

**Health Education England
(Working Across the North West)**

Postgraduate Medical and Dental Education

**Appeals Process (Non-ARCP)
for
Specialty (including GP) Trainees**

Document Title	Appeals Process (Non-ARCP)
Purpose	<p>To provide the Hospital & Secondary Care and General Practice & Public Health sections with a process to follow for non- ARCP appeals from trainees, ensuring consistency of practice across HEE working across the North West.</p> <p>To provide specialty, including GP trainees and those in core training, with guidance on the appeal process. Foundation trainees should refer to the complaints/appeals process for the Foundation Programme.</p> <p>This process applies to appeals relating to decisions affecting a trainee's training other than appeals against ARCP outcomes.</p>
Author	<p>Bev Miller Project Manager Deanery Integration</p> <p>Bev.miller@nw.hee.nhs.uk</p>
Date of Issue	15.01.2016
Location	<p>I:Drive: Hospital & Community Care\Policies & Procedures\NON-ARCP APPEALS PROCESS</p> <p>Website: https://www.nwpgmd.nhs.uk/policies-procedures</p>
Version Control	<p>Version 1: 22.09.2015 Version 2: 13.10.2015 Version 3: 19.11.2015 Version 4: 16.12.2015 Version 5: 05.01.2016 Version 6: 30.01.2018 Version 7: 01/11/2018</p>

Appeals Process (Non-ARCP)

Background

This process applies to appeals from specialty trainees, including GP trainees and those in core training relating to decisions that affect their training such as:

- Out of Programme (OOP) requests
- Inter-Deanery Transfer (IDT) exceptional circumstances requests (Dean to Dean transfers)
- Less than Full Time Training requests
- Study leave applications
- Exceptional extensions to training
- Deferred start of programme requests
- Processes outside of the training programme requiring School support (e.g. support for CEGPR applications; trainees who have left a programme re-applying for specialty training)

Foundation trainees should refer to the Foundation Complaints/Appeals Process:

<https://www.nwpgmd.nhs.uk/foundation-policies-and-processes>

This process does **not** apply to appeals regarding ARCP outcomes.

This process provides a mechanism by which trainees can appeal against a decision where they have evidence that the process that led to the decision was not followed correctly; or that there appeared to be bias, resulting in unfair treatment; or that information has now come to light which was not known at the time of the original decision and may have influenced the outcome.

Principles

1. The trainee must submit their appeal in writing to the relevant section manager as follows:
 - Programme Support Business Manager, Health Education England working across the North West, Regatta Place, Brunswick Business Park, Summers Road, Liverpool, L3 4BL
Stephen.atkinson@nw.hee.nhs.uk
 - Programme Support Business Manager, Health Education England working across the North West, 3 Piccadilly Place, Manchester, M1 3BN
Jill.Cudd@nw.hee.nhs.uk
 - GP Programme Support Business Manager, Health Education England working across the North West, 3 Piccadilly Place, Manchester, M1 3BN
Sally.howorth@nw.hee.nhs.uk
2. A trainee cannot appeal simply because they disagree with a decision and must provide evidence to substantiate the basis for the appeal.
3. There are 3 grounds for an appeal, all of which require documentary evidence:
 - The process that led to the decision was not followed correctly
 - The decision being appealed against was made in a prejudicial way or there is evidence of prejudice or bias

- Information has now come to light which was not known when the original decision was taken and it may have influenced the outcome
4. Any appeal must be submitted within 10 working days of the date of the decision being appealed against.
 5. The decision of the appeal panel is final and trainees will be notified of the outcome in writing by the relevant section manager. The PGMDE department aims to return a decision within 25 working days from receipt of the appeal.
 6. Trainees can withdraw their appeal at any stage, by writing to the relevant Programme Support Business Manager.

Process

Step	Action	Timescale <i>(from receipt of appeal)</i>
1	Appeal received in writing from trainee and acknowledged by the relevant Programme Support Business Manager.	Within 3 working days
2	The relevant Programme Support Business Manager prepares a brief summary of case and ensures all background and supporting paperwork is available electronically.	Within 7 working days
3	<p>The relevant Programme Support Business Manager sends the summary of case and other relevant paperwork electronically for review to:</p> <p><u>Hospital & Community Care & Public Health:</u> 3 Deputy Deans, usually the Deputy Deans for H&CC, GP Education and Quality. If any of these are unavailable, the Deputy Deans for Dental and Foundation can be asked to assist instead. The panel's views are collated and sent to the Postgraduate Dean for a final decision.</p> <p>N.B. If the appeal relates to a deferred start date, the paperwork is sent to the Deputy Dean for H&CC and the lead employer.</p> <p><u>General Practice:</u> the Deputy Dean for GP Education. They may seek an additional perspective from the Deputy Dean for H&CC and/or the Deputy Dean for Foundation.</p> <p>N.B. If the appeal relates to a deferred start date, the paperwork is sent to the lead employer, as well as the Deputy Dean for GP Education.</p>	Within 7 working days
4	Responses from reviewers requested within 10 working days of receipt of review email.	Within 17 working days
5	<p>Feedback and decision received from reviewers and the relevant Programme Support Business Manager drafts a response for the trainee, to be reviewed and signed by:</p> <p style="padding-left: 40px;">Hospital & Community Care: The Postgraduate Dean</p> <p style="padding-left: 40px;">General Practice & Public Health: The Deputy Dean for GP Education</p> <p>This should take place within 5 working days where possible.</p>	Within 20 working days
6	Decision sent to trainee by the relevant Programme Support Business Manager.	Within 25 working days