

Document Number: CRMEC Policy 19

Document Name: **Appealing a Decision**

Scope

The Canberra Region Medical Education Council (CRMEC) has responsibility for accreditation of prevocational education and training programs (ETPs) and training positions in the ACT and its linked training network. The CRMEC is accredited by the Medical Board of Australia (through its delegated representative, the Australian Medical Council) to accredit intern (PGY1) ETPs and their training terms in the ACT. Through the establishment of the CRMEC, the ACT Minister for Health has delegated the CRMEC responsibility for accreditation of ETPs and their training terms for PGY2 junior doctors, and any training terms to which prevocational junior doctors employed within the ACT Public Service are seconded.

The CRMEC policies outline the processes for accrediting the ETPs delivered by health services in the ACT and its linked training network. The purpose of this policy is to define the framework that establishes the grounds for appeals of accreditation decisions, and the process for their determination.

Process

The full process for accreditation is outlined in *CRMEC Policy 09 Undertaking Accreditation*. In brief, the CRMEC establishes an accreditation survey team who conduct a review of the facility's ETP. The team completes an accreditation report, complete with provisos, recommendations, commendations and a suggested duration of accreditation. The Accreditation Committee review the accreditation report, with consideration to the context of the ETP and any risk or threats and makes a recommendation to the CRMEC on endorsement of the report (with or without changes). The Ministerial Council reviews the accreditation report, the Accreditation Committee recommendations and any additional context and determines the outcome of the accreditation process. Potential outcomes are outlined in *CRMEC Policy 07 Overview of Accreditation*.

Appeals process

Any health service or unit within that is the subject of an accreditation decision may, within 30 days from receipt of written advice of the accreditation decision, apply in writing to the Chair of the CRMEC to have the decision reviewed by an Appeals Committee if they believe that:

- Relevant and significant information which was available to the accreditation survey team was not considered in the making of the provisos.
- The report of the accreditation survey team was inconsistent based on the information the team received.
- Perceived bias of one or more accreditation survey team members affected the decision.
- Information provided by the accreditation survey team was not duly considered in by the Accreditation Committee or Council.

Because the CRMEC provides advice to the Medical Board of Australia on the accreditation status of the ETP following the endorsement of any accreditation decision, **any appeal must be raised within 30 days** of the communication of the accreditation decision to the health service. The health service will, during the appeal process, retain any accreditation status granted to it at its last completed accreditation

No personal representation to the Appeals Committee is permitted, only written submissions will be considered. Once received by CRMEC, the written appeal documentation will be forwarded to the accreditation survey team leader for written comment.

Appeals Committee

The Appeals Committee is an independent group convened by the Chair of the CRMEC, responsible for reviewing the accreditation outcome (including provisos, recommendations and commendations) regarding the health service or unit making the appeal. The Appeals Committee will comprise all of the following:

- A Chair, who is appointed by the Chair of the CRMEC.
- A minimum of three senior health practitioners (including the Chair) who are experienced in medical education and training, none of whom was on the original accreditation team or a member of the Accreditation Committee.
- At least one representative who is external to the ACT.
- No individual who is employed by the health service being accredited.
- No individual with any other conflict of interest.

A member of the CRMEC Secretariat shall be secretary to the Appeals Committee but shall not form part of the Appeals Committee.

Role of the Appeals Committee

The Appeals Committee will examine all relevant documentation to reach a determination on whether the written appeal is valid. Relevant documentation will include:

- The last accreditation visit of the facility.
- Responses from the accreditation survey team
- Relevant Accreditation Committee and/or CRMEC meeting minutes
- Documentation from the appellant facility
- Any other relevant documents

The proceedings of the Appeals Committee will be governed by the policies, procedures and rules of the CRMEC. The Appeals Committee shall be entitled to consider all relevant information that it sees fit. The Appeals Committee must act according to the laws of natural justice and decide each appeal on its merits.

Outcome of an appeal

The Appeals Committee will make a recommendation to the CRMEC for consideration. The Appeals Committee will make a recommendation that either:

- Upholds the endorsed accreditation decision.
- Upholds the appeal and provides alternative recommendations to the CRMEC regarding an accreditation decision.
- Where reasonable doubt is established as to the accreditation decision, rejects the accreditation survey team's finding and recommends a re-visit of the facility or relevant department. Such a visit will focus on the specific areas of uncertainty or controversy unless otherwise specified by the Appeals Committee.

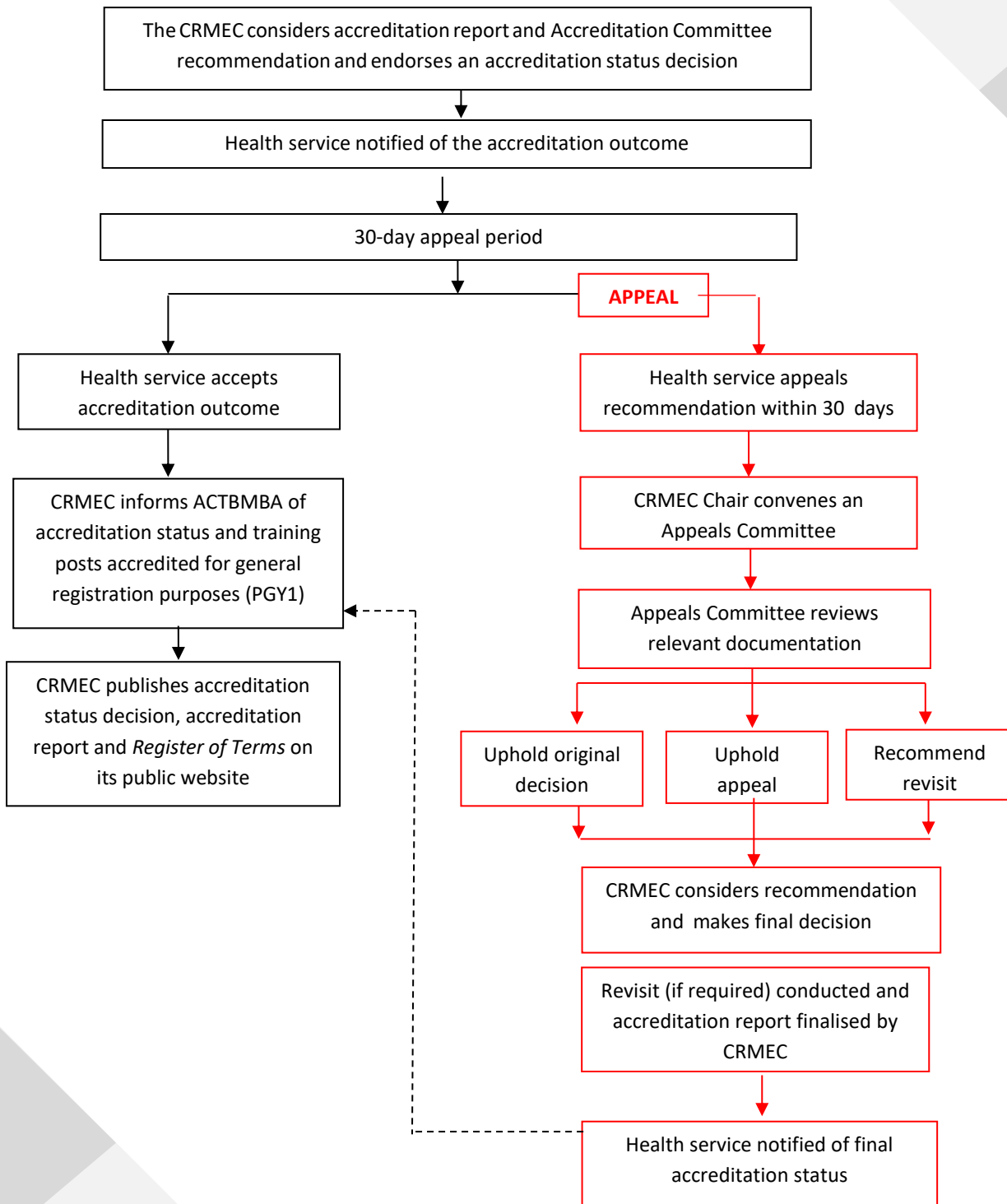
Should a re-visit be conducted, the Appeals Committee would preferably undertake the new accreditation visit. However, should this not be possible (e.g. due to availability) the Appeals Committee may choose to recommend establishment of a new accreditation survey team.

No appeal process will be available after a repeated accreditation survey visit.

Appeal cost

When an appeal is lodged, the CRMEC reserves the right to invoice the health service an amount up to \$5,000 for the additional administrative and consultancy costs. If the appeal is upheld, the amount will be refunded to the health service.

Accreditation Appeals Policy Flowchart



Related policies and Relevant Guidance

- CRMEC Policy 04 Conflict of Interest
- CRMEC Policy 07 Overview of Accreditation
- CRMEC Policy 09 Undertaking an Accreditation Visit

Version Control

Review Date	Version	Updated by	Approved by	Changes made
Feb 2015	1.0	Director	CRMEC	N/A
Feb2016	2.0	Director	No major change	Formatting
Aug2017	2.1	Director	No major change	Updated legislation references, updated Minister title
Aug2020	3.0	Director	Accreditation Chair	Updated context of informing ACTBMBA of accreditation status, added publication of decision on CRMEC website
Feb2023	3.1	Admin	Manager	Formatting
Jan 2024	3.2	Director	No major change	Reviewed for consistency with new framework. Updated indicative appeals cost to reflect consultancy rates, updated policy names.