Reasonable Adjustment

If there is no requirement for adjustment and the disability is such that it is not likely to prevent the applicant from accessing/making effective use of practice placement learning opportunities then a place on the programme would be confirmed by the Programme Leader at this point subject to the applicant meeting all other requirements for access to the programme. The prospective student will be advised of the procedure/process, should there be a future requirement for a further assessment of reasonable adjustments to be made. The outcome of the assessment will be forwarded to the Placement Module Leader.

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3.1.3 Reasonable Adjustment required

(a) If the report indicates that there is a requirement for 'reasonable adjustment' to be made the relevant Programme Leader will communicate the outcome of the assessment to the Partnership Manager within 4 weeks, and not less than 4 weeks before the date of commencement of the initial placement. The Placement Module Lead will call a Placements Planning Meeting.

(b) The Placement Module Lead will meet with the prospective student who will be invited to have someone accompany them for support purposes; this is usually the Guidance Tutor.

(c) The aim of this meeting will be to plan the student's initial placement and as many subsequent placements in advance as is possible at this time. Issues such as travel details, potential adjustments and support required will be discussed – this will allow a plan to be agreed by all parties. Further placement planning meetings may need to be reconvened prior to subsequent placements, of if there is any change in a student's/applicant's condition.

(d) It may be necessary to refer the student to the University Occupational Health Services prior to their first placement in order that a Risk Assessment (Work Place Assessment) may be carried out in the potential practice placement area(s), or placement providers may invoke relevant local policies to initiate a Risk Assessment. The Placement Module Lead will advise on the specific requirements of the placement provider organisation.

(e) It must be acknowledged that changes to placements may have to be made due to circumstances beyond the University's / Placement Provider's control and that if no reasonable adjustment can be made, an alternative placement will be sought.

(f) The Placements Administrator, with support from the Programme Team, will liaise with the Placement Provider to arrange appropriate placements and confirm that reasonable adjustments can be made. The planned programme of placements and any reasonable adjustments made are subject to periodic review and/or if there is a significant change in the nature of the student's disability or planned programme of allocation.

3.1.4 No reasonable adjustments can be made

University Occupational Health/Disability Service identify that no satisfactory/reasonable adjustments can be made and make recommendation that student is not able to complete the programme. Applicant referred to Student Services / Careers Guidance to explore options for alternate programmes of study.

3.2 Disability Disclosed During the Programme of Study

It is strongly recommended that students with a known disability register themselves as disabled at the earliest opportunity in order to gain access to the full range of support available.

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Whilst applicants to higher education have a statutory duty to disclose information about disabilities or long-term health conditions for nursing courses across Britain, and for social work and teaching courses in England and Wales, this does not always happen. Students are often uncertain about what information they have to disclose or may be anxious that in disclosing information, they may somehow be disadvantaged or discriminated against.

If it becomes apparent or the student's Guidance Tutor, School based mentor or Link Tutor believes that the student has a disability or the student discloses to their Guidance Tutor, Practice Assessor or Link Tutor that they have a disability this (with the student's consent) should be referred immediately to the Guidance Tutor or Placement Module Lead who 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 may be required to ensure the student can meet the requirements of the programme.

3.2.1 The Partnership Manager or the Practice Learning Co-ordinator will complete and submit Form RA1 – Notification of applicant/student disability within one week of being notified that a student may have a disability to the University Occupational Health and the Disability Services Department to:

- Initiate Occupational Health/Disability Services Assessments
- With the student's consent, inform the student's Guidance Tutor

If it is felt that the disability is such that it materially impacts on the students ability to continue on their current placement then consideration may be needed given to removing the student from the placement area / or an alternate placement is provided until the Occupational Health Assessment is completed

Occupational Health/Disability Services will provide a report following such an assessment usually within four weeks. 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***

Placement providers will determine whether any appropriate reasonable adjustments can be made.

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

The Programme Leader or Placement Module Lead will liaise with the student throughout this process.

3.2.2 No requirement for a Reasonable Adjustment

If there is no requirement for adjustment and the disability is such that it is not likely to prevent the applicant from accessing/making effective use of practice placement learning opportunities then the students programme will continue as planned. The student will be advised of the procedure/process, should there be a requirement in the future for a reasonable adjustment to be made.

3.2.3 Reasonable Adjustment required

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(a) If the report indicates that there is a requirement for 'reasonable adjustment' to be made the relevant Programme Leader will communicate the outcome of the assessment to the Partnership Manager within 4 weeks, and not less than 4 weeks before the date of commencement of the initial placement. The Placement Module Lead will call a Placements Planning Meeting.

(b) The Placement Module Lead will meet with the prospective student who will be invited to have someone accompany them for support purposes; this is usually the Guidance Tutor.

(c) The aim of this meeting will be to plan the student's future placements as far in advance as is possible at the time. Issues such as travel details, potential adjustments and support required will be discussed and the plan will be agreed by all parties.

(d) It may be necessary to refer the student to the University Occupational Health Services prior to their first placement in order that a Risk Assessment (Work Place Assessment) may be carried out in the potential practice placement area(s), or placement providers may invoke relevant local policies to initiate a Risk Assessment. The Placement Module Lead will advise on the specific requirements of the placement provider organisation.

3.2.4 No reasonable adjustments can be made

Should the University Occupational Health/Disability Service identify that no satisfactory/reasonable adjustments can be made; the matter will be referred to the Professional Suitability Panel for review, with the potential for a student's removal from the programme (Vice Chancellor's decision). Please refer to the University Handbook of Student Regulations for further information.

4. Monitoring and Review

4.1 Placement staff (Guidance Tutors, Practice Assessors and Link Tutors etc) in consultation with the student will monitor any adjustments in placement to ensure they are working well for the disabled students and that they are responsive to the student's current needs. Any review of reasonable adjustments should be recorded and a copy sent to the Placement Module Lead.

4.2 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 need to be put in place to allow the student to gain appropriate work experience elsewhere.

4.3 Students should be offered a debriefing session by their Guidance Tutor within one month of the end of their placement, to discuss their placement experience within a context of personal development.

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5. Evaluation and Development

Placements that make reasonable adjustments in order to accommodate students with a disability will be evaluated by the student at the end of the placement to ensure that they are providing appropriate standards and learning opportunities.

The Guidance Tutor will provide the student with a copy of **Form RA2 - Placement evaluation after reasonable adjustment/s**. Completed copies of this form will be retained within the student's file and by the Placement Module Lead and the Placements and Partnerships Office. Feedback will be provided to the placement providers (via the Placement Module Lead) from the Guidance Tutor within four weeks of the student completing the placement to help improve and develop provision for disabled students. Lessons learned from the evaluation will also be fed into the strategic planning of placements approving placements.

The process for supporting students who require reasonable adjustments will be reviewed on an annual basis by the Faculty Director of Student Experience and the Director of Placements.

6. 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.

6.1 Sharing data with placement providers

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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'

Reasonable Adjustments Policy and Procedure (Initial Teacher Education)

Appendix 1: Process to be followed if disability disclosed on application or at interview

