



Department of
**Health, Social Services
and Public Safety**

An Roinn
**Sláinte, Seirbhísí Sóisialta
agus Sábháilteachta Poiblí**

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Northern Ireland



Medical & Dental Training Agency

Complaints Process following selection into Specialty Training in Northern Ireland

(Updated 17.10.11)

Complaints Process following selection into Specialty Training in Northern Ireland

Background

1. Operational responsibility for recruitment into specialty training programmes in Northern Ireland rests with the Postgraduate Dean who in turn is accountable to the Board of the Northern Ireland Medical and Dental Training Agency and the Department of Health, Social Security and Public Safety (DHSSPS).
2. Complaints about the process should be sent in writing to the Corporate Governance Manager.
3. Responsibility for employment rests with the employing authorities. Whilst employers are involved in the selection process and have agreed to its use for appointing trainees they are not responsible or accountable for the selection process itself.
4. If an applicant is selected and offered a placement on a training programme through the recruitment process, the employing authority ultimately has the right not to offer employment but must be able to offer robust reasons for failing to do so.

Principles of the Complaints Process

5. It is inevitable that some applicants will be disappointed by the outcome of the recruitment process, as it is a competitive one. A complaints process is an essential safeguard against unfairness.
6. However complaints cannot be made because the applicant simply disagrees with the principle of the process or the judgements or outcomes that have been made by the appointment panel. But 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, applicants may request a review of the process.
7. Complaints will not be accepted against the fact that an application was judged insufficiently strong to merit competitive appointment to a post or programme in the absence of reason to believe that there were failings in the way in which the process was carried out.
8. A complaint may be lodged if the applicant believes the process for implementing the short listing and interview/selection process by NIMDTA has negatively affected the candidate's application.
9. If the Applicant is not satisfied that their complaint has been responded to adequately, they may subsequently pursue a second-stage complaint process in order to have the process considered independently.

Complaints Procedure

10. Applicants who have submitted an application to NIMDTA can complain about the process if they consider that the short listing and/or interview/selection process has been administered unfairly or in a way which has negatively affected the candidate's application. The complaint must be lodged in writing to the Corporate Governance Manager stating in full the reasons why the applicant thinks the process has not been

followed properly. The Corporate Governance Manager can be contacted at the following address:

Corporate Governance Manager
Northern Ireland Medical and Dental Training Agency
Beechill House
42 Beechill Road
Belfast
BT8 7RL

11. The complaint must be received within ten working days of the end of the interview process.
12. The Corporate Governance Manager will arrange for the complaint to be investigated by a senior person within NIMDTA (e.g. Associate Dean, Administrative Director, Human Resources Manager). The Postgraduate Dean should not be involved in the initial investigation as he/she may be required to participate in the second-stage process. The Applicant should receive a written response to the complaint within ten working days of the complaint having been received.
13. If the Applicant is not satisfied with the account given, the applicant can proceed to the second-stage complaint process.
14. If the Applicant wishes to pursue a second-stage complaint, a formal written request must be received by NIMDTA, addressed to the Corporate Governance Manager, within ten working days of the response to the initial complaint being received.
15. The Corporate Governance Manager will arrange for a Panel to consider the second-stage complaint. The Panel should be led by a Lay Chair, and should consist of two consultants from outside the specialty but who have been trained in the recruitment process; the Postgraduate Dean (or deputy), a trainee and a Trust HR Director (or deputy). All panel members will have received up to date training in equal opportunity in recruitment and selection. The Panel should meet within twenty working days of the second stage complaint being lodged. No member of the Panel should have been involved in the first-stage process.
16. The Panel will share all documentary evidence with the applicant at least five working days prior to the Panel meeting.
17. The Panel will invite the Applicant to attend a face-to face panel hearing. The applicant can be accompanied by a colleague or friend to help support them in the process but this should not normally be a legal representative or family member.
18. The Panel will inform the Applicant of the outcome of its deliberations in writing as soon as they are available and normally within ten working days. This will be accompanied by the written record of the meeting. The decision of the Panel is final.
19. If the complaint is upheld by the Panel, the Postgraduate Dean will meet with the Applicant to decide the further course of action within fifteen working days of the notification being sent to the Applicant.
20. A process map of this procedure is attached below:

Complaints Procedure

Applicant feels that their application has been administered unfairly, or in a way that negatively affected their application

Yes

No

Applicant to forward written complaint to Corporate Governance Manager within ten working days of end of interview process

End of process

Corporate Governance Manager to arrange for paper review of process by senior staff member

Written findings of review to be issued to Applicant within ten working days of initial complaint

Applicant is satisfied by findings

Yes

No

End of process

Applicant formally requests second stage review in writing within ten working days of receipt of response

Corporate Governance Manager to convene an Appeals Panel to sit within 20 days of receipt of request

Applicant attends Panel hearing

Panel issues written findings within ten days of hearing

Applicant is satisfied by findings

Yes

No

End of process

End of internal process