

UK Foundation Programme

Guidance for medical schools on the process of applying for pre-allocation to a particular Foundation School on the grounds of Special Circumstances



February 2019

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General Principles

- 1.1 Applicants who need to remain in a geographical area for specific caring or health reasons to undertake their foundation programme training can apply to their medical school to be considered for pre-allocation on the grounds of special circumstances. It is important that discussion takes place with the potential applicants so that they have a realistic expectation (see Appendix B helping potential applicants to be realistic).
- 1.2 Applicants can only apply for special circumstances at the foundation school they have ranked first in their application form. Special circumstances applications listing a different foundation school will not be considered by the local panel.
- 1.3 Applicants can only apply for special circumstances based on their current situation.
- 1.4 Applicants who believe that they meet one or more of the criteria are strongly advised to discuss their circumstances with their medical school before completing the national special circumstances form. The purpose of this discussion would be to help potential applicants be realistic and clarify for them exactly what evidence is required to allow an informed decision to be made.
- 1.5 Approved special circumstances will result in applicants being pre-allocated to a specific foundation school for their foundation programme training, provided that their score is sufficient to meet the national allocation criteria.
- 1.6 Approval of a special circumstances application does not guarantee a specific programme within the pre-allocated foundation school.
- 1.7 All applicants must adhere to the rules of the national application process. This means that all applicants applying or approved for pre-allocation on the grounds of their special circumstances must still complete and submit an application form. Applicants must also sit the Situational Judgement Test (SJT) and must achieve an application score that is high enough to meet the national allocation criteria. This score may also be used for matching applicants to specific programmes.
- 1.8 If the Foundation Programme is oversubscribed, then pre-allocation to a specific foundation school on the grounds of special circumstances is only guaranteed for those who score highly enough to make the primary list. Reserve list applicants with special circumstances whose applications for pre-allocation have been approved can only be allocated to their first-choice foundation school if that school has vacancies available on the date that batch of vacancies is allocated.
- 1.9 An applicant pre-allocated to a foundation school on the grounds of special circumstances will not be permitted to link their application to another individual in the process.
- 1.10 An applicant who is seeking approval for pre-allocation on the grounds of special circumstances for a specific school can only apply for an academic foundation programme in an Academic Unit of Application (AUoA) which covers that specific foundation school but will not be pre-allocated.
- 1.11 With effect from 2019, for the application process to the 2020 UK Foundation Programme, **the UKFPO will consider all applications** from UK medical school students and graduates, as well as Eligibility Office applicants.

*For information around managing the expectations of potential applicants, please refer to Appendix B.

The Criteria

To be considered for pre-allocation to a foundation school on the grounds of special circumstances, applicants must meet one of the following criteria.

2.1 Criterion 1: The applicant is a parent or legal guardian of a child or children under the age of 18 who reside primarily with them and for whom they have significant caring responsibilities.

- 2.1.1 An applicant whose sole criterion is that she (or their partner) is currently pregnant will not be regarded as eligible for pre-allocation on the grounds of special circumstances. Please refer applicants to the Inter-Foundation School Transfer (IFST) policy for further guidance. The policy can be found via the UKFPO website <http://www.foundationprogramme.nhs.uk/>.
- 2.1.2 It is expected that the applicant and their child(ren) in this category will remain in their current address and application for pre-allocation will be to the foundation school local to that address.
- 2.1.3 If the applicant and the child(ren) do not normally reside together, this should be referred to on the application form, and information must be supplied as to why the caring responsibilities remain equally significant.
- 2.1.4 Applicants will be required to supply the following supporting evidence:
- copy of birth certificate(s) of child(ren).
 - for legal guardians a copy of the legal document that confirms their status for the child named in the birth certificate.
 - statement confirming that they have significant caring responsibilities for the child(ren) from an appropriate professional who they would normally have known for at least six months.
 - 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.

2.2 Criterion 2: The applicant is the primary carer for someone who is disabled (as defined by the Equality Act 2010).

Definition of 'disability' under the Equality Act 2010

The Equality Act 2010 defines a disabled person as someone who has a physical or mental impairment, that the impairment 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 meets 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.

2.2.1 For an applicant to meet this criterion, the applicant must be the primary carer for this person, who would normally be the applicant's partner, parent or sibling.

2.2.2 If the person they are caring for is not their partner, sibling or parent, the applicant will be expected to explain clearly and present a strong case as to why and how they have the role of primary carer for this person.

2.2.3 Applicants who provide care for a person as part of a group of carers, e.g. a family, are not eligible to apply under this criterion

2.2.4 It is expected that the applicant and the person who they care for in this category will remain in their current address(es) and application for pre-allocation will be to the foundation school local to that address. If this is not the case, relevant evidence must be supplied as to why follow up arrangements could not continue as present.

2.2.5 Applicants will be required to complete a care plan to demonstrate how they will combine the responsibilities of foundation doctor and primary carer and that local support resources have been fully considered.

2.2.6 Applicants will be required to supply the following supporting evidence: -

- statement from GP/Social Services professional that they have known the applicant for normally at least six months confirming the applicant's role as primary carer for this person.
- care plan.
- 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.

2.3 Criterion 3: The applicant has a medical condition or disability for which on-going follow up for the condition in the specified location is an absolute requirement.

2.3.1 As this medical condition already exists for the individual as a medical student, it is expected that the applicant will remain in their current address and application for pre-allocation will be to the foundation school local to that address. If this is not the case, clear arguments need to be made as to why follow up arrangements could not continue as present.

2.3.2 If the request for pre-allocation is not for the local foundation school relevant evidence must be supplied as to why follow up arrangements could not continue as present.

2.3.3 Applicants will be required to supply the following supporting evidence: -

A report by the current medical specialist treating the condition or Occupational health physician in which they will be required to: -

- describe the current medical condition or disability
- describe the nature of the on-going treatment and frequency
- state why the follow up must be delivered in a specific location, rather than by other treatment centres in the UK.

2.4 Criterion 4: Unique circumstances.

2.4.1 If applicants consider that there are particular unique circumstances that requires them to be in a particular environment whilst they undertake the Foundation Programme, applicants can apply for Special Circumstances under this criterion.

- 2.4.2 Applicants must provide evidence with regard to these circumstances including the reasons for placement in a particular location from a professional individual who has recognised standing to support the application.
- 2.4.3 Applicants must be reminded that they will still be required to complete the Situational Judgement Test, the score from which may be used as part of the process of matching to programmes. Applicants must achieve an application score high enough to meet the national allocation criteria.
- 2.4.4 Applicants will be required to supply the following supporting evidence: -
- Statement by a professional that:
- describes the current unique situation
 - explains why the follow up must be delivered in a specific location rather than another location in the UK
 - 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.

Panels

- 3.1 All applications must be considered by a panel, rather than by an individual. The UKFPO will be responsible for convening a national panel (rather than individual local medical school panels, as in previous years), in accordance with the national process and timeline, to consider the applications.
- 3.2 The panel will be chaired by the Chair of the UKFPO's National Recruitment Delivery Group (RDG), who is also a Foundation School Director (FSD) and will include an academic clinician on behalf of medical schools, a senior representative from the UKFPO, and a representative from Medical Schools Council (MSC).
- 3.3 A member of the UKFPO central administrative team who will act as administrator / recorder. This person will not take part in the decision making, but will be responsible for the pre-panel administration and completion and submission of all the documentation including: -
- Checking the applicant's Special Circumstances application is for the Foundation School the applicant has ranked first in their application preferences. If this is not the case, the application will not be considered.
 - Checking the address of the school in relation to the applicant's address and the responsibilities outlined in the application.
 - Informing the applicant of the outcome of the submission. In addition, they will complete all relevant audit documentation.
 - Informing the receiving foundation school(s) of applicants who have had their applications approved for pre-allocation.
 - Informing UK medical schools of the outcome of applications for their local students.
- 3.4 Each panel member will have undertaken equality and diversity training within the last three years.
- 3.5 All information in each application form will be treated as private and confidential, and only available to those directly involved in the approval process.

Process for Submission and Consideration of Applications

- 4.1 Details of the process, the criteria, and the relevant forms will be published on the UKFPO website <http://www.foundationprogramme.nhs.uk/>.
- 4.2 Medical students who believe that they meet one or more of the criteria are strongly advised to discuss their circumstances with their medical school before completing the national special circumstances form. The purpose of this discussion would be to help potential applicants be realistic and clarify for them exactly what the panel would expect to see in order to be able to make an informed decision.
- 4.3 Applicants must submit their application form with the required supporting documentation and in accordance with the national timeline to the UKFPO, and **not their nominating medical school** as in previous years.
- 4.4 Applicants must send their applications by post, rather than email, because of the requirement for the signed supporting documentation. All applications must be sent to the following address by midday on Friday 11th October 2019: -

UK Foundation Programme Office (UKFPO)
1st Floor, East Wing
St. Chad's Court
213 Hagley Road
Edgbaston
Birmingham
B16 9RG

- 4.5 Medical students who are on elective at the time when applications are to be submitted may make arrangements with the UKFPO to send their application form by email and their supporting documents separately.
- 4.6 Those who qualified before 5th August 2018 and overseas graduates will be able to access similar support and information from the national website and the UKFPO staff.
- 4.7 Applications must be complete and include all the required supporting documentation. Applicants cannot submit further documentation at a later date unless they have previously made a special arrangement with the UKFPO to do so. It will be the decision of the panel whether late documentation is accepted.
- 4.8 The panel will decide if applicants adequately demonstrate that they meet one of the criteria and have provided the necessary supporting evidence. Some applications may meet more than one of the criteria. The panel may wish to contact the relevant signatories for further information.
- 4.9 If the panel, whilst assessing an application, disagree with the opinion of the medical professional in the supporting documentation, the panel will discuss and clarify the reasons with that professional and record the reasons for their decision. This information will be shared with the applicant. This will also be recorded on the appeal documentation if there is to be an appeal.
- 4.10 Applicants are advised that the panel may choose to contact them or the professional(s) supporting their application for further clarity.
- 4.11 Applicants will be provided with a checklist to assist in the completion of the application form. Applicants are advised to check their applications thoroughly before sending them in for submission and consideration by the panel. All the information provided on the application form must be correct with all the relevant boxes ticked. Incomplete applications will be rejected from the process.

The Panel's Decision

- 5.1 After considering the application, the panel will reach one of the following decisions: -
- The application is approved for pre-allocation to the specified foundation school
 - The application is not approved for pre-allocation to the specified foundation school
- 5.2 The administrator of the panel will notify applicants of the outcome, in line with the national timeline.
- 5.3 If the panel approves the application, a copy of the application form and supporting documentation will be forwarded to the receiving foundation school where the applicant will be provisionally pre-allocated.
- 5.4 The administrator of the panel will record the outcome of the application on the national application system, so that the applicant can be provisionally pre-allocated.
- 5.5 If the panel does not approve an application, the applicant will be notified of the reason(s) why the application was not approved. The panel will advise the applicant of the appeals process and the date by which an appeal must be submitted.
- 5.6 Approval of an application for pre-allocation on the grounds of special circumstances constitutes pre-allocation to a foundation school and does not guarantee a *specific* programme or location in a foundation school.

Appeals

- 6.1 Appeals will be considered by the national appeals panel, coordinated by the UKFPO central administrative team.
- 6.2 There are two stages to the appeals process.
- I. Applicants will be given the opportunity to correct any mistakes and / or provide any additional information which they omitted to include as part of their original application. There will be a 72-hour window for applicants to correct or submit additional information following the notification of application outcomes.
 - II. Appeals will be considered by the national appeals panel on the grounds that the process was not applied with appropriate diligence or due care, or that the decision was made in a prejudicial way. Applicants may appeal in relation to the how the process has been followed regardless of whether they amended or submitted new information during the first stage of this appeals process.
- 6.3 Appeal forms must be lodged by applicants directly with the UKFPO by the date indicated in the national timeline, in order for all their documentation to be considered by the national appeals panel.
- 6.4 The national appeal panel will consider the appeal and inform the applicant of its decision.
- 6.5 If the appeal is successful the UKFPO will pre-allocate the applicant on Oriel and notify the receiving foundation school and nominating medical school and send the special circumstances application form to the receiving foundation school.
- 6.6 The decision of the national appeals panel is final, and no further correspondence will be entered into.

General Information

- 7.1 The above process is for the consideration of existing special circumstances, many of which may have been managed by the applicants throughout their time at medical school. Applicants whose circumstances change after the closing date for submission of applications for consideration must contact the director of the foundation school where they have been allocated, as soon as possible.
- 7.2 If an applicant's circumstances change after the closing date for submission of applications for pre-allocation on the grounds of special circumstances, they cannot apply for special circumstances at this stage. Applicants are advised to contact the foundation school director when they have been allocated. An application to change allocated foundation school will now be treated as an inter-foundation school transfer (IFST), for which there is a separate process. Details are available on the UKFPO website <http://www.foundationprogramme.nhs.uk/>.
- 7.3 It must be stressed that this is *not* a process for late special circumstances applications. The applicant will be required to clearly demonstrate how the circumstances have arisen or changed significantly since the closing date for applications for pre-allocation on the grounds of special circumstances.

APPENDIX A**National Timeline: Special Circumstances – August 2019 Entry**

11 th October 2019 (12:00 BST)	Deadline for submission of special circumstances applications to the UKFPO.
14 th October – 7 th November 2019	National review panel will meet to consider applications.
By 4 th November 2019	Panels notify applicants and the receiving foundation school of panel decision and forward relevant documents.
4 th – 7 th November 2019	First stage of the appeals process: 72-hour window for applicants to correct any errors or provide additional information that was omitted from their initial special circumstances application.
7 th November 2019	Deadline for appeals submission.
14 th November 2019	Outcomes from the first stage of appeals released to applicants.
14 th – 25 th November 2019	Second stage special circumstances national appeals submission period.
28 th November 2019	Appeals panel meet to consider special circumstances appeals.
2 nd December 2019	National appeals panel notifies applicants of its decisions on appeals.
5 th March 2020	All applicants on the primary list will be notified of their allocation.

APPENDIX B

Managing the expectations of potential applicants

The underlying principle of pre-allocating applicants to particular foundation schools is on the understanding that their special circumstances will prevent them from working in any other geographical location.

Applicants must rank that foundation school as their first preference on their Oriel application form. **Failure to do so will prevent their special circumstances application form being considered.**

Criterion 1: Parent / Guardian

1. Applicants with children will be familiar with combining the demands of parenthood with studying for an undergraduate degree. However, there are significant differences between being a student and a foundation doctor. This may include irregular and antisocial working hours as well as shift patterns and working at night. This should include a discussion about the possibility of flexible working hours.
2. Medical schools should discuss with applicants the longer-term implications of their care commitments. It needs to be pointed out that pre-allocation on the grounds of special circumstances does not exist for specialty training, and that applicants should be giving some thought to how they will manage in the longer term. There are many sources of advice as to how the majority of doctor's balance family and work responsibilities.
3. Medical schools must explain that this criterion is related to childcare and that pregnancy will not be considered under this criterion.
4. Medical schools must explain that this criterion is based on an applicant's current circumstances and current address.

Criterion 2: Primary Carer

1. Applicants must be counselled to indicate clearly how they are the **primary** carer of the person being cared for, and that all appropriate local resources are being considered and utilised. It should be highlighted that just being a family member does not meet the requirements of being a carer under this criterion.
2. All applicants must indicate the extent / level / type, as well as the frequency, of the caring role they provide. They are required to include a structured care plan to indicate how they intend to balance the requirements of their care commitment with the demands of a busy job, with varying shift patterns.
3. Applicants must demonstrate that they utilise and do not duplicate alternative care services which are available, either hospital based, or community based. For example, many people would wish to accompany a sick relative to an important medical appointment and would expect to take annual leave to do so. Interpreting or translating for a relative is not a reason for special circumstances. Translators or interpreters can routinely be available for GP and hospital appointments.
4. It is expected that the applicant and the person who they care for will remain in their present residence and application for pre-allocation will be to the foundation school local to that address. If this is not the case, evidence will be required as to why follow up arrangements could not continue as present.

5. Medical schools should discuss with applicants the longer-term implications of their care commitments. It needs to be pointed out that pre-allocation on the grounds of special circumstances does not exist for specialty training, and that applicants should be considering whether their level of care commitment is realistic in the longer term.

Criterion 3: Medical Condition

1. Applicants with a medical condition or disability will be familiar with combining the requirements of their condition with studying for an undergraduate degree. However, there are significant differences between being a student and a foundation doctor. This may include irregular and antisocial working hours, shift patterns and working at nights. This should include a discussion about the possibility of flexible working hours.
2. Medical schools will no doubt have already discussed with applicants the longer-term implications of their condition in terms of their career. It needs to be pointed out that pre-allocation on the grounds of special circumstances does not exist in the same way for specialty training, and that applicants should be aware of the mechanisms deaneries have for managing doctors with medical conditions and disabilities.
3. As part of demonstrating that they have a medical condition or disability requiring local follow up, applicants will have to submit a signed form from their Occupational Health physician or appropriate medical specialist to support their application: -
 - a. It is important that the applicant is aware that evidence will be required as to why the relevant medical support would not be available in the foundation school they have been allocated.
 - b. Applicants must be advised that they should declare their medical condition on their TOI form.

Criterion 4: Unique circumstances

1. Applicants must be clear as to why they consider the circumstances are unique and why this will impact on their future working as a foundation doctor.
2. It is difficult to be prescriptive as to what constitutes unique circumstances. However, it is expected that it will be an exceptional situation and not the norm.
3. The applicant must provide robust and demonstrable evidence to support their application.
4. Medical schools should counsel students as the reasonable of the request and whether their requirements could be met via other processes.

APPENDIX C

Appeals Process

Applicants whose applications for pre-allocation to a foundation school on the grounds of their special circumstances are not approved by the original panel have the right of appeal.

1st Stage Appeals

Following the release of application / assessment outcomes, applicants will be given 72-hours to correct any errors made as part of their initial application and / or to provide any additional information / evidence they might have omitted. An information that is received after this 72-hour deadline will not be considered.

Application outcomes will be reconsidered taking account of any new information provided by the deadline.

2nd Stage Appeals

Applicants may request a review where **processes or procedures** have not been followed, or there is evidence of unfairness in how the process has been implemented, and the objectivity of decisions is called into question.

The following will be recognised by the national appeals panel as grounds for appeal: -

- a) that the process was not applied with appropriate diligence or due care
- b) that the decision was made in a prejudicial way.

General Information

If an applicant wishes to appeal against the decision by the original panel not to approve his / her application, the appeal must be made on the accompanying national special circumstances appeal form, explaining succinctly the grounds for the appeal.

The national appeals panel will send the applicant an email within five working days to acknowledge that they have received the appeal. Late appeals cannot be considered.

The national appeals panel will consider the appeal and make its decision on the basis of any investigations it considers reasonable, having regard to the statement within the appeal and any supporting evidence provided by the applicant.

The privacy and confidentiality of the appellant will be respected, subject to the need for an open and fair investigation and for the outcome of the investigation to be reported appropriately. The intention is both to protect the appellant's privacy and to protect those involved with the appeal.

The applicant and original panel will be informed of the outcome of the appeal in line with the national timeline.

The decision of the national appeals panel is final and further correspondence will not be entered into.

For further information please refer to the [UKFP 2020 Appeals Process](#).