

## Guideline

# Junior Medical Staff Appeals Process for Resolution of Training Problems and Disputes

## Safe

### Peninsula Care Goal

### Target Audience

This guideline is applicable to all Junior Medical Staff.

### Purpose

This document provides advice on how junior doctors access the appeals process for resolving training problems and disputes.

Peninsula Health (PH) is committed to ensuring junior doctors enjoy an appropriate appeals process for resolution of training problems and disputes during their employment and training at the health service.

This document is to be made available to all JMS on appointment and at orientation.

### Guideline

#### 1. Dispute Resolution – Interns (PGY1) - Performance Issues

Interns (PGY1) are in the first year of post graduate employment and hold provisional registration. By the end of the training year they will have completed the necessary pre-requisites to apply for general registration. Interns are appointed for a 12-month employment period to complete these pre-requisites with the year commencing in the second or third week of January.

Peninsula Health is accredited by the Post Graduate Medical Council of Victoria (PMCV) to provide core and non-core terms for interns to complete and progress to general registration.

During the course of their intern year doctors are required to successfully complete a number of requirements that combine to provide evidence that satisfies the Executive Director of Medical Services to recommend to the Medical Board of Australia (MBA) granting of general registration. Staff of the Medical Workforce Unit, the Director of Clinical Training, Clinical Directors and Term Supervisors all have roles in supporting interns to successfully complete their initial year in a health service and progress to general registration.

As part of this process each intern will complete mid and end of term appraisals utilising an assessment documents approved by the Australian Medical Council (AMC). The AMC provides a suite of documents to ensure the national standards are met. Included is guidance on the assessment of learning, feedback and performance review, monitoring and evaluation.

In the event of a dispute regarding completion of an assessment the intern should:

1. Raise the relevant matter with their Term Supervisor, and Clinical Director if required.
2. If a resolution is not possible at this step, then the issue should be escalated to the Director Clinical Training and Director Medical Workforce to seek resolution.
3. In the unlikely event further intervention is required, the Executive Director Medical Services (EDMS) will be requested to intervene to seek finalisation of the matter. Should it be appropriate the Postgraduate Medical Council of Victoria will be invited to provide advice on the matter being raised.

Peninsula Health provides all interns with access to the AMC and PMCV documentation regarding their training and the national standards that must be met. Peninsula Health is committed to ensuring any intern who may be having difficulty achieving the standard is given every support possible. The *Managing Junior Medical Staff at Risk Policy* provides specific

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guidance on how to approach issues regarding medical practitioner performance and mandates confidentiality, the principles of natural justice (i.e. the appeals process) and support for the junior doctor whilst balancing needs of patients and other staff.

## 2. Dispute Resolution – Junior Medical Staff – Rosters and Interpersonal Issues

There may be occasions when Junior Medical Staff will experience issues of a general nature such as roster formulation, general administration or interpersonal issues. Peninsula Health is committed to resolving issues of this nature as soon as they arise. This would normally be at Unit / Departmental level by normal discourse.

Should resolution not be possible, the matter should be escalated to the most appropriate first decision maker. For example, this may be the Clinical Director or Director Medical Workforce, and would depend on the nature of the matter being raised. When necessary the EDMS will be requested to intervene to support resolution.

## 3. Junior Medical Staff holding General Registration

Junior Medical Staff holding general registration (Residents, Registrars and Medical Officers), will receive similar support provided to interns in accordance with *Managing Junior Medical Staff at Risk Policy*. This policy provides specific guidance on how to approach issues regarding medical practitioner performance and mandates confidentiality, the principles of natural justice (i.e. the appeals process) and support for the junior doctor, whilst balancing needs of patients and other staff.

These doctors are also to complete regular appraisals using a Peninsula Health assessment or relevant medical specialist training college performance appraisal form.

## 4. International Medical Graduates (IMGs)

For the purpose of this guideline, International Medical Graduates (IMGs) are doctors trained overseas who are employed at Peninsula Health, and who hold limited or provisional registration and are yet to be granted general registration by the Australian Health Practitioner Regulation Agency (AHPRA).

These doctors are more experienced than interns and often are employed in senior training positions within Departments at Registrar level. However, they are restricted by registration condition and / or rotations in where they can work, and as such receive additional supervision.

The *Managing Junior Medical Staff at Risk Policy* provides specific guidance on how to approach issues regarding medical practitioner performance and support for these doctors, whilst balancing needs of patients and other staff.

In addition to completing Peninsula Health assessment or specific relevant medical specialist training college assessment forms, when renewing registration, IMGs are required to also submit to AHPRA specific assessment forms which monitor performance and progression (e.g. O-WRIG, WRIG).

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### 5. Key Aligned Documents

These documents are relevant:

- AMA Victoria - Victorian Public Health Sector - Doctors in Training Enterprise Agreement 2022 - 2026
- PMCV Accreditation Resources  
<https://www.pmcv.com.au/accreditation/accreditation-resources/>
- PMCV Performance Management Guidelines for Junior Doctors  
<https://www.pmcv.com.au/wp-content/uploads/2022/04/PMCV-Performance-Management-Guidelines-for-Junior-Doctors.pdf>
- National Framework for Prevocational Training Outcome Statements  
<https://www.amc.org.au/accredited-organisations/prevocational-training/new-national-framework-for-prevocational-pgy1-and-pgy2-medical-training-2024/>
- AMC Guide to Prevocational Training  
<https://www.amc.org.au/wp-content/uploads/2023/07/Guide-to-Prevocational-Training-in-Australia-for-PGY1-and-PGY2-Doctors.pdf>

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