

GUIDELINES TO RESOLVING COMPLAINTS

2024

SURGICAL AFFAIRS					
Document Title	Guidelines to Resolving Complaints				
Revision Level	Revision Date	Document Number	Description of Revision	Document Owner/Author	Approved By
Draft	01/06/2021	QMS TBC	Initial draft	CG/PM	
Draft Rev 04	09/09/2021	QMS TBC	Updated draft following initial feedback	CG/PM/PK	ISPTC
Rev 04	01/11/2021	QMS TBC	Updated to formal guideline	CG/PM/PK	
Rev 05	23/09/2024	QMS TRN-49	updates/H&WB	SDixon/ CMcGuinness	ISPTC

Purpose

This document sets out the process and guidelines when an individual wishes to raise a complaint formally or informally. The College recognises that at times during a trainees or students journey difficulties can arise and individuals may have reasonable cause to raise a complaint.

This guidance applies to a range of scenarios that may arise. These can include but are not exhaustive to the following:

- Interactions with trainers, trainees or students, members of academic or clinical staff,
- Matters of concern relating to a training rotation or clinical attachment as designated by the Specialty Training Committee (STC)
- General procedures as per the trainee guidance documents e.g. HST or CST training guides
- General procedures as per RCSI/ Surgical Affairs policies and procedures for both training and academic programmes

RCSI aims to provide the very best training and educational experience for trainees and students in our Surgery, Emergency Medicine and Academic programmes.

In Scope

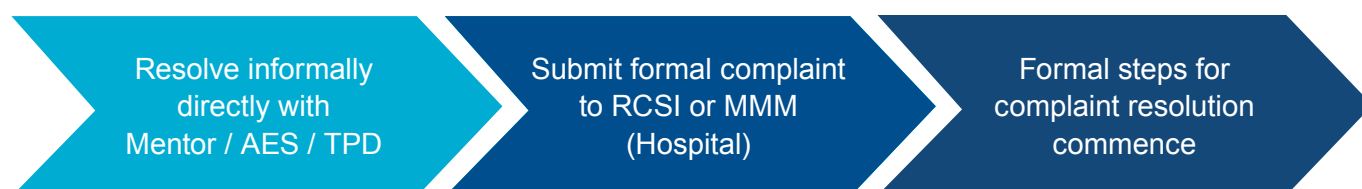
The procedure laid out in this document applies to all RCSI registered applicants, students, trainees and trainers of the following programmes;

- National Surgical Training Programmes (Core & Specialty)
- National Emergency Medicine Training Programme (Core & Specialty)
- RCSI Accredited Fellowship Programmes
- Surgical Affairs Academic Programmes

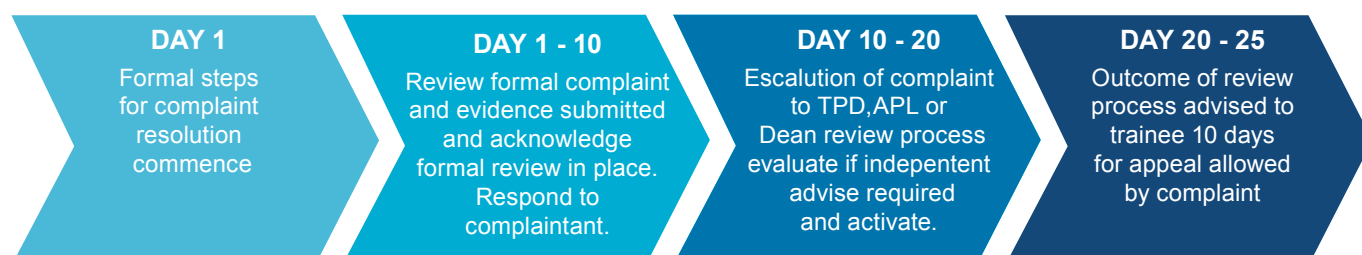
Out of Scope

- The decisions of individual Assessors and the Board of Examiners in all matters relating to the ordinary and conventional operation of academic judgement are final and cannot be appealed. For the purposes of this document, academic judgement is considered to be the professional and scholarly knowledge which members of College staff and/or external examiners draw upon in reaching an academic decision.
- Issues relating to the MRCS and FRCS examinations are outside the scope of this document. All the information regarding appeals for MRCS and FRCS examinations are available online through the intercollegiate website (<http://www.intercollegiatemrcsexams.org.uk>).
- Issues terms and conditions of employment as per a trainees' contract with their employer – Health Service Executive (HSE). Employment in a training site is subject to the local recruitment and other employment policies.

Resolving complaints



Timeline



Principles of Informal Resolution: Trainees or Students are requested to direct initial complaints to their

1. Specialty administrator, Mentor or Approved Educational Supervisor as appointed by the Specialty Training Programme or Academic programme.

Trainees/Students are advised to make contact at an early stage and it is envisaged that the majority of issues identified can be successfully addressed by informal discussion.

2. If the trainee/student believes that the nature of their complaint cannot be addressed informally or if the informal process has not concluded to the satisfaction of the individual a formal complaint process can be instigated. (see below process)
3. In order to progress the complaint to the next phase the issues will be escalated to the Specialty Training Programme Director (TPD) or Academic Programme Lead.
4. The TPD or APL will invite the individual to discuss the complaint, by outlining the key issues and will then attempt to resolve the matter informally. If at this point an individual believes the issue remains unresolved or is not satisfied with the response, then they will be invited to submit a formal complaint

Formal Complaint:

An individual must make a formal complaint in writing.

Depending on the nature or severity of the complaint brought forward the Director of the National Postgraduate Surgical Programmes or Dean of Vice Dean of Emergency Medicine will make a recommendation on resolution of same an example of this this could be;

- Face to face meeting with the complainant to discuss the complaint
- Remediation with the complainant and TPD /AES or nominee to agree a formal resolution for both parties
- Refer to Specialty Committee and Irish Surgical Postgraduate Training Committee (ISPTC) for review and discussion.

External advice or support maybe be sought in order to resolve the complaint in a fair and transparent manner for all parties. e.g ISPTC, Specialty Association representative.

The timeline for resolution of a formal complaint should were possible not exceed 30 days. In the case of a complaint been referred to an external party time will need to be allowed to assemble members but should not exceed a maximum of 6 weeks in total.

Where a complaint has been made against a staff member or an academic staff member of RCSI the Associate Director for Surgical Affairs will refer the complaint to their Head of Department, as appropriate, and the Human Resources ("HR") Department. The complaint will be addressed in accordance with the relevant RCSI HR policies and procedures.

Any complaint against the a senior member of staff including the Director of National Surgical Training Programmes, Dean of Emergency Medicine or Associate Director of Surgical Affairs will be referred directly to the MD of Surgical Affairs for review with HR.

Appeals

If the complainant is not satisfied with the recommendations made or resolution of the complaint, they may seek to submit an appeal. The appeals process can found at <https://msurgery.ie>

If the complainant elects to submit an appeal by post or email, such appeal and all supporting documentation, should be sent to:

Appeals Administrator, Department of Surgical Affairs, Royal College of Surgeons in Ireland, 121 St Stephen's Green, Dublin 2 or appealsadmin@rcsi.ie

If an appellant should have any questions about the correct procedure for appeal, they are advised to contact the **Department of Surgical Affairs Department** by emailing (appealsadmin@rcsi.ie).

Hospital Complaints

Trainees are assigned to training posts in accredited Training Hospitals hold a HSE/NCHD contract. If a dispute arises directly linked to on-site work / working relationships, RCSI will direct the trainee to report any such issue to their Medical Manpower manager or nominee in the hospital. Resolution of complaints directly related to the hospital site should be managed via the Hospital policies and guidelines depending on the nature of the complaint. Trainees are advised to bring this to the attention of their TPD as a matter of noting and if additional external support or a representative from the training body or specialty is deemed appropriate and this will be available.

Protected Disclosure

If a trainee/student witnesses harassment or inappropriate conduct, you are strongly encouraged to refer to page 35 / Surgical Affairs Doc No: SA-POL-STP-010 Revision No: 09.0. Report it to their employer and/or appropriate authorities. They can of course, if appropriate, make a Protected Disclosure under the Protected Disclosures Act 2014. Protected Disclosures can be emailed confidentially to rcsiombudsman@protecteddisclosure.ie

Confidentiality and Data Protection

RCSI is GDPR Compliant should you have any queries on GDPR please contact dataprotection@rcsi.ie

RCSI Complaint Form

Section 1

Name:		Year of training:	
Specialty: or Academic Programme:		TPD:	
Outline of Complaint	See below for additional information		
Date			

Section 2

Please provide a brief description under the headings below;

Describe the complaint (please do not make any direct reference to another person by name)

Guidelines to Resolving Complaints

Have you brought this matter to the attention of your Trainer / AES or another member of the clinical or administrative team at your hospital or within the RCSI (Who else is aware of this?)

What action has already been taken? If any?

Have you informed or discussed this directly your Mentor, AES or TPD in advance of submission of this complaint and if so what was the outcome of this discussion (if appropriate.)

If appropriate please attach any documentary evidence that you belief is relevant to the complaint (policy guideline etc)

Any other comments please provide

Signature

Date

Received by

The subject of this form may request, under the General Data Protection Regulation (GDPR) and the Data Protection Action 2018, as amended to see personal information as contained on this form. Where disclosure of such information would reveal your identity, we cannot disclose the information without your consent.