

Policy/Procedure

Number: POL007

Name: Registrar Complaints Policy and Procedure

Purpose

The *Registrar Complaints Policy and Procedure* has been developed to provide a mechanism for addressing complaints raised by Registrars concerning the operation or conduct of JCU GP Training in the delivery of the Australian General Practice Training (AGPT) Program.

Scope

This policy and procedure applies to any Complaint:

- (a) raised by a Registrar enrolled in JCU GP Training; and
- (b) concerning the operation or conduct of the AGPT Program as delivered by JCU GP Training in so far as it impacts upon the Registrar; and
- (c) for which a specific and achievable outcome is requested by the Registrar.

This policy and procedure does not apply to complaints from Training Posts or Supervisors. Training Posts should refer to their Training Post Agreement with JCU GP Training, while Supervisors should refer to the *Supervisor Complaints Policy and Procedure*.

This policy and procedure does not apply to complaints regarding Training Decisions. Registrars who would like to request a review of a Training Decision made by JCU GP Training should refer to the *Registrar Review of Training Decision Policy and Procedure*.

Registrars who would like to provide JCU GP Training with general Feedback on operations or conduct, are encouraged to do so directly to their local office staff, via the registrar feedback survey, or via the JCU GP Training online Feedback Form. All Feedback received in this manner will be treated confidentially.

In-practice employment matters

This policy and procedure does not apply to in-practice employment matters. Issues in relation to employment of Registrars should be managed in the context of the employer/employee relationship between the Registrar and the Training Post.

Definitions

Australian General Practice Training Program or AGPT Program The program of formal vocational training funded by the Commonwealth Department of Health and undertaken by Registrars seeking to achieve recognition as general practitioners.

Business Day A day which is not a Saturday, a Sunday, a public holiday or a day on which the James Cook University, Douglas Campus is closed.

Clinical Decision A decision relating to a Registrar's clinical practice or suitability of a Registrar to continue or complete training on the AGPT Program.

Complaint	Expression of dissatisfaction about the operation or conduct of the AGPT Program as delivered by JCU GP Training in so far as it impacts upon the Registrar's progress through their training on the AGPT Program.
Feedback	Opinions, comments and expressions of interest or concern about JCU GP Training or its services.
Formal Complaint	A Complaint that is submitted in writing to JCU GP Training in accordance with clauses 3 and 4 of the Procedures in this policy and procedure. A Formal Complaint cannot be made anonymously.
JCU GP Training	JCU's training program in the medical specialty of general practice, delivered under a contract between JCU and the Commonwealth Department of Health.
Non-Clinical Decision	A decision about a Registrar's participation in the AGPT Program that is not a Clinical Decision.
Personal Information	Information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.
Registrar	A medical practitioner undertaking formal training through the AGPT Program.
Responsible Officer	A Team Leader, Manager, Lead Medical Educator, or Principal Medical Educator, within the JCU College of Medicine and Dentistry.
Review Officer	A Dean of College or Academic Head within the Division of Tropical Health and Medicine, James Cook University, excluding the Dean of the College of Medicine & Dentistry.
Supervisor	A vocationally registered general practitioner employed or engaged by a Training Post and accredited by JCU GP Training to deliver training according to the training standards of the Royal Australian College of General Practitioners and/or the Australian College of Rural and Remote Medicine.
Training Decision	A Clinical Decision or a Non-Clinical Decision.
Training Post	A health provider engaged by JCU GP Training to provide on-site vocational training in general practice (according to the training standards of the Royal Australian College of General Practitioners and/or the Australian College of Rural and Remote Medicine) to Registrars.

Policy

1. JCU GP Training is committed to an effective system of complaints management that responds to issues raised by Registrars in a positive way and contributes to the continuous improvement of the JCU GP training program.
2. JCU GP Training requires Registrars to make all reasonable efforts to resolve their Complaints informally, prior to lodging a Formal Complaint.
3. JCU GP Training will not accept a Formal Complaint submitted more than 40 Business Days after the event or incident that is the subject of the Formal Complaint, other than in exceptional circumstances

as determined by the Head of Operations, General Practice Training (henceforth 'Head of Operations') in their absolute discretion.

4. The complaints management process will be conducted in accordance with the principles of natural justice:
 - (a) the right to be heard;
 - (b) the right to be treated without bias;
 - (c) a decision based on evidence.
5. In managing any Complaint or Formal Complaint, JCU GP Training is bound by the provisions of the *Information Privacy Act 2009* (Qld) with respect to the collection, use, disclosure and storage of any Personal Information.

Procedure

1. In the first instance, Registrars are required to make all reasonable efforts to resolve their Complaints informally through the appropriate JCU GP Training staff member.
2. JCU GP training encourages, but does not mandate, that Registrars discuss their concerns with a [Registrar Liaison Officer](#) before making a Formal Complaint.
3. Where an informal resolution is not possible, appropriate, or satisfactory, the Registrar may submit a Formal Complaint to JCU GP Training by emailing jcugp.complaints@jcu.edu.au.
4. The Formal Complaint must include, where relevant, the following details:
 - the name of the person/s about whom the Formal Complaint is made;
 - a description of the events that have occurred;
 - the basis for the Formal Complaint;
 - evidence that the Registrar has made all reasonable efforts to resolve the Complaint informally at the local level;
 - the name and contact details of any witness or supporting party;
 - the outcome the Registrar seeks; and
 - any relevant documentary evidence attached to and referenced within the Formal Complaint.
5. The Head of Operations will promptly acknowledge receipt of the Formal Complaint. If the Head of Operations determines that a Formal Complaint is not made in accordance with clause 4 above, it will be referred back to the Registrar.
6. The Head of Operations may make an assessment:
 - (a) that a Formal Complaint is frivolous, trivial or vexatious; or
 - (b) that a Registrar has not made all reasonable efforts to resolve the Complaint informally,and dismiss the Formal Complaint and notify the Registrar. The decision of the Head of Operations is final and not subject to further review within James Cook University. This does not preclude a Registrar from seeking review by an appropriate external body.
7. The Head of Operations will assign the Formal Complaint to a Responsible Officer and will notify the Registrar in writing of the identity of the Responsible Officer.
8. The Responsible Officer will determine a dispute resolution process for the Formal Complaint. This may include:

- (a) nominating an appropriate staff member to assist;
 - (b) meeting with the parties (with their respective support person), together or separately;
 - (c) providing for mediation or conciliation; and/or
 - (d) investigation of the Formal Complaint by the Responsible Officer or an appropriately trained and independent person.
9. The Responsible Officer shall ensure all parties are afforded natural justice.
10. The Responsible Officer will consider whether or not the Formal Complaint is substantiated and the appropriate response.
11. The Responsible Officer will report in writing on the complaint resolution process and their determination concerning the Formal Complaint (“the Responsible Officer’s Report”) to the Registrar and the Head of Operations within not more than 20 Business Days of receipt of the Formal Complaint, other than where the Head of Operations has approved an extension (see clauses 14 and 15).
12. The Responsible Officer’s Report will:
- (a) Document the process used in the complaint resolution process and findings relevant to the Formal Complaint;
 - (b) Note if an agreement has been reached by the parties and, if so, the terms of that agreement;
 - (c) If no agreement is reached by the parties, state the determination and provide reasons in support of it;
 - (d) Where the Responsible Officer has authority to do so, state any actions (including remedies if appropriate) which, as a result of the determination, have been undertaken or are to be undertaken under the Responsible Officer’s direction;
 - (e) Recommend actions (including remedies if appropriate) which are not within the Responsible Officer’s authority but which the Responsible Officer considers are required as a result of the determination; and
 - (f) Refer to the Registrar’s right to appeal—see Section 16 below.
13. For record-keeping purposes, the Responsible Officer will also provide the Head of Operations and JCU Corporate Records with a copy of all documentation relevant to the Formal Complaint.
14. Where the Head of Operations makes the assessment that, due to the nature of the Formal Complaint, the Responsible Officer will require more than 20 Business Days to reach a determination, the Head of Operations when referring the Formal Complaint to the Responsible Officer may nominate a longer timeframe for the Responsible Officer to provide a report.
15. Where a determination has not been able to be reached by the due date, the Responsible Officer may seek an extension from the Head of Operations of the time required to provide a report. If an extension is granted, the Head of Operations will advise the Registrar of the new timeframe anticipated for response.

Appealing the outcome of a Formal Complaint

16. If a Registrar, after receiving a determination of their Formal Complaint, believes they have grounds for an appeal, they may initiate that appeal. The grounds for an appeal are limited to a breach of natural justice having occurred in the determination of a Formal Complaint by the Responsible Officer.

17. Appeals under this policy and procedure must be submitted in writing to the Head of Operations within 20 Business Days of the date of the notice to the Registrar of the determination of the Formal Complaint.
18. The appeal statement must:
 - Identify the determinations which are being appealed;
 - Explain, with relevant evidence, why the process used by the decision-maker, and/or the determination itself, was procedurally unfair, and why a fair procedure might have led to a different determination; and
 - Attach relevant documentation that supports the appeal statement.

An appeal statement must not exceed ten (10) pages in length.
19. The Head of Operations will promptly acknowledge receipt of an appeal. A submission not made in accordance with clauses 17 and 18 will be dismissed with reasons for the dismissal provided in writing by the Head of Operations to the Registrar.
20. The Head of Operations will assign the Appeal to a Review Officer and will notify the Registrar in writing of the identity of the Review Officer.
21. The Head of Operations will prepare a set of the existing documents related to a determination that is subject to an appeal and provide those documents to the Review Officer.
22. The Review Officer will provide a written response (“Review Officer’s Report”) to the Head of Operations within 20 Business Days of the referral, advising:
 - whether or not procedural fairness was afforded the Registrar when considering the Formal Complaint and/or making the determination and providing the reasons for this conclusion; and
 - whether or not the determination of the Formal Complaint is confirmed.
23. The Head of Operations will provide the Registrar with a copy of the Review Officer’s Report within five (5) Business Days of the receipt of that report and, if the determination of the Formal Complaint is not confirmed, refer the Formal Complaint, including the Review Officer’s Report, back to the Responsible Officer for the Formal Complaint to be re-heard in accordance with the procedures outlined in clauses 8 to 14.
24. There is no further right for an internal review of, or appeal from, a decision made under this policy and procedure.
25. Registrars who remain unsatisfied with the outcome of the appeal of their Formal Complaint may refer to the current [AGPT Complaints Policy](#) for external avenues for their Complaint.

Reporting and evaluation

All Formal Complaints will be recorded on a register held by the Director, General Practice Training. Formal Complaints will be de-identified and reported to the Strategic Management Team on a monthly basis. The Strategic Management Team will review the register, monitor trends and evaluate outcomes in collaboration with the JCU GP Training Evaluation Team.

Related documents

- [AGPT Complaints Policy](#)

Related policy instruments

[General Practice Training Governance Policy](#)

Schedules/Appendices

Not applicable

Administration

NOTE: Printed copies of this procedure are uncontrolled, and currency can only be assured at the time of printing.

Approval Details

Policy Sponsor	Vice Chancellor
Version no	20-1
Date for next Major Review	1 February 2021

Revision History

Version	Approval date	Implementation date	Details	Author
20-1	05/06/2020	09/06/2020	Minor amendments to title of AGPT policy version	Policy Officer, JCU GP Training
19-1	20/06/2019	20/06/2019	Minor amendments to title of program (from Generalist Medical Training program to JCU General Practice Training program)	Policy Officer, JCU GP Training program
18-1	6 April 2018	1 June 2018	Procedure established	Head of Operations GMT

Keywords	GP Training, Registrar, Complaint, Grievance, Appeal.
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