Unsatisfactory Performance by Candidates

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PURPOSE

The National Education Committee is responsible for the assessment of overall performance, supervision and behaviour of all candidates in any Training Program run by the Australasian College of Dermatologists. The purpose of this policy is to outline the course of action to be taken when a candidate displays unsatisfactory behaviour in their educational and/or personal performance and behaviour.

SCOPE

This policy applies to all candidates enrolled in any course run by the ACD who demonstrate an unsatisfactory SITA, unsatisfactory performance, misconduct, failure to comply with or complete required College training and documentation requirements, and the grounds for dismissal.

DEFINITIONS/KEY WORDS/ABBREVIATIONS

Candidate refers to any person who has accepted an offer of a position in any Training Program run by the ACD and has paid fees where applicable.

Trainee refers to any person who has accepted an offer of a position in the Dermatology Training Program run by the ACD and has paid fees.

Training Position refers to an accredited position for training.

Hon Sec refers to the Honorary Secretary

BoD refers to the Board of Directors

NEdC refers to the National Education Committee.
SITA refers to a summative-in-training assessment.

SSP refers to a Supplementary Supervision Program.

PIF refers to a Performance Improvement Form

THE POLICY

It is College policy that all disciplinary and dismissal matters be dealt with fairly, promptly, and in such a manner as is consistent with the rules of natural justice.

It is recognised that the College and the Trainee and/or candidate’s employing body (if applicable) share responsibility for managing their performance and that dismissal from education and training may affect a Trainee/candidate’s employment and/or training position.

1.0 Unsatisfactory SITA - Dermatology Training Program

If a Trainee receives an unsatisfactory SITA they will be given additional support and placed on a SSP which requires a PIF to be completed. A SSP assists a Trainee who requires additional support and supervision related to knowledge, skills or professional qualities and can also be implemented at other times if significant concerns are identified outside the SITA and PIF process, by the SoT in consultation with the DoT within the Dermatology Training Program, or the SoT and/or DoT equivalents in other training programs.

The SSP is in force for:

- Six months: Four year training program
- Four months: Two year upskilling program (IMG)
- Three months: One year upskilling program (IMG)
- DoT determined: Three and six month upskilling (IMG)

The PIF completed at the beginning of the duration of the SSP will outline the desired learning outcomes.

Regular mentoring contact between the DoT, SoT, and Trainee is maintained to ensure that all possible support/resources are given to the Trainee to address areas of concern. The Trainee is also appointed an academic and/or personal mentor. The NTC is notified when a Trainee is placed on an SSP and this is reported to the NEdC.

In the initial meeting the following should be discussed:

a) The Trainee’s performance and progress
b) The breadth and depth of area/s in which the Trainee’s performance must improve
c) The performance standard that must be achieved by the next SITA
d) Strategies the Trainee can use to improve their performance
e) Any other assistance which will be offered to the Trainee
f) The implications for the Trainee if their performance does not improve
g) The date on which the DoT, SoT and Trainee will meet to review the Trainee’s progress.
The NTC is advised when a Trainee has been placed on a SSP. If a Trainee receives another unsatisfactory SITA within their training this will be seen as unsatisfactory performance.

2.0 Unsatisfactory Performance - Dermatology Training Program

A Trainee is deemed to have unsatisfactory performance if they have:

- Failed to complete satisfactorily the requirements of a PIF, during their SSP.
- Obtained 2 unsatisfactory SITAs (consecutively or at any stage during the training period)
- Substantially not fulfilled the requirements of the Training Program and/or their employment
- Regular and consistent complaints made by patients and/or peers and/or allied medical staff
- Been deemed unsafe in their practice
- Been deemed to have acted in a manner that constitutes misconduct
- Failed to complete the requirements of basic training (Dermatology Training Program)
- Failed to complete the requirements of advanced training (Dermatology Training Program)

The process to be followed is:

- The SoT will notify the DoT within two weeks
- The DoT will organise a meeting with the Trainee and SoT to implement a 3 month supplementary supervision program (SSP) by completing a Performance Improvement Form (PIF)
- The NTC will be notified and they will place the Trainee on probation.
- The Trainee will receive written notification that any further unsatisfactory SITAs may lead to dismissal from the Training Program.

The DoT, Trainee and SoT meet at regular intervals within the three months to review the trainee’s progress. Failure to satisfy the conditions of the SSP within the 3 months will result in a trainee being dismissed from the training program.

In order to address the issue/s and the status of the Trainee’s progress through the Dermatology Training Program, the following should be considered:

- Similarities/sameness of issues in first and second unsatisfactory SITAs
- Ability of issues to be addressed in the six months (four year training program) or three months (two and fewer years training program)
- Trainee willingness to demonstrate insight and a desire to improve
- Additional assistance eg modified training, interrupted training
- Other relevant matters to take into account

The NEdC may determine that the period of training time that has been subject to a second SITA may not be accredited if remediation has been unsuccessful. While on probation, time in the training scheme will not be accredited.

Should dismissal from the training course be recommended the NEdC will be notified, consider all relevant documentation, and make a recommendation to the BoD. The BoD will follow the same process before making a decision on the NEdC recommendation. The Hon Sec will notify the Trainee in writing of the BoD decision.
3.0 Unsatisfactory Performance - Mohs Training Program

A Candidate is deemed to have unsatisfactory performance if they have:

- Failed to complete satisfactorily within the first six months of their studies, the DermCEX, one CbD, two ProDAs and 30% of the required number of surgical procedures
- Failed to complete satisfactorily within the succeeding three months an additional one CbD, one ProDA and another 20% of the required surgical procedures

The Mohs SoT will notify the Mohs Chair.

In order to address the issue/s and the status of the Candidate’s progress through the Mohs Training Program, the following will be implemented:

- A SSP which requires a PIF to be completed. A SSP assists a candidate who requires additional support and supervision related to knowledge, skills or professional qualities. It is implemented by the SoT in consultation with the Chair of the Mohs Committee.
- The NTC is advised when a candidate has been placed on a SSP.
- The PIF is in place for three months
- Regular contact is required between the candidate, mentor and their SOT to ensure that all possible support/resources are implemented to address areas of concern.
- Candidates will receive written notification that any further unsatisfactory performance may result in dismissal from the Training Program.

Continuing unsatisfactory performance will result in candidates receiving written notification that any further unsatisfactory performance may result in dismissal from the Training Program. The NTC will be notified and they will place the candidate on probation.

4.0 All Training Programs

4.1 Consistent Unsatisfactory Performance

The Hon Sec will write to the candidate following notification by the DoT to the NEdC in the following circumstances:

- A third unsatisfactory SITA (consecutively or at any stage during the training period)
- Appropriate counselling and remedial measures have been unsuccessful
- The candidate failed to comply with or complete remedial action
- Consistent unsatisfactory performance in the case of Mohs candidate

The NEdC will recommend to the BoD that:

- The candidate be dismissed from the relevant Training Program; or
- Probationary periods and/or modified training conditions are applied, if dismissal is not recommended. If conditions are imposed, dismissal may result either under those conditions or by reason of a further review under this policy.

An interruption from training may be recommended pending investigation of reasons for unsatisfactory performance.
A letter outlining the outcomes of the BoD deliberations will be issued to the candidate under the signature of the Hon Sec. This will outline summary of the process and the decision reached. The Trainee will be advised that they have the right to appeal, as noted toward the end of this policy.

4.2 Misconduct

Examples of misconduct include but are not limited to:

- Discrimination, harassment or bullying.
- Abusive, violent, threatening or obscene behaviour.
- Being found guilty of a criminal offence which results in a gaol term or on restrictions being placed on their ability to practice medicine.
- Theft, fraud or misappropriation of funds.
- Being under the influence of alcohol or illegal drugs while at work.
- Falsification of training records, patient documentation or patient treatment notes.
- Fraudulent conduct.
- Serious breach/s of patient safety. (Where there is a breach of patient safety or potential breach of safety to others or self, the Trainee will be suspended immediately from the Training Program without prejudice to any subsequent investigation).
- Gross insubordination or wilful disobedience in carrying out lawful requirements of the Training Program.
- Bringing the College’s name into disrepute, as determined by the BoD
- Abandonment of employment or training post.
- Academic misconduct.

The NEdC will instigate an immediate investigation into the alleged misconduct and the candidate’s employer will be notified. The principles of natural justice will apply to all allegations and investigations concerning misconduct. The investigation will follow the same process as for consistent unsatisfactory performance. Outcomes can include, but are not limited to:

- Counselling with a probationary period
- A requirement that additional assessment tasks, as determined by the NEdC, be completed to the NEdC’s satisfaction
- Modified training conditions, including a requirement to undertake additional training
- Loss of accreditation of one or more years training, or pro rata for Mohs
- A requirement to complete additional assessment tasks
- Dismissal from the relevant Training Program

A letter from the Hon Sec outlining the summary of the process, outcomes and decision of the BoD deliberations will be sent to the Trainee. The Trainee has the right to appeal.

Should the Trainee fail to comply with or complete remedial action as outlined in a letter from the Hon Sec they will be dismissed from the relevant Training Program.

4.3 Failure to comply with or complete required College training and documentation requirements

4.3.1 Failure to complete training programs
Candidates who fail to complete all training requirements within the timeframe specified for the relevant Training Program may have modified training conditions imposed, or be dismissed from the program.

4.3.2 Failure to comply with College Direction or Requirement

- Candidates are required to comply with any policy direction or requirement of the College pertaining to training activities.

- The requirements and conditions of the relevant Training Program are set out in the associated College Training Handbook found on the College eLearning Portal. Repeated failure to comply with directions of supervisors, or comply with conditions or requirements of the relevant Training Program will constitute a dismissible offence.

- Candidates will receive written warnings, the second of which may advise that further breaches during the life of the relevant Training Program may result in dismissal.

4.3.3 Failure to pay outstanding monies (Dermatology Program only)

- Candidates who do not pay monies owed to the College or its agents by the due date may be dismissed from the Training Program and/or required to pay interest on arrears at the current standard bank rate (computed daily), together with the costs, losses and damages suffered or incurred by the College in connection with the non-compliance.

4.3.4 Failure to satisfy medical registration or employment requirements

- Candidates who, for any reason, do not have valid medical registration from the relevant Medical Board or Authority in their jurisdiction which enables full participation in the relevant Training Program are automatically dismissed and disqualified from the program, on and with effect from the date of loss of registration. The BoD may, in special circumstances, and on such conditions as it thinks appropriate, reinstate a candidate on written application.

4.3.5 Failure to satisfy the employment requirements of their:

- Training position institution may be automatically placed on interruption and/or required to comply with notified training requirements and conditions.

- Training position in two or more institutions may be dismissed from the relevant Training Program

5.0 The Candidate Interview Process

The following process will be instituted in cases of:

- Consistent Unsatisfactory Performance
- Misconduct
- Failure to comply with College Direction or Requirement
- Failure to pay outstanding monies (Dermatology Program only)
- Failure to satisfy medical registration or employment requirements

The Process:

- The NEdC will review the allegations and documentary evidence
- If after consideration of the material the NEdC is of the opinion that the allegations are not substantiated the Dean will request Hon Sec to advise the Trainee that no further action will be taken.
- If after consideration of the material, the NEdC is of the opinion that the allegations are substantial, further investigations will be undertaken.
The candidate will be notified in writing by the Hon Sec and will be informed no less than ten working days in advance of the time and date of the meeting. Written submissions to the meeting must be received 48 hours before the scheduled meeting.

Three members of the NEdC, including the Dean, will interview the candidate. This may occur by teleconference.

The candidate may bring a support person to the meeting, but not a practising solicitor or barrister.

If the candidate, having been duly notified declines or fails to attend the meeting, the NEdC may nevertheless consider the Trainee’s performance and may make a recommendation to the BoD.

Minutes of the meeting must be kept, agreed to by all parties and be provide to the candidate within ten days of the meeting so they may respond before the NEdC recommendation to the BoD is made.

The NEdC will meet, discuss the outcome of the meeting with the candidate and make a recommendation to the BoD with a course of action. Relevant material must be sent to the Board.

The Dean may not participate in the BoD decision, but may provide additional and/or clarifying information.

The Hon Sec will write a letter to the candidate outlining the decision reached by the BoD. This will provide a summary of the process and the decision reached.

Where applicable, the employing authority including the hospital, any private employer, the relevant health service (as applicable), must be kept informed and be provided with the opportunity to contribute to the decision making process should they wish. The employing authority will be advised of the BoD decision.

**Appeal**

Decisions relating to dismissal from training or other action may be appealed in accordance with the College Appeals Process.