

Education

Applying

Occupational health assessments
and fitness to practise



**RIGHT TO
PARTICIPATE**

Useful knowledge

On some courses such as medicine, nursing and teaching, you may have to meet 'fitness to practise' regulations set by professional bodies. These relate to health and safety and the demands of that particular occupation. The process involves a health questionnaire and occasionally an occupational health assessment. The healthcare professional will assess you and make recommendations to your education provider about your fitness to practise and identify reasonable adjustments.

No-one should assume that a disabled person can't become a teacher or health professional.

Under the Equality Act, colleges and universities have to consider all possible reasonable adjustments as part of the 'fitness' assessment. They also have to support you throughout the course, including during any work placements in schools, health centres or hospitals.

Link to Loud Minority films featuring [disabled teachers](#)

Useful knowledge

- Effective communication
- Negotiation skills
- Writing clearly
- Problem solving
- Time management

Ways to assert your legal rights

1. You should ask for a copy of the 'fitness' policy if you're unhappy with the decision made by the fitness to practise panel. The policy should include the process you need to follow to challenge the decision. You can normally submit an appeal within a set time-limit. You should support your appeal with any further evidence you have.

2. A really important thing to look at is whether a decision about your 'fitness' has been made before fully exploring the reasonable adjustments that could be made. A valid occupational health assessment can only be made after all reasonable adjustments are in place. Failure to do this could be discriminatory.

There is no obligation to make reasonable adjustments to competence standards.

If the university raises 'fitness to practise' as an issue, we strongly recommend you get support with the process and, if possible attend the hearing with someone who can provide independent advice and advocacy.

3. You may want to take legal action if you feel you've been discriminated against. There are strict time limits for taking action under the Equality Act. You will have six months minus one day from the date of discrimination to make your claim in the County Court. The court can consider claims outside the time limit if it considers it 'just and equitable' to do so. You should take legal advice should you wish to pursue this through the legal route.

The Office of the Independent Adjudicator (OIA) **cannot** consider complaints about fitness to practise assessments that are part of the admission process to a higher education course.

You can have confidence in the process because

Colleges and universities have been covered by the Disability Discrimination Act since 2001 and the Equality Act since 2010. Most have a good understanding of their legal duties and well developed systems for making sure disabled students progress in their studies.

You can get more help from

The [Equality Advisory & Support Service \(EASS\)](#) runs a free helpline assisting individuals with equality and human rights issues across England, Scotland and Wales.

Telephone • 0808 800 0082
Text phone • 0808 800 0084
Email • [through websites form](#)

Disability Rights UK [student helpline](#)

Telephone • 0330 995 0414
Email • students@disabilityrightsuk.org

Disability Rights UK free factsheets on [Understanding the Equality Act](#) and [Making a complaint](#)