



COSCA (Counselling & Psychotherapy in Scotland)
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COSCA's Policy on the Declaration of Medical Conditions by Applicants and Members

1. Introduction

COSCA's Statement of Ethics and Code of Practice (page 5, paragraph 2.5) requires members to only practise when they are able to work effectively with clients. When they are unable to do so or when their professional effectiveness is impaired, they are required to promptly take the most appropriate action to serve the best interests of their client(s).

The above Statement also states that the functioning of a member may be impaired by personal problems caused by, for example, illness, stress, life events etc. In this situation, it states that the member should refrain from working with the client, make any appropriate referrals, and seek professional support to address their difficulties.

By signing up to the COSCA Statement of Ethics and Code of Practice when applying for membership and on its renewal, members are confirming that they are in sufficient health to practise effectively. Therefore, in the interests of public protection, COSCA's membership only includes those who are able to practise effectively, or whose application for a career break from practice has been successful.

In line with the above Statement, applicants for membership and members are required to declare to COSCA that they have a medical condition that could impact on their ability to practise effectively and on their membership of COSCA.

On receipt of applications for COSCA membership, applicants will be referred to this Policy. On renewal of membership, applicants are required to inform COSCA of any medical conditions under this Policy.

COSCA acknowledges that in most cases, declared medical conditions will not raise ability to practise concerns, provided the individual receives the appropriate support and that the necessary reasonable adjustments are made to allow professional work to be carried out safely.

This policy outlines:

- the information required from those who declare to COSCA that they have a medical condition that could impact on their ability to practise
- how the above health information will be dealt with by COSCA
- the decision making process
- how to request a review of the decision made and appeal against it

2. Declaration of medical conditions that could impact on ability to practise

When initially applying and/or renewing individual membership of COSCA, applicants are required to declare whether they have a medical condition that could affect their ability to practise as an individual member of COSCA.

COSCA does not need to be informed about applicants or members being unable to practise for a limited period of time due to a medical condition, as this would be covered by a career break application. However, if applicants and those renewing membership are not sure whether they need to declare a medical condition, COSCA advises them to do so in the interests of public protection.

Applicants and those renewing membership are required to:

- declare a medical condition that could impact on their ability to practise effectively in the long term
- describe the declared medical condition
- state whether it is managed, and, if so, how
- evidence how its management enables them to practise effectively and ethically as an individual member of COSCA.

Those declaring a medical condition are required to complete the 'Ability to Practise Notification' form.

Declarations of medical conditions must be dated not more than three months prior to either the initial membership approval or renewal date. Following the declaration, additional information may be requested by COSCA from applicants and those renewing membership.

In deciding to declare a medical condition to COSCA, applicants and those renewing membership should, if uncertain, should seek the advice of an independent health professional who has a full knowledge of their condition.

3. How the above health information will be dealt with by COSCA

On receipt of a declaration of a medical condition, COSCA may need to request:

- further information from the individual in relation to their medical condition
- information from the individual member's treating doctor or health professional in relation to their medical condition
- that the individual undergo an independent medical examination with the individual covering any costs involved including the costs of obtaining medical certificates.

It should be noted that the above information would be treated confidentially and will be safely destroyed when the matter has been finalised.

4. Decisions about ability to practice due to a medical condition

Following the declaration of a medical condition, and the receipt of any requested further evidence or reports, COSCA's Ethics Committee will consider the evidence submitted and will determine whether or not the applicant or registrant is able to practise.

The above determination will be made by considering:

- whether the medical condition of the applicant or member poses a risk to the public or themselves

In the event that COSCA's Ethics Committee decides that the applicant or member is deemed unable to practise due to a medical condition, COSCA will consider whether it is necessary to:

- not approve the application for membership at this time, until the health status changes or without a time limit
- apply conditions to the renewal of membership
- not approve renewal of membership at this time, until the health status changes or without a time limit

5. Review of Ethics Committee's Decision

Applicants who receive a decision of the Ethics Committee that they do not believe it is justified have the option to request a review of it. This must be done in writing to the Chief Executive within 21 days from the date on the decision letter.

The ground for requesting a review of the above decision is as follows:

- the information submitted has not been fairly and properly assessed against the criteria outlined in Section 4 above.

The request to review a decision must include the following:

- the decision requested to be reviewed
- the date of the above decision
- the reason(s) for the request
- the relevant standard(s)
- evidence that the above decision was affected by the Ethics Committee's failure to fairly and properly assess the information submitted against the criteria outlined in Section 4 above.

The Chief Executive, in consultation with relevant parties, will consider whether the ground has been met for the request for a review to be submitted to the Ethics Committee. The individual requesting the review will be informed of the outcome of this consideration.

If it is decided that the ground has been met, the request will be submitted to the next meeting of the Ethics Committee for consideration and determination.

The outcome of the review will be sent in writing to the individual concerned within 14 days of the Ethics Committee's meeting.

Individuals who have requested a review and are not satisfied with the outcome can appeal against it through the COSCA Appeals Procedure (see below), within three months of the review decision being made.

6. Appeals

COSCA's Appeals Procedure provides a means of appealing against the above decisions of COSCA (Counselling and Psychotherapy in Scotland). Please see a copy of the above procedure under ethics on our website. www.cosca.org.uk

Brian Magee
Chief Executive
COSCA (Counselling & Psychotherapy in Scotland)



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APPENDIX A: ABILITY TO PRACTISE NOTIFICATION

Declaration of Medical Conditions on:

Initial Application

Renewal of Membership

Before completing this section, please read the above document: ***COSCA's Policy on the Declaration of Medical Conditions by Applicants and Members.***

| DETAILS |
|---|
| Surname: |
| Forename(s) |
| Title |
| Address |
| Post code |
| Home telephone no. |
| Work telephone no. |
| Email: |
| Membership Number and Category (if applicable): |

1. Do you have a medical condition that may impact on your ability to practise effectively as an individual member of COSCA?

Yes

No

If yes, please describe the medical condition below.

2. Is the medical condition managed?

Yes

No

If yes, please describe how the medical condition is managed

3. Please evidence below how its management enables you to practise effectively and ethically as an individual member of COSCA.

4. Please provide any supporting documentation as evidence of the medical condition being managed to enable you to practise effectively and ethically.
Please note that any evidence submitted will not be returned.

Signature:

Please Print Name:

Date:

Please return this completed form and any supporting evidence to below, marked Private and Confidential:

Brian Magee, Chief Executive, COSCA (Counselling & Psychotherapy in Scotland)
16 Melville Terrace, Stirling FK8 2NE.