

**Faculty of Radiologists
RCSI**

(Draft) Disability (Reasonable Accommodations) Policy

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Introduction and Purpose

The Faculty of Radiologists, RCSI (the Faculty) fosters diversity and is dedicated to preventing discrimination in the organisation and function of the Faculty. Through this document, the Faculty reaffirms its commitment to these principles and formalises a framework to be followed for persons indicating a disability at the time of application to or during completion of one of the training schemes of the Faculty. The Faculty also underlines its commitment to the principles of inclusive training and assessment, supporting the rights of trainees to a work environment that is accessible and free from discrimination. This document outlines the processes involved for a trainee to disclose a disability to seek reasonable accommodations (reasonable adjustments) where appropriate.

Through this document, the Faculty seeks to comply fully with all relevant statutory requirements, in order to ensure that the culture and all processes within the organisation are free from bias.

Scope

This policy encompasses all areas of disability as indicated under the relevant equality legislation in the Irish Statute Book, namely the Employment Equality Acts, 1998-2015 and Equal Status Acts, 2000, as amended (defined below).

This policy applies to applicants to and trainees of the Faculty's programmes who disclose a disability at the time of application or over the course of the training programme.

Definitions

The definitions of disability and reasonable accommodation stipulated in the Employment Equality Acts 1998-2015 and Equal Status Acts, 2000 as amended:

Disability:

“(a) the total or partial absence of a person's bodily or mental functions, including the absence of a part of a 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
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.”

Reasonable Accommodation (Reasonable Adjustment):

Any intervention or action to ameliorate a substantial disadvantage due to a disability.

For the purposes of this policy, this is indicated in the Equal Status Act 2000:

“For the purposes of this Act discrimination includes a refusal or failure by the provider of a service to do all that is reasonable to accommodate the needs of a person with a disability by providing special treatment or facilities, if without such special treatment or facilities it

would be impossible or unduly difficult for the person to avail himself or herself of the service.”

Disclosure of a Disability

The Faculty strives to create a culture where applicants and trainees are comfortable in disclosing a disability and are given opportunities to do so. Any information regarding a disability which an applicant or trainee chooses to disclose is confidential; such information will be managed in accordance with the Data Protection Act 2018. An applicant or trainee may choose to disclose a disability to a suitable person or persons; this includes the Faculty Office, one of their consultant trainers, their local training coordinator, or a national training coordinator.

The Faculty’s training schemes are clinical programmes where trainees are all registered medical practitioners and are centrally involved with patient care at all stages. As part of registration and retention with the Irish Medical Council, all doctors must disclose any physical or mental condition (including substance addiction) which may impair their ability to practise clinically. Applicants to and trainees of the Faculty of Radiologists are therefore bound by these disclosure requirements as set out by the Medical Council.

If an applicant or trainee chooses not to make a disclosure regarding a disability, the Faculty will not be in a position to provide appropriate reasonable accommodations.

Reasonable Accommodation (Reasonable Adjustment)

The principle of reasonable accommodation as defined above requires the Faculty to take into account a disclosed disability and where possible, advocate for relevant adjustments to allow a trainee to function effectively within the training scheme. Notwithstanding this, the relevant legislation does not require such adjustments where this would cause unreasonable difficulties or costs to a person or organisation. An adjustment is considered to be reasonable where it appropriately balances the interests of all stakeholders.

Trainees are each employees of and spend the majority of their working week at one of nine designated training sites. These sites are generally HSE administered hospitals or voluntary hospitals (Section 38 Agencies) within a Hospital Group. As such, the Faculty has no direct involvement with the provision of physical infrastructure at these sites or in the rostering of trainees. Nonetheless, the Faculty commits to advocating for trainees with the administration of such organisations where appropriate, to ensure that reasonable adjustments are made where necessary to allow the trainee to function effectively within that organisation.

Adjustments may include but are not limited to:

- Appropriate considerations within the selection process
- Providing essential information in suitable formats
- Flexible training arrangements, including alterations to training rotations and to the period of time for training completion
- Provision of training or retraining

All Faculty trainees are also registered postgraduate students of the Royal College of Surgeons in Ireland, who administer many of the Faculty's examinations through the SARA (Student, Academic and Regulatory Affairs) Office. The Faculty acknowledges the central role that RCSI performs in the administration of the training scheme and commits to working with the relevant departments and offices within that organisation to ensure that trainees are provided with reasonable adjustments where appropriate.

Exceptions under Legislation

The commitment to provide accommodations to a person with a disclosed disability is subject to several exemptions specifically identified under the relevant legislation. These include but are not limited to situations where:

- Provision of such adjustments would give rise to a disproportionate cost
- Even with provision of reasonable adjustments, a trainee would be unable to meet the progression requirements of the training programme
- Even with the provision of reasonable adjustments, it would not be possible to meet the relevant workplace health and safety requirements

References

Employment Equality Acts, 1998-2015 (as amended)
Equal Status Acts, 2000 (as amended)