



ICGP Policy Trainee with a Disability

Adopted by PGTC September 2017

ICGP Policy on Trainee with a Disability

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Introduction

The ICGP respects the Employment Equality Act 1998 and 2004 which prohibits discrimination on grounds of disability. This is in line with the HSE Guidelines on the Equal Opportunities Aspects of Employing People with Disabilities in the Health Service(1). This document is also in line with HSE Policy on Managing Absences(2).

The Disability Act 2005 also underpins the participation in employment and society by people with a disability and sets a legal target of 3% of employment of people with a disability in the public service.

Discrimination occurs where, because of disability, a person is treated less favourably than another person **is, has been or would be** treated in a comparable situation. The Act applies to all employees and to applicants for employment and training.

The legislation provides that all individuals should have equal access to job opportunities. Access covers all arrangements for filling a vacancy including placing the advertisement, shortlisting applicants and conducting interviews. Thus an employer must not discriminate in any arrangements made for selecting the employee or specify entry requirements that could discriminate against potential applicants. The Act also requires that employees should be provided with equality of opportunity to acquire the range of training, skills and experience necessary for their career development.

Within Medical Education, the World Federation of Medical Education (WFME)(3) in the 2015 standards under Section 4 entitled “Trainees” stated in point B.4.1.4 under section 4.1 : “The Training Provider must formulate and implement a policy on admission of trainees with disabilities requiring special facilities”

This ICGP Policy on the Trainee with a disability is in two sections. The first section is on recruitment considerations of the Trainee with a disability, the second is on ongoing support through the Training Pathway.

Legislative Framework Employment Equality Act 1998 and 2004

Disability is defined, under the Act, as:

- a) “the total or partial absence of a person’s bodily or mental functions, including the absence of a part of the person’s body,
- b) the presence in the body of organisms causing, or likely to cause, chronic disease or illness,
- c) the malfunction, malformation or disfigurement of a part of a person’s body,
- d) a condition or malfunction which results in a person learning differently from a person without the condition or malfunction, or
- e) a condition, illness or disease which affects a person’s thought processes, perception of reality, emotions or judgement or which results in disturbed behaviour,
- f) and shall be taken to include a disability which exists at present or which previously existed but no longer exists, or which may exist in the future or which is imputed to a person.”

Disability Act 2005

Disability is defined under this definition as:

“a substantial restriction in the capacity of the person to carry on a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment.”

A “substantial restriction” means a restriction which:

- a) is permanent or likely to be permanent, results in a significant difficulty in communication, learning or mobility or in significantly disordered cognitive processes, and;
- b) gives rise to the need for services to be provided continuously to the person and, if the person is a child, to the need for the services to be provided early in life to ameliorate the disability”.

There are a number of impairments which, if supported, can allow an applicant to GP training pursue a fulfilling career as a general practitioner, either fulltime or part-time. It will not always be the case that sufficient supports can be put in place to fulfil the requirements of the post, but the ICGP is committed to working with the HSE and their occupational health department to supporting disability in GP training.

Examples of physical and sensory disability which may be supported in the training pathway include paraplegia, some visual impairment, some auditory impairment. According to the definitions it includes positive chronic infection status such as HIV or Hepatitis C, where this is likely to cause chronic disease or illness. A certain level of ability, to be determined by occupational health, will be necessary for the applicant to be able to commence GP Training.

Examples of mental health disability include recurrent depression, obsessive compulsive disorder, bipolar disorder. As intellectual disability is the term used in a person with below average IQ, such a person is unlikely to qualify in medicine and be a candidate for GP training. However the ICGP will, in partnership with HSE Occupational Health accommodate certain individuals with a learning disability such as dyslexia, to support their training in General Practice.

Under the Employment Equality Act 1998 and 2004 the employer is required to take *“appropriate measures”* to enable a person who has a disability to have access to employment, to participate or advance in employment or to undergo training *“unless the measures would impose a disproportionate burden on the employer”*. Appropriate measures are defined as measures, where needed in a particular case, to adapt the employer’s place of business to the disability concerned, including:

- the adaptation of premises and equipment;
- patterns of working time;
- distribution of tasks or the provision of training or integration resources.

The Act does not oblige an employer to recruit, retain, train or promote an individual who will not or is unavailable to carry out the duties of a position, or who will not accept the conditions under which the duties attached to a post are to be performed, or who is not fully competent to carry out the duties concerned. The Act stipulates that a person with a disability is to be considered fully competent and capable to undertake the duties attached to a job, if the person could do the duties with the assistance of special treatment and facilities. The provision of special treatment or facilities must result in the person being fully competent and capable of performing the duties attached to the job, otherwise there is no obligation to recruit or retain the person in employment.

The Act also provides for positive action measures to ensure equal opportunities for people with disabilities. This includes measures to prevent or compensate for disadvantages linked to the discriminatory ground, to protect the health or safety at work and measures to safeguard or promote the integration of people with disabilities into the working environment.

Roles and responsibilities.

A summary of roles and responsibilities for those involved in training

Trainee	<p>Holds a contractual relationship with their employer and is therefore subject to local and national terms and conditions of employment</p> <p>Is required to declare disability on Pre Placement Health Assessment Questionnaire on accepting Training Post.</p> <p>Is required to cooperate at all times with occupational health on management of disability.</p>
HSE Employer	<p>Must ensure employment law is upheld and employer duties discharged. Provides occupational health services. Is responsible for facilitating adaptations as indicated by occupational health.</p>
Training site and Scheme	<p>Monitors that appropriate adaptations have occurred. Liaises with occupational health on this issue.</p> <p>Ensures the sequential notification of the Training Plan to training posts.</p> <p>Keeps the ICGP advised of any issues arising.</p>
ICGP	<p>Is responsible for training and should be consulted on problems that arise which prevent normal progression of training.</p> <p>College also quality manages training programmes and should address any concerns that arise in scheme management of a trainee with a disability.</p>
National Doctors training and Planning Unit	<p>Is responsible for ensuring the training bodies have an appropriate protocol in place for managing the trainee with a disability.</p>

Recruitment Considerations.

In line with the Employment Equality Act 1998 and 2004, the ICGP is committed to equal access to filling places for GP training. The ICGP will not specify entry requirements or conduct shortlisting or interview of candidates in any way which could discriminate against an applicant who has a disability.

Selection Process

Post applicants will be provided with any access arrangements or other reasonable requirements to allow them to participate in the selection process, for example interviews will be arranged to accommodate a candidate with mobility problems is necessary. Members of each interview board will received guidance on conducting interviews in a non-discriminatory manner.

Pre Placement Health Assessment Questionnaire

Once places are offered, each candidate is required to fill out a Pre Placement Health Assessment Questionnaire (PPHA questionnaire). This is a standard requirement for all commencing trainees and should be completed and returned within two weeks of accepting a training place for a mid July commencement date.

All candidates who have a disability are required to declare this disability on the PPHA questionnaire. The reason for this is supportive. Such a declaration allows an assessment by occupational health with regard the supports which will be necessary for that candidate to commence GP Training. Failure to declare a disability on this questionnaire is a serious disciplinary issue.

Ability to Drive

Particular circumstances surround the physical ability to drive. As General Practitioners are Community based practitioners mobility is an essential requirement of the post. The Act does not oblige an employer to recruit, retain, train or promote an individual who is not fully competent to carry out the duties concerned. A potential physical ability to drive is a key element of the suitability of a candidate to begin GP Training.

Declaration of HIV/Hepatitis C positive status.

Declaration of HIV/Hepatitis C positive status on the PPHA is a requirement, but the disclosure of this to the clinical supervisor in each post is the prerogative of the trainee.

Occupational Health Assessment

The declaration of a disability triggers an automatic assessment by HSE Occupational Health. It is the role of Occupational Health to design the four year support plan in anticipation of the GP Training Pathway. An occupational health electronic record has been included as an integral part of the National Employment Record (NER) specific to each NCHD. This area of the NER is confidential to occupational health only. The confidentiality of the trainee is fully

respected by HSE Occupational Health and can only be overridden in an area of public safety, e.g. uncontrolled epilepsy or open TB.

Supports for a person with a disability can include altered hours of work, physical adaptations, mental health supports or assistive technology. The normal training requirements will apply and when accommodated the trainee is expected to perform to the same level as other trainees. Extension of training beyond four years may or may not be necessary depending on the progress of the trainee. If the extension of training is expected to go beyond six years, the educational consistency of the individual trainee's training pathway will need to be reviewed by the Post Graduate Training Committee of the ICGP.

Once the supports for the applicant with a disability have been decided, occupational health will coordinate with the relevant Programme Director and the Clinical Supervisor to ensure a tailored induction process is provided for the trainee at the commencement of each post.

Ongoing Management of the trainee with a disability

The ICGP, in conjunction with HSE Occupational Health, is committed to the ongoing support of a trainee who commences with a disability, or who develops a disability throughout their training path.

The disability which develops can be a physical disability, a sensory disability or a mental health disability. If not already known to occupational health the GP trainee can self refer to occupational health, or can be referred by the Training Scheme or by their line manager.

The training requirements of the GP Training Programme will also have to be fulfilled, and the local Scheme will liaise with Occupational Health to accommodate any changes necessary. Changes may include some variation in the exposure to out of hours consultations, but adequate exposure to Out of Hours must occur. The opinion of the PGTC can be sought in individual cases.

Physical Ability to Drive

Particular circumstances surround the physical ability to drive. As General Practitioners are Community based practitioners mobility is an essential requirement of the post. Should the Trainee become temporarily restricted in driving e.g. new onset of epilepsy, training should continue with accommodations made to gain experience in domiciliary consultations as future return to driving is expected. Should a return to driving be not anticipated, the viability of a career in General Practice is more limited. In individual cases, the advice of the PGTC can be sought.

Extension of Training

Extension of training beyond four years may or may not be necessary depending on the progress of the trainee. If the extension of training is expected to go beyond six years, the educational consistency of the individual trainee's training pathway will need to be reviewed by the Post Graduate Training Committee of the ICGP.

Exam Performance

Special consideration of the needs of the trainee with a disability may be required to enable an equal opportunity at exam performance. This may require consideration of physical access, where mobility issues are the concerns, consideration of specialised equipment in the Clinical Skills Test, or a longer duration of examination time for the trainee with dyslexia. Prior notification of the need for special requirements to the examinations department in the ICGP is essential. This notification should be a minimum of 12 weeks prior to undertaking the exam.

Cardio Pulmonary Resuscitation

An up to date CPR certificate is an essential accomplishment to complete GP Training. The three abilities which are required to perform CPR include 1. The ability to get on the floor, 2. The ability to give an effective breath, 3. To be able to give effective chest compressions. Adaptions can be made to the CPR if necessary, e.g. chest compressions by foot.

The GMC position statement on CPR training competence(4) requirements for doctors states

“If a doctor in training cannot physically perform tasks included in the ILS or ALS **as a result of a disability**, the Resuscitation Council allows them to direct others to undertake resuscitation and complete that element of training. “. Balancing the needs and expectations of General Practice Service delivery with the likely contribution to General Practice by a doctor with a disability, this is appropriate for Irish General Practice Training.

Continuity and Handover

Progression through the training path for the trainee with a disability requires sequential handover of the tailored training plan from post to post. The Training Scheme, in association with the designated Occupational Health Physician should ensure that adequate notification has been forwarded to the next post.

Training of educators on Welfare issues.

Training for scheme staff in dealing with trainee welfare issues is available through the HSE Employee Assistance Programme(5). The HSE strategic plan for Diversity, Quality and Inclusion is also available for guidance(6).

Supports

Generic HSE supports

There are a number of supports which are available to HSE employees including GP Trainees. The Employee Assistance and Counselling Service(7) can deliver 4-6 free counselling sessions per year. Employees do not need to contact their line manager or HR to avail of this service, in fact the majority of users contact this service directly. The list of contact details per area is available on the website (<http://www.hse.ie/eng/staff/workplacehthwellbng/stfSuprts/eacounsel/>).

Rehabilitation Policy

In the event of an accident or illness, whether this is work related or not, the HSE has a policy on the rehabilitation of employees back to work(8). This policy clearly documents the expected roles and responsibilities of all staff and describes the mechanism by which Occupational Health creates and monitors a plan for the return to work, phased or otherwise.

Adaptions and Assistive Technology.

Further information on adaptions and assistive technology is available from a number of support agencies. Useful resources include the Disability Federation of Ireland(9).

Conclusion.

General Practice is a tough but rewarding career. Any doctor who wishes to pursue a career in General Practice and is successful in the recruitment for training should be fully supported in their genuine efforts to acquire the necessary skills and competencies. This policy states the ICGP commitment to provide that support. Reference can be made, if necessary also the ICGP Policy on the Support of the Trainee in difficulty.

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