

Intern Assessment Appeal Guideline

Purpose

To provide a guideline for an appeals process relating to the outcome of an intern training assessment.

Scope

This guideline applies to either a summative end of term assessment or to an adverse decision recorded on the Medical Board of Australia's *Certificate of completion of an accredited internship*.

Context

Interns must achieve outcomes stated in the Australian Medical Council and Medical Board of Australia's *Intern training – Intern outcome statements*. The intern term assessment process needs to conform to the mandated requirements as set out by the Medical Board of Australia's Registration Standard for *Granting general registration as a medical practitioner to Australian and New Zealand medical graduates on completion of intern training*.

Term assessments are a key part of the process of gaining General Registration. There may be significant consequences associated with underperformance which needs to be appropriately managed. This guideline describes a process to enable an intern to formally appeal an assessment outcome and the management of such a request.

It is expected that facilities have processes for reviewing and verifying assessment outcomes, and for providing counselling and appropriate support to interns who have received an unsatisfactory assessment. It is also expected that facilities ensure procedural fairness whenever:

- a) an intern receives an unsatisfactory assessment; and/or
- b) an intern has significant concerns regarding an assessment.

Please note this guideline relates solely to training and assessment requirements and does not override the SA Health Grievances and Disputes Appeals Process. This guideline does not replace the Improving Performance Action Plan (IPAP) should unsatisfactory performance be identified and which is implemented by the Director of Clinical Training (DCT) in conjunction with the Term Supervisor. Nor does the guideline remove the function of the facility's Intern Assessment Committee.

Appeal Guide

An intern who feels aggrieved by the outcome of an assessment during his/her internship may, within 3 weeks from receipt of the assessment outcome, formally apply to the Executive Director of Medical Services (EDMS) of their employing facility to appeal the assessment if he/she is of the belief that:

- > Due process relating to the intern assessment, implementation of IPAP or decision-making of the Intern Assessment Committee was not followed; and/or
- > The intern has previously undisclosed extenuating circumstances that they deem have significantly impacted on the assessment; and/or

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- > Relevant information which was available to the assessor(s) was not considered or was overlooked during the assessment; and/or
- > Irrelevant information was considered during the assessment process, which is then perceived as biased or discriminatory by the intern.

The formal request for appealing the assessment should outline the grounds for the Appeal, as it relates to one or more of the above.

Conflicts of Interest

Should an intern be of the belief that a conflict of interest exists with the EDMS, which they regard as significant, it would be appropriate for the intern to approach the Chief Executive Officer (CEO) of the Local Health Network in order to appeal the assessment. The nature of the conflict of interest is to be kept confidential but must be disclosed to the CEO who will determine if the conflict of interest warrants the exclusion of the EDMS from the appeal process.

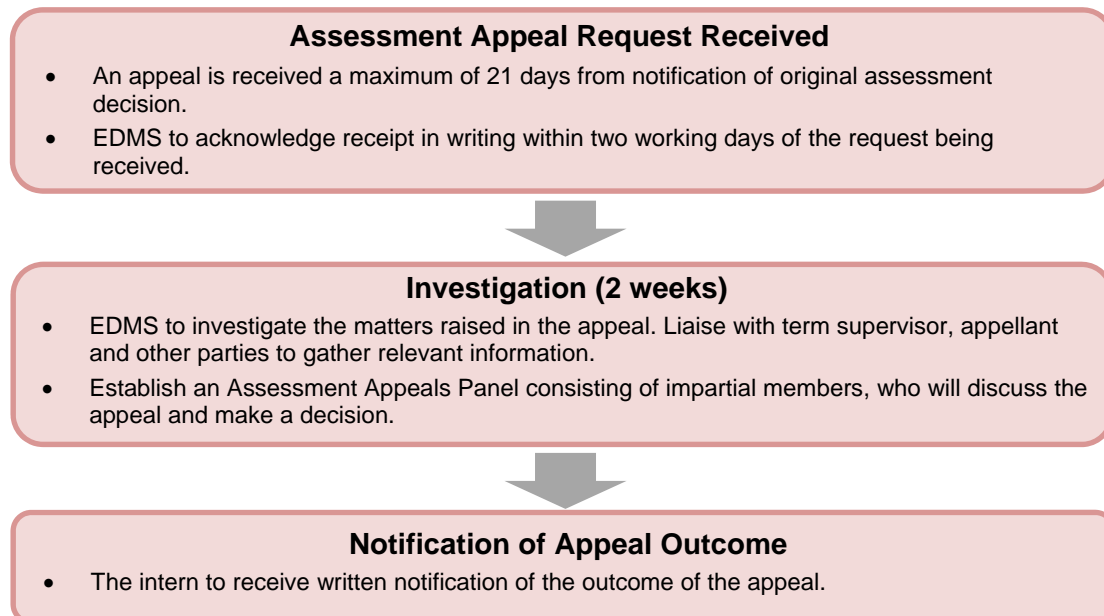
The Appeal Process

- > A written request to appeal an assessment outcome must be forwarded to the EDMS within three weeks of receiving the assessment, with a clear explanation of the grounds for the appeal.
- > The EDMS, or delegate, is required to acknowledge receipt of the appeal request in writing within two working days. Further information regarding the assessment may be sought from relevant persons and will be collated by the EDMS, and if appropriate, a meeting with the intern will occur to review relevant assessment reports and information. The intern may bring a support person to meetings.
- > The EDMS will convene a panel of at least two additional members, which will include one DCT from another LHN and one junior medical officer. Panel members should have no conflicts of interest in the matter being considered. The panel will review the available information and make one of the following recommendations:
 - 1) The panel finds no grounds for an appeal, therefore the original assessment outcome stands; or
 - 2) The panel finds there is sufficient grounds for the appeal, and will determine that:
 - a. the assessment is revised to a “satisfactory” outcome; or
 - b. there is need for further evidence to determine the assessment outcome.
- > If the panel determines that further evidence is required to establish the assessment outcome, the panel may recommend steps or processes to be followed.
- > The EDMS will notify the intern in writing of the panel’s recommendation.

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Appeal Process Timeline

The below timeline provides the maximum length of time each process should take. Adhering to this timeline minimises risks associated with extended turnaround times, delayed communication with the MBA and intern anxiety.



Definitions

Assessment decision - Refers to the original assessment decision questioned by the appellant seeking further consideration.

Intern Assessment Committee - committee convened by a facility to review intern performance for the purpose of recording the outcome of individual intern's Medical Board of Australia's *Certificate of Completion of An Accredited Internship*

Chief Executive Officer (CEO) - Chief Executive of the Local Health Network who is responsible for the overall clinical and administrative management of employees within the network.

Director of Clinical Training (DCT) - A medical practitioner appointed by a facility to be responsible for the coordination of the Education and Training Program.

Executive Director of Medical Services (EDMS) - A medical practitioner appointed by a facility to be responsible for medical administration.

Facility - The institution or clinical setting in which the intern is primarily employed (ie: home hospital). These are usually hospitals, but may be health care centres or supervised practice locations in community settings which have met accreditation requirements for prevocational medical training.

Intern - A junior medical officer in their first year of prevocational medical training.

Term Supervisor - A medical practitioner designated to be responsible for the coordination of education and training of interns and trainee medical officers to their unit.

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Related Documents

- > Medical Board of Australia's Registration Standard for *Granting general registration as a medical practitioner to Australian and New Zealand medical graduates on completion of intern training.*
- > *Intern training – Assessing and certifying completion*
- > *Intern term assessment form*

Relevant Legislation

- > *Health Practitioner Regulation National Law (South Australia) Act 2010*

For more information:

SA MET Unit
Level 5, Citi Centre Building
11 Hindmarsh Square, Adelaide SA 5000
Phone: 8226 7231
samet@health.sa.gov.au

Document Version:	13
Guideline Author:	Name: Colleen Cryans
	Position: Project Officer – Medical Workforce
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