

Accreditation Review Appeals Policy

1.0 Purpose

This Document describes the procedures that the Health Leaders Australia (HLA) Queensland Prevocational Medical Accreditation (QPMA) Business Portfolio applies in handling appeals relative to the QPMA training facility accreditation program and process.

2.0 Scope

This policy covers all accreditation adjudication decisions of QPMA.

3.0 Context

The mission of QPMA is to assist facilities in Queensland achieve requisite standards in supervision, education, assessment, evaluation, safety and support to enable those sites to begin, or continue, training interns (PGY1) and residents (PGY2). QPMA is primarily a supporting and enabling organisation. To this end QPMA is committed to an open and transparent accreditation system and an appeal mechanism based on the principles of natural justice.

The QPMA accreditation process provides a number of opportunities for feedback to and from facilities prior to delivery of the final review report. These include:

- Requests for further clarification of evidence and data submitted by the facility from the QPMA Survey Team following the Submit Date.
- Requests for further clarification of evidence and data from the QPMA Survey Team during the collation and analysis phase or Site Visit.
- Debriefing by the QPMA Survey Team at the conclusion of a site visit (if a site visit forms part of an accreditation review) to provide overall feedback of evidence and data collected.
- The draft survey report which is generally forwarded to facilities within 6-8 weeks following the Submit Date and which invites the facility to review and comment for factual errors. Any such correspondence will be directed to and reviewed by the QPMA Survey Team.
- The final survey report includes accreditation status and improvement recommendations. Any correspondence submitted by a facility in response to the draft survey report will be submitted with the final survey report to the Accreditation Committee. Facilities are invited to clarify errors of fact. On occasions, further dialogue may be required between QPMA and the facility, the timing of their review and their associated accreditation implications. Any such further correspondence will be reviewed by the Accreditation committee.

These measures are intended to ensure that QPMA accreditation assessments are based on accurate information, reflect the consensus view of the survey team and accreditation committee and that the facility is provided with opportunities to clarify and correct factual errors. Every opportunity should be made for facilities to raise concerns directly with the QPMA Survey Team and for the QPMA Survey Team to review additional evidence and revise its draft report appropriately.

Should a facility contest a specific accreditation recommendation (other than accreditation status), the QPMA Accreditation committee will determine the significance of the recommendation, and whether it has a bearing on the accreditation status of the facility. Should it be deemed to be of material significance, the facility will be advised that failure to comply with the recommendation will impact on their accreditation status. This may result in the facility either accepting the recommendation, or seeking a formal review using the appeal process.

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4.0 Definition

An appeal is a request for the review of a decision made by the QPMA Accreditation Committee, prior to the notification of the accreditation outcome to the Medical Board of Australia (within QPMA's six monthly reporting schedule) and based on any real problem, or any significant question, dispute, difficulty, claim, complaint or concern raised by one or more persons in relation to the accreditation services provided by and the decisions of QPMA. The appeal may include or may be related to decisions or actions taken or not taken, systems, processes or the physical environment that have not been resolved through normal day to day communication.

5.0 Timing

If a facility wishes to appeal the decision of the Accreditation Committee, the facility must, within 20 days from receipt of written advice of the accreditation decision, lodge a written appeal with the HLA CEO to have their accreditation process reviewed and the decision considered by an Appeals Committee.

Should appeals arise HLA will manage its response to such circumstances promptly, impartially and justly. QPMA will determine and advise dates by which applications must be lodged for appeals against the outcome of accreditation reviews. This advice will be provided in writing to the training facility with the provision of the accreditation determination.

6.0 Basis for an Appeal

An appeal may be lodged by a facility if they believe that:

- relevant and significant information that was made available to the Accreditation Survey Team was not considered in the final report; and/or
- the report of the Accreditation Survey Team was inconsistent with the information put before the team; and/or
- bias of a surveyor or surveyors exists; and/or
- information provided by the Accreditation Survey Team was not duly considered in the recommendation/conditions of the QPMA Accreditation Committee; and/or
- The process of their accreditation review was seriously flawed.

Relevant documentation should be provided to support this appeal.

7.0 Submission of an Appeal

An appeal is to be submitted no later than 20 days after formal receipt of the accreditation review report. When lodging an appeal, a facility must, in writing:

- Identify the accreditation decision which it is appealing.
- Specify the ground(s) for the appeal; and
- Provide supporting documentation/evidence as required

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8.0 The Appeals Committee

The Appeals Committee is an independent group convened and appointed by the HLA CEO. The Appeals Committee will be composed of:

- an independent Chair nominated by the CEO, HLA in consultation with the HLA Board;
- two HLA-QPMA experienced survey team leaders (other than the survey team leader or members of the accreditation review under discussion);
- a nominee of the appellant
- a nominee of the relevant health jurisdiction (as example Queensland Health or a private health organisation)

Each member of the Appeals Committee must not:

- be a current member of the QPMA Accreditation Committee
- have been a member of the Accreditation Survey Team of the training facility that lodged the appeal at focus; and
- be an employee, contractor or Board member of the training facility that has lodged the appeal at focus.

Membership of the Appeals Committee will be notified to the appellant who will have seven days to lodge any objections regarding the membership.

An appropriate HLA staff member is to perform the secretariat function to the Appeals Committee, but is not a voting member of the Appeals Committee.

9.0 The Appeals Process

Following the lodging of an appeal the HLA CEO, will inform the Board of HLA, Chair of the QPMA Accreditation Committee and the Director, QPMA, and set about establishing an Appeals Committee. The formal appeal and accompanying documentation lodged by the facility will be submitted to the Appeals Committee and then forwarded to the Accreditation Survey Team Leader and the Chair of the Accreditation Committee. Content of the Appeals documentation will be redacted where it concerns individuals within the Accreditation Survey Team and/or Accreditation Committee. A meeting will then be arranged for the Appeals Committee to consider the appeal and mediation.

The training facility will, during the appeal process, retain any accreditation status granted to it at its last completed accreditation.

9.1 Mediation

In the first instance on the formation of an Appeals Committee, mediation will be sought between representatives of the appellant (facility), the Accreditation Survey Team Leader and the Chair, QPMA Accreditation Committee. This will be facilitated by the Independent Chair of the Appeals Committee and the CEO, HLA. The mediation will be held at the HLA offices (in person or via videolink) within four weeks of the appeal notification, with administrative support by the QPMA Director. The Team Leader of the survey team and the Chair, QPMA Accreditation Committee will be invited to review the appeal and provide written comments to the Chair, Appeals Committee prior to the mediation.

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Outcomes of the mediation may include:

- Upholding of initial accreditation decision by mutual agreement
- Modification of initial accreditation decision by mutual agreement
- Lack of resolution

Where a decision is made, this will be forwarded to the Appeals Committee and a formal response will be provided to the appellant following this (within four weeks of the mediation). Should the matter not be resolved at mediation, the appellant may request the convening of the Appeals Committee to formally consider all relevant documentation. The Appeals Committee will meet within 14 days of the appellant's request and must act according to natural justice principles and decide each appeal on its merits.

9.2 Consideration of the appeal by the Appeals Committee

The Appeals Committee will examine all relevant documentation that will include:

- Relevant documentation from the original submission from the appellant training facility;
- Documentation from the appellant training facility to support this appeal;
- The accreditation report and recommendations of the Accreditation Survey Team and QPMA Accreditation Committee;
- Relevant Accreditation Committee minutes;
- Responses from the Accreditation Survey Team and QPMA Accreditation Committee to information that is requested by the Appeals Committee in undertaking its consideration of the appeal; and
- Any other relevant documents deemed necessary by the Appeals Committee.

The Appeals Committee shall be entitled to consider all relevant information that it sees fit.

No personal representation to the Appeals Committee is permitted. Only written submissions will be considered.

All members of the Appeals Committee shall be entitled to vote on decisions and the outcome of the appeal shall be decided on the basis of majority vote. In the event of a tied vote, the Chair will exercise a casting vote.

9.3 Outcome of an Appeal

The Appeals Committee will make a recommendation to the HLA CEO that either:

- confirms that the process by which the Accreditation Survey Team and QPMA Accreditation Committee reached their findings was in full accordance with QPMA guidelines and the principles of natural justice ; or
- dissents from the QPMA Accreditation Committee findings when reasonable doubt has been established as to a flaw in the process by which the Accreditation Survey Team and/or QPMA Accreditation Committee made its findings. If a dissenting recommendation is made, the Appeals Committee may direct any of the following actions:
 1. Overrule the accreditation status decided by the Accreditation Committee and adjudicate an alternate outcome
 2. Accreditation Review completed again in full (pertinent to the topic of the appeal)
 3. Accreditation Review completed again in part.

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The findings and recommendations of the Appeals Committee will be reported to the HLA CEO within 14 days. The CEO will inform the Chair, Accreditation Committee, the Survey Team Leader, Director QPMA and the appellant of the recommendations of the Appeal Committee.

9.4 Repeat Review

Should a full or partial repeat of an Accreditation Review be conducted:

- the Appeals Committee will recommend the establishment of a new Accreditation Survey Team and that a survey be conducted within three months of its decision;
- the new Accreditation Survey Team will not include members of the previous Accreditation Survey Team or Appeals Committee
- the new Accreditation Survey Team report will be issued to a sub-committee of the QPMA Accreditation Committee for its determination; and
- the outcomes following any repeat review will be final and not subject to further appeal.

10.0 Costs

Should the Appeals Committee recommend upholding the initial Accreditation Survey Team's findings and initial determination of the QPMA Accreditation Committee, then all associated costs to HLA for processing the Appeal will be borne by the training facility as Appellant. Reimbursement costs will range from a minimum of \$2000 to a maximum of \$10,000 and will cover any travel, time accommodation and administrative expenses borne by the Appeals Committee during its deliberations.

Should the Appeals Committee uphold the appellant facility's appeal then all associated costs to HLA for processing the Appeal and conducting the repeat review will be borne by HLA regardless of the final recommendation.

The appellant training facility will incur its own costs associated with its appeal.

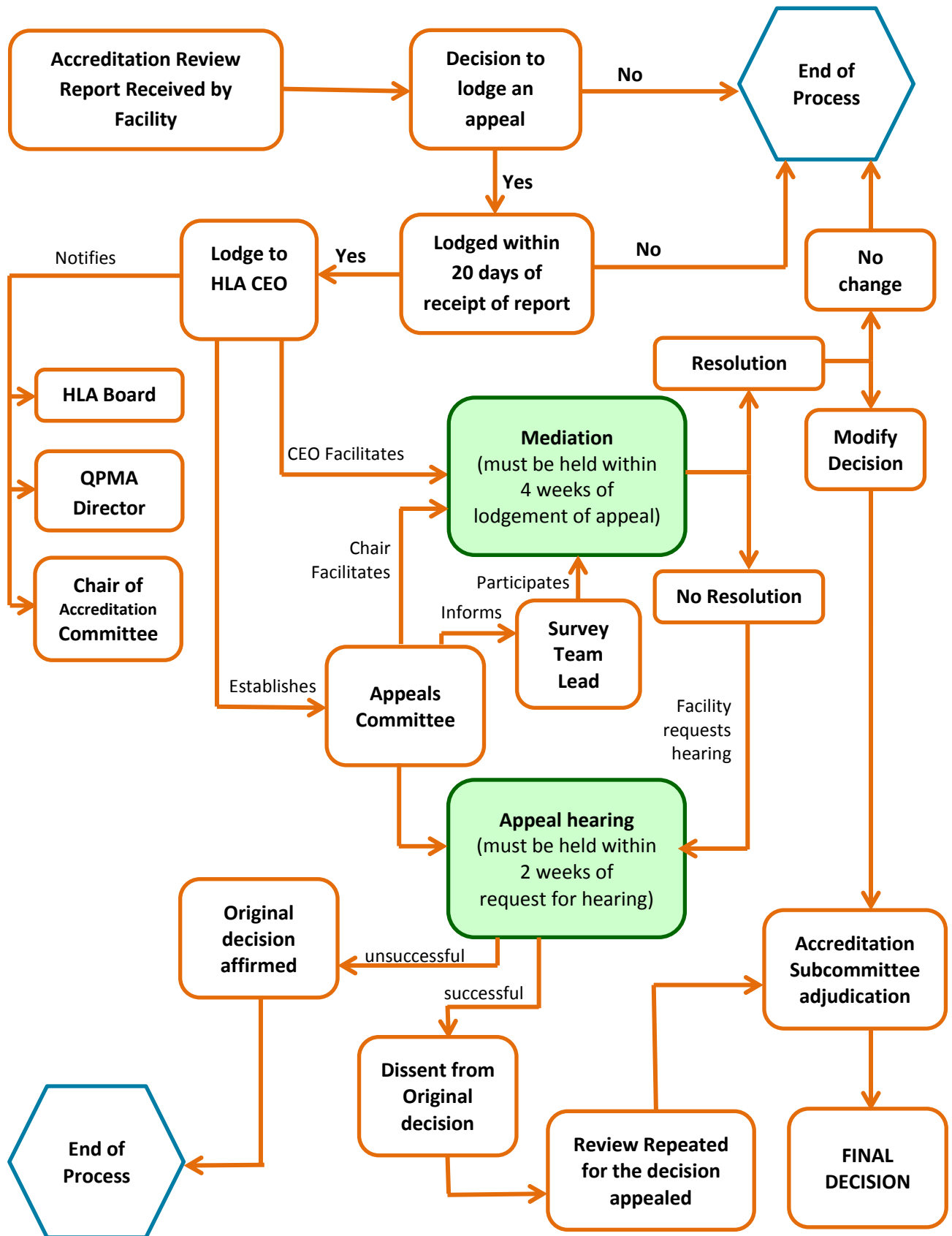
11.0 Further information

If you have any questions about this policy, please contact the Director of QPMA or the HLA Chief Executive Officer.

A flowchart summarising this appeals process appears on the next page.

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12.0 Flowchart of the Appeals Policy



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