



## **AGPT COMPLAINTS POLICY 2019**

<b>Date first approved:</b>	16 December 2015
<b>Date of effect:</b>	1 January 2019
<b>Date last amended: (refer Version Control Table)</b>	23 March 2018
<b>Approved by:</b>	Assistant Secretary, Health Training Branch
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<b>Responsible Section:</b>	GP Training Policy Section, Health Training Branch
<b>Supporting documents, procedures and forms:</b>	AGPT Complaints Form
<b>Audience:</b>	Registrars enrolled on the AGPT Program Regional Training Organisations Stakeholders

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## 1 Purpose of Policy

- 1.1 The purpose of this policy is to manage registrar Complaints related to their training experience on the Australian General Practice Training (AGPT) Program.

## 2 Definitions

Word/Term	Definition (with examples if required)
ACRRM	Australian College of Rural and Remote Medicine
Accreditation	The process required of a hospital or medical facility to receive certification from the College(s) to enable it to act as an accredited training facility for AGPT Program registrars.
Appeal	The process undertaken under the <i>AGPT Appeal Policy 2019</i> to consider registrar appeals against decisions made by their RTO and/or the Department of Health.
Complaint	Dissatisfaction or concern about the conduct or actions of the Regional Training Organisation (RTO) or the Department of Health that impacts the registrar's progress through their training on the AGPT Program.
RACGP	Royal Australian College of General Practitioners
Relevant College	The GP College to which the registrar is enrolled, RACGP, ACRRM or both.

## 3 Application and Scope

- 3.1 This policy applies to all registrars enrolled on the AGPT Program.
- 3.2 This policy supersedes the previous *AGPT Complaints Policy 2017* and will come into effect as of 1 January 2019.
- 3.3 This policy applies to registrar Complaints only. Any requests for formal Appeal of an AGPT Program policy related decision must be managed as per the process specified in the *AGPT Appeals Policy 2019*.

## 4 Policy Principles

- 4.1 The Department of Health is committed to continuous improvement of the AGPT Program to ensure that the program continues to meet registrar training requirements.
- 4.2 This policy is intended to:
- 4.2.1 Provide a process for registrars to lodge a Complaint with the Department of Health regarding concerns they have relating to their training on the AGPT Program;
  - 4.2.2 Provide an efficient, fair and accessible framework for resolving registrar Complaints and monitoring feedback; and
  - 4.2.3 Provide registrars with information on how they can lodge a Complaint and how the Department of Health will manage the Complaints process.
- 4.3 The principles of natural justice and procedural fairness will be observed throughout the process of reviewing registrar Complaints.
- 4.4 If the registrar submits a Complaint and an application for an Appeal (as per the *AGPT Appeals Policy 2019*) at the same time, the Department will hear the Appeal first and then consider the Complaint once the Appeal has been concluded.
- 4.5 Registrars have the option of seeking advice and support in relation to any aspect of this policy if required. Clause 6 of the AGPT Program Policies Overarching Document 2019 specifies organisations that can provide this support.

## 5 Process for Registrar Complaints

- 5.1 In the first instance all efforts must be made to resolve the Complaint at the local level through the RTO's dispute resolution policy and procedures.
- 5.2 Where all efforts to resolve the Complaint at the local level have been exhausted, the registrar can refer the matter to the Department of Health for consideration.
- 5.3 Complaints must be sent to the Department of Health via email to [AGPTManagement@health.gov.au](mailto:AGPTManagement@health.gov.au).
- 5.4 Complaint submissions must include the following:
  - 5.4.1 A fully completed AGPT Application – Registrar Complaint; and
  - 5.4.2 All evidence or supporting documentation relevant to the Complaint that the registrar would like considered by the Department of Health.
- 5.6 On receipt of the Complaint, the Department of Health will conduct an initial assessment within 10 business days to determine whether the Complaint is warranted. The initial assessment will determine:
  - 5.6.1 If the matter is one for investigation under the *AGPT Complaints Policy 2019*;
  - 5.6.2 If all efforts have been made to resolve the Complaint at the local level through the RTO's dispute resolution policy and procedures; and
  - 5.6.3 If the Complaint submission is complete.
- 5.7 The Department of Health will notify the registrar if:
  - 5.7.1 The Complaint submission is complete and qualifies for investigation under the *AGPT Complaints Policy 2019*;
  - 5.7.2 The matter does not qualify for investigation under the *AGPT Complaints Policy 2019* or if the Complaint submission is incomplete; or
  - 5.7.3 Any further information is required to complete the submission.
- 5.8 The Department will advise the registrar of the timeframe for the consideration of their Complaint.
- 5.9 If the initial assessment found that further information was required, the time for consideration of the Complaint will be suspended and will re-commence once a completed application is received.
- 5.10 If following the initial assessment it is determined that a Complaint is warranted, the Department of Health will write to the RTO and request their written response to the Complaint.
  - 5.10.1 The response from the RTO will need to be provided to the Department of Health within 10 business days of receipt of the request.
- 5.11 If the registrar's Complaint is related to an Accreditation issue, it will be referred to the Relevant College.
- 5.12 Once the written response is received from the RTO or Relevant College, the Department of Health will review all the information and evidence provided and a recommendation will be made to the delegate within the Department of Health to make a decision on the outcome of the Complaint.
- 5.13 A decision will be made and the outcome of the Complaint will be communicated to the registrar within 30 business days of the receipt of a complete Complaint submission.
- 5.14 Decisions can only be determined based upon the evidence provided. Failure to supply all required information may result in the Department of Health being unable to consider the Complaint or to reach an outcome.

## 6 Outcomes of Registrar Complaints

- 6.1 There are two outcomes available:

- 6.1.1 The delegate of the Department of Health finds in favour of the registrar who lodged the Complaint; or
- 6.1.2 The delegate of the Department of Health finds that there are no reasonable grounds for the Complaint or further action.
- 6.2 Where the delegate of the Department of Health finds in favour of the registrar who lodged the Complaint they may make recommendations in addition to the findings.
  - 6.2.1 It is expected that the findings of the Department of Health, and any recommendations, will be implemented by the RTO and/or the Department of Health.
  - 6.2.2 Depending on the circumstances, the Department of Health may negotiate alternate arrangements with other RTOs to progress the registrar's training in line with the recommendations.
    - 6.2.2.1 If required, the Department of Health will assist the RTO and the registrar to seek a placement at a different RTO that can support the registrar. This will be done by exercising reasonable endeavours to find an alternative placement, by approaching a maximum of three alternative RTOs that have been identified as potentially suitable for the registrar and discussing the registrar's requirements with them.
- 6.3 If the registrar is dissatisfied with the findings of the delegate of the Department of Health, they can seek an Appeal via the process specified in the *AGPT Appeals Policy 2019*.

## 7 Outcomes That Cannot be Achieved

- 7.1 It should be noted that the Department of Health cannot:
  - 7.1.1 Provide compensation to registrars;
  - 7.1.2 Require RTOs to provide compensation;
  - 7.1.3 Remove conditions and/or undertakings imposed on a registrar's medical registration by the Medical Board of Australia;
  - 7.1.4 Compel a Training Facility to offer a training placement to a registrar;
  - 7.1.5 Make decisions regarding Accreditation issues;
  - 7.1.6 Make decisions regarding employment or contractual issues;
  - 7.1.7 Make decisions regarding Recognition of Prior Learning;
  - 7.1.8 Make decisions about completion of training or readiness of registrars to undertake fellowship exams and/or assessments; or
  - 7.1.9 Make decisions regarding the clinical competence of individual registrars.

## 8 Roles and Responsibilities

- 8.1 Registrars are responsible for:
  - 8.1.1 Lodging Complaints with their RTO via the RTO's dispute resolution policy and procedures in the first instance to ensure that all efforts are made to resolve the Complaint at the local level;
  - 8.1.2 Submitting Complaints to the Department of Health once all efforts are made to resolve the Complaint at the local level; and
  - 8.1.3 Complying with requests for further information regarding their Complaint from their RTO and the Department of Health.
- 8.2 RTOs are responsible for:
  - 8.2.1 Adhering to the national approach for Complaints as specified in this policy;
  - 8.2.2 Developing and maintaining written policies and procedures for handling disputes at the local level. This should cover Complaints against Training Facilities, general

practitioners, supervisors, registrars and other interested parties. The policy should be available to all registrars being managed by the RTO;

- 8.2.3 Ensuring that all efforts are made to work with registrars to resolve Complaints at the local level;
  - 8.2.4 Maintaining a Complaints and resolutions register to be shared with the Department of Health upon request;
  - 8.2.5 Providing a written response to the Complaint to the Department of Health within 10 business days of receipt of the request; and
  - 8.2.6 Complying with requests for further information from the Department of Health.
- 8.3 The Department of Health is responsible for:
- 8.3.1 Considering and investigating Complaints lodged by registrars and coming to a decision;
  - 8.3.2 Advising registrars and RTOs of the outcome of a Complaint lodged with the Department of Health;
  - 8.3.3 Advising the Relevant College(s) of Complaints lodged by registrars where there is the potential for an effect on the Accreditation of the RTO to which the Complaint relates; and
  - 8.3.4 Advising the RTO of Complaints lodged by registrars where there is the potential for an effect on the Accreditation of the RTO and where the Relevant College has been informed.

## 9 Compliance and Monitoring

- 9.1 The Department of Health will monitor the following:
  - 9.1.1 The frequency and type of Complaints received by the Department of Health; and
  - 9.1.2 The RTOs' Complaints and resolutions registers as required.

## 10 Related Documents

- 10.1 *AGPT Program Policies 2019 Overarching Document*
- 10.2 *AGPT Appeal Policy 2019*
- 10.3 *AGPT Australian Defence Force Registrars Policy 2019*
- 10.4 *AGPT Extension of Training Time Policy 2019*
- 10.5 *AGPT Rural Generalist Policy 2019*
- 10.6 *AGPT Training Accessibility Policy 2019*
- 10.7 *AGPT Training Obligations Policy 2019*
- 10.8 *AGPT Training Region Policy 2019*
- 10.9 *AGPT Transfer Policy 2019*
- 10.10 *AGPT Withdrawal Policy 2019*
- 10.11 AGPT Application – Registrar Complaint

## 11 Version Control and Change History

Version Control:	3
Date Effective:	1 January 2019
Contact Person:	Director, GP Training Policy Section
Amendment:	Third Version