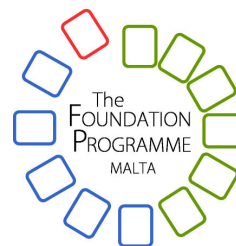


Malta Foundation School Appeals Process



1. Representations, Petitions relating to Appointments

Representations may be made by applicants/candidates to the Public Service Commission (PSC) in respect of a selection process which is still in progress .

Representations may be made (in writing) addressed to the Secretary of the PSC, on such issues as eligibility or non-eligibility of candidates, interpretation of eligibility clauses in the call for applications and equivalence of qualifications. Persons making such representations are to explain clearly the grounds for their representations and submit such supportive documentation as may be necessary for the PSC to consider their claim or complaint.

Petitions

After the result of a particular selection process has been published and an appointment made, the PSC will not entertain any representations from applicants/candidates but a petition may be made to the Prime Minister in terms of Section 1.1.10 of the Public Service Management Code which is reproduced hereunder:

1.1 Petitions Relating to Appointments and Promotions.

Petitions objecting to the result are to be submitted to the Secretary, Public Service Commission, the Palace, Valletta, copying to the Head of the Department wherein the vacancy to be filled lies. Petitions are to reach the PSC and the Head of Department within 10 working days from the date of publication in the Government Gazette of the notice of the issue of the result. In cases of posts/positions in Scale 5 or above, from the date of the result.

Heads of Department are to abide strictly by the following procedure:

- (i) immediately the Head of Department receives the copy of the petition, he/she is to forward it to the Chairman of the relative Selection Board;
- (ii) the Head of Department is to instruct the Board to submit within the shortest time possible to the PSC and copying to the Head of Department its comments on the points raised in the petition;
- (iii) the Head of Department is to ensure that the Selection Board deals expeditiously with the petition and with any follow-up correspondence there may be with the PSC, and is expected to intervene, also in writing, in cases of undue delay.



2. Placements, study leave, other FP issues:

Appeals regarding placements and study leave have to be made to the FSB. Letters are to be addressed to the Chairperson, Foundation School Board. Foundation School Directors will sit out of meetings of the FSB which deal with appeals.

Rulings about these appeals should not be delayed more than 4 weeks after first being received by the Foundation School Board.

3. Failure to progress from Foundation Year 1 (F1) to Foundation Year 2 (F2)

Appeals Process against failure to progress from F1 to F2

3.1 Introduction

The first year of the Foundation Programme builds upon the knowledge, skills and competences acquired in undergraduate training. The learning objectives for this year are set by the Medical Council Malta.

The Malta Foundation School will operate in accordance with the requirements set out by the Medical Council Malta's standards based on the UK Postgraduate Medical Education and Training Board/General Medical Council *Standards for Training for the Foundation Programme*, in order to determine whether an F1 Doctor has reached the standard necessary to progress to F2.

3.2 Handling unsatisfactory performance

In the event that informal and remedial action do not achieve a satisfactory improvement within the prescribed timescale, it will be necessary to review performance/conduct in accordance with the agreed procedure. This action will be undertaken by the Trainee Support Team together with the Educational Supervisor.

The Trainee Support Team will make appropriate recommendations to the Foundation School Director (FSD) in relation to the withholding of the Attainment of F1 competence document 5.1. In this situation a statement of the competencies achieved is normally issued instead.

The outcome will then be communicated to the F1 Doctor in writing, with confirmation of their right of appeal against the decision, and their right to be accompanied at an appeal meeting by a work colleague or an individual from a Trade Union or other representative body.

3.3 Appeals Process

Appeals must be submitted to the Foundation School within 14 days of receipt of notice of failure to progress from F1 to F2. Unless there is clear evidence to the contrary, receipt of the notice will be considered to be no later than three days after the date of sending.

- The Appeals Process is the responsibility of the Foundation School.

Appeals process 1.0



The Foundation Programme Office

Tel No: +356 2545 6883

Mater Dei Hospital, Msida, MALTA

- Upon receipt of a notification of appeal, the FSD will organise an Appeal Panel to convene within 20 working days of receipt of the letter.
 - The Appeal Panel will comprise:
 - The Chair of the Foundation School Board
 - The Clinical Director of Medicine
 - The Clinical Director of Surgery
 - Human Resources or Medical Workforce Representative
 - Lay person
 - The panel and the trainee will be provided with all relevant documentation at least 5 working days before the meeting. If the trainee wishes to submit a statement and any supporting documentation to the panel they must provide this at least 7 working days before the meeting in order to meet the 5 working day rule above. After this additional information will not normally be admitted unless it raises fundamental issues and/or could not reasonably have been submitted in time.
 - The FSD will be asked to attend to provide relevant oral evidence.
 - The decision as to whether to uphold the decision will be communicated to the F1 Doctor by the Appeal Panel representative within 5 working days of the meeting unless adjournment for further information is decided.
 - The possible decisions are:
 - to uphold the FSD's decision
 - to issue the F1 doctor with the Attainment of F1 competence document 5.1
 - There is no further right of appeal against the withholding of the Attainment of F1 competence document 5.1
 - A work colleague or individual from a Trade Union or other representative body may accompany the trainee at the appeal meeting.
- ^a for the purpose of this procedure, working days are Monday to Friday excluding Public Holidays.

4. Foundation Achievement of Competency document (FACD):

Appeals Process against failure to attain the FACD

4.1 Introduction

The second year of the Foundation Programme builds on the first year of training. The F2 year main focus is on training in the assessment and management of the acutely ill patient. Training also encompasses the generic professional skills applicable to all areas of medicine - team work, time management, communication and IT skills.



The Malta Foundation School will operate in accordance with the requirements set out by the Medical Council Malta's standards based on the UK Postgraduate Medical Education and Training Board/General Medical Council *Standards for Training for the Foundation Programme*, in order to determine whether a Foundation Year 2 (F2) Doctor has reached the standard necessary to attain Foundation Achievement of Competency.

The Malta Foundation School will process his/her FAC document. Any queries relating to the failure of an F2 Doctor to achieve a satisfactory level for certification will fall to the appropriate Foundation School Director.

4.2 Handling unsatisfactory performance

In the event that informal and remedial action do not achieve a satisfactory improvement within the prescribed timescale, it will be necessary to review performance/conduct in accordance with the agreed procedure. This action will be undertaken by the Trainee Support Team together with the Educational Supervisor.

The Trainee Support Team will make appropriate recommendations to the Foundation School Director (FSD) in relation to the withholding of an F2 Doctor's Foundation Achievement of Competency (FAC) document. In this situation a statement of the competencies achieved is normally issued instead.

The outcome will then be communicated to the F2 Doctor in writing, with confirmation of their right of appeal against the decision, and their right to be accompanied at an appeal meeting by a work colleague or an individual from a Trade Union or other representative body.

4.3 Appeals Process

Appeals must be submitted to the Foundation School within 14 days of receipt of notice of failure to gain the FAC document. Unless there is clear evidence to the contrary, receipt of the notice will be considered to be no later than three days after the date of sending.

- The Appeals Process is the responsibility of the Foundation School.
- Upon receipt of a notification of appeal, the FSD will organise an Appeal Panel to convene within 20 working days of receipt of the letter.
- The Appeal Panel will comprise:
 - The Chair of the Foundation School Board
 - The Clinical Director of Medicine
 - The Clinical Director of Surgery
 - Human Resources or Medical Workforce Representative
 - Lay person
- The panel and the trainee will be provided with all relevant documentation at least 5 working days before the meeting. If the trainee wishes to submit a statement and any supporting documentation to the panel they must provide this at least 7 working days before the meeting in order to meet the 5 working day rule above. After this additional information will not normally be admitted unless it

Appeals process 1.0



The Foundation Programme Office

Tel No: +356 2545 6883

Mater Dei Hospital, Msida, MALTA

raises fundamental issues and/or could not reasonably have been submitted in time.

- The FSD will be asked to attend to provide relevant oral evidence.
- The decision as to whether to uphold the decision will be communicated to the F2 Doctor by the Appeal Panel representative within 5 working days of the meeting unless adjournment for further information is decided.
- The possible decisions are:
 - to uphold the FSD's decision
 - to issue the F2 doctor with a FAC document
- There is no further right of appeal against the withholding of the FAC document
- A work colleague or individual from a Trade Union or other representative body may accompany the trainee at the appeal meeting.

^a for the purpose of this procedure, working days are Monday to Friday excluding Public Holidays.

