

GPEX Registrar Grievance Policy

Note

This policy commences on 1 January 2016 and will apply to all registrars in the GPEX training program under the Australian General Practice Training (AGPT) program.

1. Purpose

To provide a mechanism for dealing with grievances raised by registrars enrolled in the GPEX training program in relation to training program issues.

2. Scope of this policy

This policy applies to registrars enrolled in the GPEX training program.

3. Responsibility for implementation, compliance monitoring, measuring and continual improvement

- Director of Medical Education (DOME)
- Chief Executive Officer (CEO)

4. In practice/Employment matters

Registrars are employees of training practices and it is GPEX expectation that in-practice issues should be addressed at a practice level, and that issues in relation to employment must be managed in the context of the employer/employee relationship.

5. Mediation

As a general principle, GPEX aims to resolve all grievance issues through a mediation and conciliation approach.

5.1 The DOME, in association with senior staff, will endeavor to mediate the grievance. The DOME will keep records of meetings, formal communication and investigations that may occur during the mediation process.

5.2 To assist with this process, GPEX will ensure that registrars will be offered appropriate support during this process.

5.3 Grievances shall be dealt with efficiently and in a manner which affords natural justice to all parties.

5.4 Should mediation be unsuccessful formal written notice of the grievance may be given by the registrar to the DOME or nominated delegate in which case the following processes and procedures will apply.

6. Grievance process – DOME stage

6.1 A formal written grievance including a clear statement of the grievance, all the relevant facts relating to the grievance and the resolution the registrar is seeking must be lodged with the DOME.

6.2 The DOME will acknowledge receipt of the grievance and the grievance will be recorded on the GPEX Grievance Register.

6.3 The DOME or appointed delegate will conduct a preliminary investigation into the grievance.

6.4 The DOME on determining that the registrar has prima facie grievance may:

6.4.1 find in favour of the registrar and advise the registrar and/or respondent in writing of this finding and any action as has been determined;

6.4.2 find that although there is prima facie a grievance, on balance the behaviour or action complained of is justified and advise the registrar and/or respondent in writing of this finding and any action as has been determined;

6.4.3 refer the matter to the Grievance Management Committee (GMC).

6.5 On finding that there is not prima facie a grievance, for example because it is ill-advised, misguided, frivolous, malicious or vexatious, the DOME will advise the registrar and where appropriate other parties, in writing of this finding and the reasons for the finding and any action that has been determined.

6.6 If the grievance is not resolved by the DOME to the registrar's satisfaction the registrar may request in writing within seven days of notice from the DOME that the matter be referred to the GMC.

6.7 Upon receiving a request to refer a grievance to the GMC, the DOME will notify the CEO who will within six weeks:

6.7.1 convene the GMC and refer the matter to that GMC upon receipt of the request;

6.7.2 advise the complainant in writing that the grievance has been referred to the GMC;

6.7.3 notify the GPEX Board.

7. Grievance process

7.1 In determining members of the GMC, the Chair of the GMC (CEO) may appoint external parties with expertise in GP training as deemed appropriate.

7.2 No person who has been directly involved in the decision or matter that is the subject of the grievance will serve on the GMC. If this situation arises, the Chair of the GPEX Board will convene the GMC and appoint parties with expertise in GP training as deemed appropriate.

7.3 The GMC will:

7.3.1 investigate the grievance;

7.3.2 determine whether the grievance is justified;

7.3.3 take such action as it deems appropriate. This may include, but is not limited to, counselling either or both parties, notification to the Medical Board of Australia;

7.4 Notify in writing all parties involved, including the GPEX Board of Management, of the outcome and recommended actions of the GMC.

8. Procedural fairness

Decisions can have considerable impact on a registrar or on staff. The decision-makers must therefore ensure a fair and proper procedure is followed in reaching a decision such that procedural fairness or 'natural justice' is afforded. To that end, registrars and other affected persons shall be given a reasonable opportunity to address matters relevant to a decision before any decision is made.

9. Appeals process

If a registrar is not satisfied with the decision of the GMC, they can appeal to the Department of Health Appeals Panel in accordance with the AGPT Appeals Policy 2017.

10. Related documents

This policy should be read in conjunction with the following GPEX and AGPT policies:

- GPEX Performance Review Policy
- GPEX Remediation Policy
- GPEX Wellbeing and At Risk Policy
- AGPT Appeals Policy 2017
- AGPT Remediation Policy 2017