



Educational grievance policy

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1.0 Purpose

This policy sets out a mechanism for GP trainees to raise and resolve legitimate educational grievances in a non-adversarial manner and without fear of retaliation. It is supported by procedures outlining steps for the open and transparent assessment, investigation and resolution of grievances promptly, impartially and fairly. A detailed description of processes, roles and responsibilities and timeframes is set down in the procedure accompanying this policy. For every legitimate and documented grievance warranting review, the College aims to investigate and make recommendations consistently across the schemes and regions. Such investigations will be proportionate and reasonable compared to the severity of the allegations received. The reader can refer to Section 7.0 for a definition of a grievance.

2.0 Scope

The policy shall not be used to question a rule, procedure, or policy established by the Irish College of GPs (“the College” or “College”). Rather, it shall be used by a trainee who believes that a rule, procedure, or policy has not been followed or has been applied in an inequitable manner. An action may not form the basis of a grievance if the trainee merely challenges the judgment of College staff as medical educators in evaluating the performance of the trainee.

This process is available only to trainees who are currently enrolled in GP training and cannot be used by former trainees. Once a trainee has used this process, they cannot reinitiate it for the same issue. The process may only be invoked by the aggrieved trainee and not someone acting on their behalf. The process is not applicable to complaints about issues over which the College has no control.

3.0 Policy statement

3.1 General principles

3.1.1 Definition and initial reporting

A grievance is a situation in which a trainee seeks some form of redress or a change to a current matter directly related to their training programme. In general, the impact and effect on the trainee will have been significant and require a formal process of resolution.

Trainees are encouraged to report any breaches of College rules, internal policies and procedures to their Scheme Director in the first instance. Trainees and directing staff are encouraged to resolve issues through



collegial discussion. In those instances where further assistance is required in resolving a grievance, trainees should report the grievance to the College using the procedures set out below.

3.1.2 Confidentiality

All complaints will be handled with due consideration to confidentiality for both trainees and faculty. Complaints will remain confidential to those directly involved in the investigation. Any person named in a complaint (the subject) will be informed of the substance. The subject will have the right to reply as a part of the investigation. Only in very exceptional circumstances will the identity of the complainant be concealed from the person against whom the complaint is made.

3.1.3 Protection of complainants and subjects

The College will ensure that:

- No trainee bringing a complaint in good faith under this policy, whether successful or otherwise, will be treated less favourably than if the complaint had not been brought;
- Preference is always given to those methods which interfere least intensively with the personal rights of the subject(s) and which best guarantee the principles of data protection and fairness;
- The methods used are not disproportionate to the reported grievance;
- The rules, policies and procedures of the College are complied with.

3.1.4 Vexatious or mischievous complaints

Any reported grievance found to be vexatious or mischievous may be the subject of disciplinary action. This includes but is not limited to instances whereby a complaint is found to be without merit, where false information is submitted, or where the complaint is made with the intention of causing distress or disruption.

3.1.5 Anonymous complaints

An investigation is required to enable the resolution of a grievance. Where a complaint is made anonymously, it will not be possible to undertake an investigation, nor will it be possible to make a response to the complainant. Normally, no action will be taken in the event of complaints made anonymously. There may be exceptional circumstances where the College deems it appropriate to act on foot of or investigate a matter reported anonymously. The decision to investigate such a complaint will be made by the National Director of GP training in consultation with the GP Training Directorate.

3.1.6 Timescale for complaints

Trainees should raise grievances as soon as possible. To ensure that complaints are dealt with efficiently, trainees are asked to ensure that complaints are made within one month of the relevant event. Where a complaint is brought more than one month after the date of the issue being complained of, the trainee should clearly state the reason for the delay otherwise the College may deem that too much time has passed to permit and an effective investigation.

3.2 Grievance Management

The grievance management process is divided into six stages that are summarised below. For detailed procedures, refer to the Trainee Grievance Procedures.

1. Local resolution of grievances
2. Formal submission of grievance and initial assessment by the College
3. Investigation
4. Completion of the investigation report
5. Response to the complainant
6. Right to appeal

3.2.1 Stage 1: Local resolution of grievances

Trainees should, in the first instance, seek a resolution to the issue locally unless there are legitimate and objective reasons not to do so. This is to be done by raising the grievance directly with the relevant faculty member and/or scheme director. Should the resolution prove ineffective or unsatisfactory, then the trainee may forward their complaint to the College as set out in 3.2.2 below, as soon as it is practicable to do so and within a reasonable timeframe. Delays in formally submitting a grievance to the College can significantly impact its ability to effectively conduct an investigation.

3.2.2 Stage 2: Formal submission of the grievance and preliminary assessment by College

All formal grievances must be reported using the standard Grievance Notification Form and must include sufficient detail to enable the College to investigate it. Trainees submitting a grievance should consider the reason for the complaint and dates, times, witnesses and circumstances of the events(s). The Form must also describe any previous attempts at resolution, and where resolutions have been offered, why these have not been satisfactory. Where no attempts to resolve the issue locally have been made, the trainee must describe why this is so. Finally, the trainee may wish to suggest what steps they think could be taken to resolve the complaint.



The Complaints Officer oversees the educational grievance process and will aim to acknowledge receipt of a complaint within 5 working days or as soon as possible thereafter.

A preliminary assessment of whether a complaint comes within the scope of this policy will be undertaken by a Complaints Officer following identification and declaration of conflicts of interest. If the matter is appropriate for investigation, it will be referred to a Case Manager who will name a suitable Case Investigator for further evaluation, that is someone with subject matter expertise in relation to the matters grievance raised. The Complaints Officer may also recommend to the trainee to revisit the matter with the subject or may seek further information from the trainee. The Complaints Officer may also advise the trainee to have their complaint dealt with under another policy.

Matters which may lead to the initiation of an investigation at this stage include:

- Specific information, correspondence or documents supporting a grievance resulting from a specific event(s)
- Documented attempts were made by the trainee to seek resolution with their trainer/clinical supervisor/scheme director and conciliation failed.

Matters which may lead the College not to pursue with an investigation include:

- The grounds of the complaint are not related to any circumstance, person, event, or rule of the College;
- There has been no attempt to resolve the matter locally and no legitimate reasons are advanced for not doing so;
- The complaint is vexatious, frivolous, malicious, or otherwise plainly without merit;
- The matter is better dealt with under another policy or procedure;
- The complaint is submitted anonymously;
- The matter has been left for too long to be investigated appropriately.

If a trainee is dissatisfied with the decision of the Complaints Officer, they may appeal the decision in writing under the College's Appeals Policy.

3.2.3 Investigation

The Case Investigator will receive the complaint from the Case Manager and will conduct such investigations, including meeting with the trainee and / or subject, and seek such information as they require to determine a resolution to the matter under consideration.

Case managers and investigators are nominated to ensure objectivity, and they are obliged to confidentiality.

The Case Manager ensures that investigations are conducted according to the College grievance procedures. They also ensure the investigation steps are reasonable and they follow up on the implementation of any measures resulting from the investigation report.

The Case Investigator documents the case, identifies the relevant issues, collects evidence, conducts interviews, drafts their findings in an investigation report, and recommends resulting preventive and disciplinary measures, when appropriate.

Investigations usually consider two types of information:

- Information related to the complaint
 - Documentation;
 - Correspondence or conversations between the complainant and the named subject(s);
 - Interview notes;
 - Reports or decisions made by College staff.
- Relevant laws, procedures and policies
 - Legislation;
 - Irish Medical Council regulations;
 - Relevant College rules, policies and procedures.

3.2.4 Completion of the investigation report

Once the investigator has the necessary information, they will consider all the information to record their findings on the investigation report template.

A grievance can be substantiated, partially substantiated or unsubstantiated. In most cases, if a grievance is substantiated or partially substantiated, the investigator will recommend corrective and preventative actions to minimise the risk of recurrence.

The case manager and complaints officer will have the opportunity to comment on the draft investigation report regarding its completeness and reasonableness.

3.2.5 Response to the complainant

Upon completion of the investigation and finalisation of the report, the complaints officer will contact the complainant and subject in writing advising them of the decision. The decision shall contain the following:

- Whether the complaint has been substantiated, partially substantiated or unsubstantiated; and
- If appropriate, any consequent actions, or any recommendations that they may intend to make to other bodies or parties within the College to improve services based on the issues raised by the complaint or its handling.

If quality issues related to GP training policies, rules or procedures were identified during the investigation, the Case Manager will forward the investigation report to the National Director of Training and the Chair of the Quality Committee of GP Training in order for them to take appropriate action.

3.2.6 Right to appeal

Appeals will be considered where the trainee can demonstrate that there has been, on the balance of probability, an alleged procedural irregularity in the progress of an issue through the Educational Grievance Procedure.

Appeals will also be considered by the Appeals Committee where new evidence of mitigating circumstances is advanced to it which was not known or available during the educational grievance procedure. Evidence of mitigating circumstances may be advanced where:

- There is new evidence of a material nature that has become available only after the conclusion of the investigation or;
- Said new evidence was available but not produced to the case manager and investigator and the appellant can provide a satisfactory explanation for their failure to produce this evidence.

4.0 Recording of grievance information

The following information about a grievance can be collected and stored by the College:

- The details of the complainant (and any details of those authorised to represent the complainant);
- When and how the grievance was received;
- Descriptions of the grievance;
- The issues raised (such as concern that not all information had been considered);
- The complainant's desired outcome (if known);
- The nominated case manager and investigator responsible for handling the matter;
- All interview notes and relevant documentation;
- Any action taken, including all contact and response times;
- All correspondence, including emails and information provided by those involved;
- The outcome of the investigation;
- Any other information relevant to the matter, such as links to other grievances the person has raised or made, or notes about the handling of the matter;
- When the complaint was finalised.

Records will be kept in a secured SharePoint site maintained by the Complaints Officer. Personal and working copies of any information related to the investigation held by College staff or Faculty who were privy to the undertaking should be deleted.

5.0 Reporting

Quarterly reports will be provided to the GP Training Directorate and Quality Committee of GP Training to assess the performance of the grievance management process including against stated key performance indicators (KPIs).

6.0 Roles and Responsibilities

Complaints Officer	<ul style="list-style-type: none"> • Oversee the integrity of the educational grievance process • Nominate a case manager based on the nature of the grievance • Oversee requests for review of responses to complaints, where appropriate • Provide regular performance reports to the Quality Committee of GP Training • Oversee the effective day-to-day application of the Trainee Grievance Policy • Provide advice and support to the case manager • Centrally coordinate the resolution of all grievance • Ensure adequate recordkeeping of investigations in the Grievance SharePoint
Case Manager	<ul style="list-style-type: none"> • Coordinate investigation efforts • Review the investigation report
Case Investigator	<ul style="list-style-type: none"> • Conduct the investigation • Write the investigation report
College employees	<ul style="list-style-type: none"> • Treat all people with respect, particularly people who provide feedback or make complaints • May be called upon to act as case manager or case investigator depending on the facts of the grievance • Assist people who wish to provide feedback and/or make complaints • Where possible resolve complaints through open dialogue with the line manager, scheme director or other relevant person • Support other teams to resolve complaints by providing information and advice promptly, when requested • Provide feedback to the complaints officer on issues and trends arising from the grievance management process • Assist with the implementation of improvements to the grievance management process and/or GP training programme delivery and performance. •
Trainees	<ul style="list-style-type: none"> • Treat all people with respect, particularly people who provide feedback or make complaints • Assist people who wish to provide feedback and/or make complaints • Where possible resolve complaints through open dialogue with the line manager, scheme director or other relevant person • Document feedback and/or complaints in the grievance form • Support other teams to resolve complaints by providing information and advice promptly, when requested

7.0 Definitions

Concerns	A concern is generally a situation in which a trainee considers appropriate academic or professional standards directly related to their training programme have not been met or wishes to raise a query with the College about an issue or concern. The impact on the trainee has not been significant and it is likely a resolution can be met by direct, informal discussion with the parties involved.
Grievance	Grievance is generally a situation in which a trainee seeks some form of redress or a change to a current situation directly related to their training programme. The impact and effect on the trainee have been significant and require a formal process of resolution.

8.0 Related and supporting documentation

- Educational Grievance Notification Form
- Educational Grievance Procedure
- Educational Grievance Investigation Report Template
- Appeals Policy

9.0 Contact

Quality Assurance and Enhancement

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