



ACPSEM

Australasian College of Physical Scientists & Engineers in Medicine

ABN 44 005 379 162

Grievance Handling and Appeals Policy

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1. PRINCIPLES

The ACPSEM ensures that complaints and grievances, and appeals are heard and treated with procedural fairness in a manner that is respectful to both complainants or appellants and respondents.

The ACPSEM also recognizes and supports the right of those subject to the College's summative assessment, or assessment of qualifications and experience, or departmental accreditation procedures, to directly appeal decisions made by the ACPSEM.

The purpose of this policy is to provide clear processes for the resolution of complaints and grievances and the submission of appeals, relevant to the business of ACPSEM.

1.1 Affected Parties

- Registrars;
- Applicants for ACPSEM membership
- Applicants for assessment of qualifications and experience for entry on either the QMPS Register or for the purposes of General Skills Migration Assessment;
- Supervisors and Chief Physicists (or equivalent);
- ACPSEM staff and management;
- PSB Chair and Certification Panel Chairs;
- ACPSEM board of directors; and
- any individual directly or indirectly involved with ACPSEM

2. PROCEDURES

2.1 Appeals

2.1.1 ACPSEM decisions subject to appeal by registrars (TEAP) and applicants (GSM assessment or assessment for entry to the QMPS Register or departments and universities) are as follows:

2.1.1.1 Summative exam or progress review results:

- ROMP and DIMP TEAP written, oral and practical examinations and ROMP Clinical and Scientific Report Stage C Oral
- RPS Final Registrar Progressive Assessment Review Panel Decision
- ROMP QMPS Assessment mandated examinations
- PSB acceptance of Registrar Unsatisfactory Progress recommendations from Progression Committees, resulting in a determination that a registrar should be excluded from TEAP.

2.1.1.2 TEAP Hurdle Requirements:

- (ROMP) Clinical and Scientific Reports (Stage A, B & C) where a grade of "unacceptable" has been given.
- RPS Competency Progressive Assessment result/s



Please note that while ROMPs have an enacted TEAP Progression Committee, TEAP Progression Committee functions for DIMP and RPS are currently carried out by the relevant certification panel.

2.1.1.3 Assessment of Qualifications and Experience:

- ROMP, DIMP, RPS and Bespoke Pathway applications for entry to the QMPS Register
- General Skilled Migration (GSM) Assessment Applications (for which the ACPSEM is licensed by the Commonwealth to act).

2.1.1.4 Departmental or University Accreditation Decisions

- Hospital Department or Private Provider accreditation (to train TEAP Registrars) decisions
- University accreditation of medical physics courses

2.1.2 Appeals must be lodged with the ACPSEM CEO, against decisions listed at 2.1.1 within 21 days of the decision being advised to the appellant.

Lodgment of the appeal must include payment in full of the prescribed appeal fee. Until payment is received the appeal will not be registered or actioned further. Should the appeal be upheld 80% of the fee will be refunded.

2.1.3 Once registered, the appeal will be referred to the ACPSEM's Appeals Panel (see 2.1.4) for action as follows:

2.1.4 The ACPSEM Appeals Panel is a predominantly extant Panel appointed biennially for the purposes of hearing all appeals relevant to the business of the ACPSEM and specifically the decisions listed at 2.1.1. The panel shall consist of:

- a) President-appointed Chair of the Appeals Panel (fixed 2-year appointment)
- b) The Chair of the PSB or nominee (fixed 2-year appointment)
- c) Specialist Member - appointed upon receipt of each appeal in consultation with the panel Chair for approval and be advised to the PSB Chair. Appointment based on specialty/discipline and/or experience with the process being appealed
- d) The CEO or Company Secretary (secretariat)

The President and PSB appointed members should be of different specialties/backgrounds.

Where the appeal concerns an exam result or other TEAP hurdle requirement, the specialist member should be an examiner in the appropriate discipline.

Panel members shall be formally inducted to the Appeals panel membership role by way of completion of an online training module developed for the purpose of explaining the grounds of appeal for each decision listed at 2.1.1 and updating members regarding due process and natural justice principles, as applied to appeals processes.



2.1.5 The following parameters will apply to the registration, management and discharge of appeals received by the ACPSEM:

- a) Appeal documentation reviewed by the CEO or a nominated delegate/proxy within 2 working days of appeal registration
- b) Appeal documentation referred to the Appeals Panel either within 3 working days of appeal registration, or, where supplementary information is sought from the appellant, within 3 working days of receiving the supplementary material.
- c) The specialist member to be appointed to the Appeals Panel within 5 working days of the registration of the appeal.
- d) The Appeals Panel to complete consideration of the appeal within 15 working days of the appeal being referred to the panel, with the Chair providing a decision to the CEO.
- e) The Appeals Panel decision will be final.
- f) The Appeals Panel, after considering relevant information may either
 - (i) Decline the appeal, or
 - (ii) Approve the appeal, or
 - (iii) Approve the appeal subject to conditions, or
 - (iv) Allow the appellant, if the appeal relates to an examination result, to resit the examination and may apply any relevant conditions to such determination.
 - (v) Allow the appellant, if the appeal relates to a TEAP hurdle, to resit/redo the hurdle and may apply any relevant conditions to such determination.
- g) The Appeals Panel may make any determination based upon a balance of probability.
- h) The Appeals Panel may receive information from any person who they consider may have a relevant interest in the matter. They are not required to make any determination upon any information provided to them.
- i) The CEO to advise the Appeal outcome to the appellant within 20 days of lodgement of the appeal.

2.1.6 The CEO will be personally responsible for the registration and monitoring of all appeals and reporting appeals (in general terms) on occurrence, to the Board, at the next available meeting.



2.2 Grievances

Please Refer to [Appendix 1 - Grievance Handling Flowchart](#) for a summary of procedures.

2.2.1 Those who are aggrieved by ACPSEM workplace issues or TEAP administration and management or ACPSEM processes for the assessment of relevant qualifications and work experience are encouraged to seek conciliation between the affected parties before escalating complaints within ACPSEM.

2.2.2 In the event that the grievance is not addressed at this level, the matter may be declared a 'formal grievance' and escalated to the appropriate person within the ACPSEM

Please note: As the nature of complaints and grievances can be wide and varied, it is accepted that instigating and managing complaints or grievances may need to vary from the processes herein. The complainant will be afforded reasonable discretion in terms of how they would like the matter to be dealt with by the ACPSEM. Variation from the prescribed processes herein is a 'negotiated process' with management of ACPSEM and must be considered in the context of the nature of the complaint or grievance.

2.2.3 In most cases the aggrieved party will escalate a complaint by taking it to those with line authority or line connection to the parties.

- a) A staff member would escalate a grievance by contacting the relevant line manager i.e. the line manager of the subject of the grievance;
- b) A registrar would escalate a grievance with respect to TEAP management issues, or the conduct of a member of ACPSEM staff, by contacting their TEAP coordinator;
- c) An applicant for admission to the QMPS Register or consideration for General Skills Migration, who is unhappy with any aspects of the administration of the assessment process (prior to an assessment being made) would escalate a grievance to ACPSEM CEO
- d) A supervisor or Chief Physicist (or equivalent) would escalate a grievance by contacting their relevant TEAP Coordinator.
- e) If the grievance relates to a TEAP Coordinator it should be referred to the CEO.
- f) If the grievance relates to the CEO it should be referred to the Chair of the ACPSEM Board

2.2.4 The recipients of complaints or grievances within ACPSEM will:

- a) As far as possible, afford the complainant a reasonable and open initial hearing at the time the complaint is raised.
- b) At the time of initial hearing, inform the complainant about this policy, provide access to it and advise the complainant that they have the option to declare the matter a 'formal grievance' in which case formal grievance procedures will apply as specified in this policy.



- c) Document the details of complaint either by lodging a journal note in portfolios or taking contemporaneous notes. If declared a formal grievance, the matter is to be entered in the Complaints Register both initially and then updated at relevant stages of escalation or completion.
- d) Take all reasonable actions and steps in line with this policy to progress the matter with the aim of achieving an appropriate resolution.

Please note: At any stage the aggrieved party may have a support person present.

2.3 Workplace Grievances - Registrars and Supervisors

The ACPSEM's grievance policy does not extend in coverage to resolution of differences between Registrars and supervisors, or other workplace related grievances, although in some cases it may be appropriate for TEAP coordinators to assist in resolution of such differences.

While it may be helpful for a registrar or supervisor to contact their TEAP Coordinator to discuss the matter and options for resolution, it may not be possible or appropriate for the coordinator to offer specific assistance. If contacted, the TEAP Coordinator will respond firstly, by advising the complainant whether the potential grievance is within the scope of the ACPSEM's jurisdiction to assist. The ACPSEM will assist in the resolution of grievances only where parties' adherence to TEAP policy and/or requirements of contracts and agreements (with the ACPSEM), whether inadvertently or willingly, are not being applied or at imminent risk of non-compliance, in the workplace in question.

- 2.3.1 If consulted, ACPSEM staff will, as a matter of course, advise parties to discuss the grievance with the person concerned.

Please note: At this level if handled constructively, most grievances can be resolved. The advice of ACPSEM's staff including the relevant TEAP Coordinator and/or the Members Engagement Manager, and reference to applicable policy documents and agreements, may be helpful in clarifying requirements for employment, training and supervision.

- 2.3.2 If the registrar and supervisor do not resolve the problem, ACPSEM encourages the affected party to invoke workplace-based grievance procedures as soon as possible.
- 2.3.3 Should the grievance clearly indicate that TEAP policy and/or contractual arrangements are not being adhered to by accredited sites, the issue will be investigated within the scope of ACPSEM department accreditation policy (review of accreditation status) and/or non-compliance with ACPSEM Physicist Support Grant contractual requirements.



2.4 Grievances with ACPSEM staff and Committees (excluding Examiners)

- 2.4.1 Those who have a grievance or complaint about a staff member of ACPSEM and who are unable to resolve this by discussion and negotiation with the relevant person (the respondent), should address their complaint to the respondent's line manager.
- 2.4.2 If the grievance or complaint is not resolved at this level, it may be escalated to the CEO for a determination as in 2.5.

The CEO, TEAP Coordinators and Committee (Panel) members are to constructively support and facilitate the escalation of complaints made against them to the chair, regardless of their views or objections to the complaint.

2.5 Action by the CEO and ACPSEM Chair - Grievances

- 2.5.1 If a grievance has been escalated to the CEO, the following options are available to the CEO:
- a) Make a final determination on the matter.
 - b) Request the PSB Chair to make a final determination on the matter.
 - c) With the agreement of the PSB Chair, refer the matter to the applicable Certification Panel for urgent consideration and recommendations to assist either the CEO and/or PSB Chair, in the making of a decision.
 - d) Escalate the matter to the ACPSEM Chair.
- 2.5.2 If a complaint or grievance is referred to ACPSEM Chair, he or she may take the following actions as deemed appropriate:
- a) Make a determination in consultation with the CEO
 - b) Refer the matter to the PSB, or
 - c) Refer the matter to the full ACPSEM Board.



2.6 Complaints regarding ACPSEM Members and other Registered QMPS

This policy does not apply to complaints made by members, stakeholders or the public about the conduct of ACPSEM members or ACPSEM registered Qualified Medical Physicists and Scientists (QMPS).

ACPSEM's bylaws address processes for dealing with College members' complaints, regarding other College members. Such complaints should be directed in the first instance to the Chair of the PSB.

The CEO will consult the ACPSEM Chair and PSB Chair in the event that complaints are received from members of the public or other parties and a negotiated resolution process will be determined.

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1.0	22/03/2019	CEO and President	First draft
1.1	27/05/2019	CEO (on advice of legal counsel)	Inclusion of finality of appeal clause and updated explanation of possible appeal outcomes
1.2	23/06/2019	CEO	Changes to reflect TEAP curriculum and program management updates
1.3	22/07/2022	CEO	Changes to reflect TEAP curriculum and program management updates

Appendix 1 GRIEVANCE HANDLING FLOWCHART

Note 1: the appropriate person, unless otherwise advised, is the Members Engagement Manager

Note 2: For registrars and supervisors the appropriate line manager is the TEAP Coordinator

Note 3: If the subject of the grievance is a TEAP Coordinator the complainant should escalate the matter to the CEO

