

# Foundation Training Special Circumstances Policy (2023 entry)

## 1. Special Circumstances

Any changes in offers will only be approved on the grounds of your special circumstance.

As part of the Foundation Training Year Recruitment Scheme, once offers are released there is a formal process to manage applicants with special circumstances who require placement in a certain geographical area or specified location for their training. If following the matching process your matched site is no longer suitable for your previously disclosed special circumstances, you will need apply for special circumstances.

If an applicant has their special circumstances request approved, NES Pharmacy Recruitment team will explore the possible options to match the applicant to an alternative Training Provider who would be able to accommodate a suitable post. The team would be looking at the remaining Training Providers on the applicant's preference list in order to seek a post that would suit the trainee pharmacist's situation. Preferences will be contacted in ranked order, however, this also depends on whether the Training Providers in question have any remaining posts. NES Pharmacy Recruitment Team will liaise with the Training Providers directly. Applicants are advised not to personally contact Training Providers. Should the preference list options be exhausted, a further discussion will take place with the applicant, and NES Pharmacy Recruitment Team will explore other options of Training Providers with remaining posts.

**Please note that this guidance applies only to Scotland. If you are a dual applicant and you are applying for a post in England and Wales under special circumstances, please use their separate process.**

### 1.1 Eligibility Requirements

If you satisfy one of the following criteria, you will be eligible to apply for consideration of your special circumstances:

**Criterion 1:** you are the primary carer for someone who is disabled, as defined by the Equality Act 2010.

The Equality Act 2010 defines a disabled person as someone who has a physical or mental impairment, which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities. For the purposes of the Act: -

- Substantial means more than minor or trivial.
- Long-term means that the effect of the impairment has lasted or is likely to last for at least 12 months.
- Normal day-to-day activities include things like eating, washing, walking and going shopping.

- Some conditions, such as addictions to non-prescribed substances, are specifically excluded.
- People who have had a disability in the past that meet this definition are also covered by the scope of the Act.
- There are additional provisions relating to people with progressive conditions. People with HIV, cancer and multiple sclerosis are protected by the Act from the point of diagnosis. People with visual impairments are automatically deemed to be disabled.

**Criterion 2:** you have a medical condition or disability for which ongoing follow up for the condition in the specified location is an absolute requirement.

**Criterion 3:** you have parental responsibility for a child or children under the age of 18  
From 2021 joint applications will be permitted in the following circumstances:

### 1.2 Assessing Eligibility and Supporting Evidence Required

If you fall into any of the above criteria, you should contact the Pharmacy Recruitment Team via [Pharmacy.Recruitment@nes.scot.nhs.uk](mailto:Pharmacy.Recruitment@nes.scot.nhs.uk)

You will also be required to submit your supporting evidence as soon as possible. Should your special circumstances request be approved, the sooner you contact the NES Pharmacy Recruitment Team, the more you increase your chances of being matched to an alternative Training Provider. **We would not be able to take into consideration any requests received after May 2023.**

Please note any evidence submitted will only be shared with staff who require access as part of the special circumstances process.

The information and evidence you must provide will vary depending upon the criterion you are applying under:

#### Criterion 1: Primary Carer

- Criterion 1 Request for Special Circumstances form (template below)

**AND**

- Written statement on headed paper from a general practitioner or social services professional, dated within the last 6 months, confirming their role as primary carer for this person, together with confirmation of the disability;

**AND**

- Care plan on headed paper from a general practitioner or social services professional. Where an official care plan is not available, details of caring responsibilities and activities should be provided, attested by the general practitioner of the person who is being cared for or Educational Health and Care Plan (EHCP) for the child being cared for

or, where this is unavailable, confirmation that an assessment has taken place and that the development of the EHCP is in progress. The care plan needs to be signed and demonstrate how you will combine the responsibilities of a Trainee Pharmacist and primary carer and ensures that you have fully considered local support and resources.

**AND**

- Proof of current address e.g. driving licence, utility bill dated within the last three months.

For you to meet this criterion, you must be the primary carer for this person, who would normally be your partner, sibling, or parent. If the person you are caring for is not your partner, sibling, or parent, you will have to explain clearly and present a strong case as to why and how you have the role of primary carer for this person. If you provide care for a person as part of a group of carers, e.g. a family, you are not eligible to apply under this criterion.

It is expected that you provide proof of when you and the person who you care for moved to your current address which should show that your circumstances have changed since you confirmed your preference list.

**Criterion 2: Medical condition/disability**

- Criterion 2 Request for Special Circumstances form (template below)

**AND**

- A **report** from the current medical specialist treating your condition or an Occupational Health physician, dated within the last 6 months, in which they will be required to:

- Describe the current medical condition or disability
- Describe the nature of the ongoing treatment and frequency
- Reasons why the follow up treatment **cannot** be delivered elsewhere in the UK
- Impact on your health and wellbeing of transferring care elsewhere

**AND**

- Proof of current address e.g. driving licence, utility bill dated within the last three months.

As you already have this medical condition, it is expected that you will remain at your current address, as the alternative Training Provider arrangements we would explore will be to a programme local to that address.

### Criterion 3: Parental Responsibility

- Criterion 3 Request for Special Circumstances form (template below)

#### AND

- The full version of the birth certificate (detailing parent(s) name(s)) for each child. This is to confirm that the applicant is the parent of the child(ren) they have detailed. The birth certificate must also include the full name of the child. The short version of the birth certificate which contains only the child's details will not be accepted. \*\*\*If your circumstances have changed and you are currently pregnant, we would also accept as evidence a copy of your MATB1 form and/or confirmation letter from your GP or midwife.

#### AND

- For legal guardians, a copy of the legal document that confirms your status for the child named in the birth certificate. If you are a legal guardian then you may submit the short version of the birth certificate.

#### AND

- Statement confirming that you have significant caring responsibilities for the child(ren). This statement must be signed by someone who is in a position to confirm they have known the applicant for at least six months and has a professional working relationship\* with the applicant and child(ren) and can confirm that s/he has a significant caring responsibility for a child or children under 18.

#### AND

- Proof of current address, e.g. driving licence, utility bill dated within the last three months or council tax bill dated within the last twelve months.

\*The signatory must:

- be over 18
- have a relevant professional working relationship with the applicant and their child(ren) e.g. Midwife, GP/Doctor, Head teacher, Social Worker
- not be related to the applicant by birth or marriage
- not be in a personal relationship with the applicant
- not live at the same address as the applicant.

It is expected that you and your child(ren) will remain at your current address **as the alternative Training Provider arrangements we would explore would be to programmes local to that address.**

If you and the child(ren) do not normally reside together, this should be referred to on the application form, and information supplied as to why the caring responsibilities remain equally significant.

For **all** criteria you must also provide information on where the required location is and an acceptable travelling distance. If the required location is not the same as your current address (for example, you need a Foundation Training Year programme close to family as they will provide childcare) please

explain why you need to be placed in a different area and provide proof of the address you need to be placed within a reasonable distance of (e.g. utility bill or bank statement dated within the last three months.)

Your documents and evidence should be submitted to Pharmacy Recruitment via [pharmacy.recruitment@nes.scot.nhs.uk](mailto:pharmacy.recruitment@nes.scot.nhs.uk)

### Panel

A panel comprising of two members will be convened to assess your eligibility against the above criteria and review the evidence you have submitted. Within 5 working days from receipt of your request, **we will inform you of the expected timeline of our decision. Once the panel have made a decision you will receive a subsequent email informing you of the outcome.**

If your application for special circumstances is declined, **you will be permitted to appeal the decision** with the Pharmacy Recruitment Team. Appeals should be submitted **within five working days from the moment you receive the outcome email** and will only be considered where additional, new evidence is submitted, or you feel that due process was not adhered to.

Where new evidence is not presented, **the Pharmacy Recruitment Team will inform you within five working days that your appeal will not be heard.**

New evidence should be forwarded to the Pharmacy Recruitment Team via [Pharmacy.Recruitment@nes.scot.nhs.uk](mailto:Pharmacy.Recruitment@nes.scot.nhs.uk) and will be reviewed by the appeal panel. Within 5 working days from receipt of your new evidence, **we will inform you of the expected timeline of our decision. Once the appeal panel have made a decision you will receive a subsequent email informing you of the outcome.** The decision of the appeal panel will be final.