

General Practice Specialty Training

Appeals Policy

Appeals Process

1. Principles of the Appeals Process

It is likely that on occasion some Trainees may feel it is necessary to make an appeal. An appeals process is an essential safeguard against unfairness and underpins transparency.

An appeal can be made when a Trainee feels that processes or procedures have not been followed; or that there is evidence of unfairness in how the process has been implemented and therefore the objectivity of decisions is called into question. Appeals should not be made because the Trainee disagrees with the principle of a process.

The Appeals process has 2 stages

- Stage One – Review. The appeal will be addressed with an initial review and responded to in writing.
- Stage Two – Appeal. If the Trainee is not satisfied that the appeal has been responded to adequately, they may subsequently pursue a second-stage appeal process in order to have the process considered independently.

The Deanery will endeavour to meet the deadlines for responding to an appeal outlined in this document. However if the timeline cannot be met the Deanery will provide notification and the reason for this delay.

There are separate appeals policies for other nationally organised processes such as GP recruitment and Inter-Deanery Transfers.

2. Appeals Procedure

Appeals must be lodged in writing to the Director of Postgraduate General Practice Education (GP Director) stating in full each aspect of the appeal. Only the issues raised in the initial appeal will be investigated. The GP Director can be contacted at the following address:

Dr Claire Loughrey, GP Director
NIMDTA
Beechill House
42 Beechill Road
Belfast
BT8 7RL

Email: gpspecialtytraining.nimdtahscni.net

The appeal should ideally be received within 10 working days of the end of the relevant process or incident which has instigated the appeal, depending on the substance of the appeal some appeals may be considered outside this timeframe. The appeal will be acknowledged within 5 working days.

3. Stage One – Review

The GP Director will arrange for the appeal to be reviewed by a senior person within the Deanery; usually the original decision makers (e.g. GP Associate Directors). 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 purpose of this Stage is to:

- Establish that the substance of the appeal is relevant
- Review that due process was adhered to
- Review the decision based on the evidence available at the time

The Trainee should receive a written response to the appeal within 20 working days of the appeal having been received. If the Deanery is unable to investigate and respond to the appeal within this time frame, the Trainee will receive notification, an explanation regarding the delay and a reasonable deadline for investigation of the appeal.

4. Stage Two - Appeal

If the Trainee is not satisfied with the account given at Stage One, they can proceed to Stage Two of the appeals process. The Trainee must submit a written request to the Deanery, addressed to the GP Director within 10 working days of the response to the initial appeal being received. The Trainee should clearly outline the reason they are not satisfied with the initial response. The Trainee cannot introduce a new appeal at this stage, only the appeal raised at Stage 1 can be considered.

The purpose of this Stage is to:

- Establish that the substance of the appeal should be dealt with by a Stage Two process
- Review that due process was adhered to
- Review the decision based on the evidence available to the panel at the time

The GP Director will arrange for a Panel to consider the second-stage appeal.

The Panel should be led by a Head of School from another Specialty and should consist of a lay representative, a BMA representative and other senior Deanery staff. Senior Deanery staff will include the Postgraduate Dean (or Deputy), and a GP Trainer or GP Programme Director. Panel members will receive sufficient training in regards to the processes involved in the appeal to enable them to make an informed decision.

All panel members will have received up to date training on Equal Opportunities in regards to Recruitment and Selection. The Panel should normally meet within 20 working days of the second stage appeal being lodged. Panel members should not have been involved in the first-stage process.

The Panel will share all documentary evidence with the Trainee prior to the Panel meeting.

The Panel will invite the Trainee to attend a face-to face panel hearing and agree a suitable meeting date. The Trainee may invite someone to accompany them to the meeting. In such circumstances these individuals adopt one of two roles:

- A supportive role
- A representative role

The Trainee must inform the GP Director of their intention to be accompanied to the meeting and indicate what role the individual who will accompany them will take. This should be done upon confirming attendance at the panel.

The Panel will inform the Trainee of the outcome of its deliberations in writing as soon as they are available and normally within 10 working days of the Panel meeting. This will be accompanied by the written record of the meeting. The decision of the Panel is final.

Upon resolution of the appeal the Head of School or relevant senior staff member will ensure that the appropriate actions or recommendations made by the Panel are implemented.

Appeals Procedure - Working day timeline

