**NHS England North West Non-ARCP Appeals Process: Postgraduate Medical and Dental Education**

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| Version: | 11 |
| Ratified by: | Roisin Haslett, Postgraduate DeanStephen Atkinson, Regional Head of Function  |
| Date ratified: | 15 March 2021 |
| Name and Title of originator/author(s): | Bev Miller – Project Manager, Deanery IntegrationVersion 10.1 onwards – Janet Brown – Business/Programme Manager |
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| Date issued: | 11th October 2024 |
| Review date: | 31st July 2025 |
| Document Version | Version 12: 11th October 2024 |

# Background

This process applies to appeals from specialty resident doctors and dentists including those in General Practice and core training, relating to decisions that affect their training such as:

* Out of Programme (OOP) requests
* Less than Full Time Training requests
* Deferred start of programme requests
* Processes outside of the training programme requiring School support (e.g. support for CEGPR applications: Resident doctor/dentists who have left a programme re-applying for specialty training)

Foundation resident doctors should refer to the Foundation Complaints/Appeals Process: <https://www.nwpgmd.nhs.uk/foundation-policies-and-processes>

This process does **not** apply to appeals regarding:

[Inter-Deanery Transfers (IDT)](https://specialtytraining.hee.nhs.uk/Resources-Bank)

[Study Leave](https://www.hee.nhs.uk/sites/default/files/documents/National%20Study%20Leave%20Appeals%20Process%20FINAL%20NOV%202020%20%28002%29_0.pdf)

[Recruitment](https://nwpgmd.nhs.uk/sites/default/files/mdrs%20complaints%20policy%202021.pdf)

(resident doctor/dentists should use the relevant appeal/complaint mechanism if their appeal relates to these areas.)

This process does **not** apply to exceptional circumstances requests (Dean to Dean transfers) which are at the Dean’s discretion.

This process provides a mechanism by which resident doctor/dentists can appeal against a decision where they have evidence that the process that led to the decision was not followed correctly; or that there appeared to be bias, resulting in unfair treatment; or that information has now come to light which was not known at the time of the original decision and may have influenced the outcome.

# Principles

1. The resident doctor/dentist must submit their appeal in writing to the relevant section manager as follows:

* Programme Support Business Manager (Hospital & Community Care & Public Health) NHS England - North West (Anaesthesia, Paediatrics, Obstetrics & Gynaecology,, Radiology, Pathology, Psychiatry, Emergency Medicine and Acute Care Common Stem)

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* Programme Support Manager (General Practice), NHS England – North West (General Practice)

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2. A resident doctor/dentist cannot appeal simply because they disagree with a decision and must provide evidence to substantiate the basis for the appeal.

3. There are 3 grounds for an appeal, all of which require documentary evidence:

* The process that led to the decision was not followed correctly
* The decision being appealed against was made in a prejudicial way or there is evidence of prejudice or bias
* Information has now come to light which was not known when the original decision was taken, and it may have influenced the outcome

4. Any appeal must be submitted within 10 working days of the date of the decision being appealed against.

5. The decision of the Postgraduate Dean is final and resident doctor/dentists will be notified of the outcome in writing by the relevant section manager. We aim to return a decision within 18 working days from receipt of the appeal.

6. Resident doctor/dentists can withdraw their appeal at any stage, by writing to the relevant Programme Support Business Manager.

# Process

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| **Step** | **Action** | **Timescale** *(from receipt of appeal)* |
| **1** | Appeal received in writing from resident doctor/dentist (using form) and acknowledged by the relevant Programme Support Business Manager.  | Within 3 working days |
| **2** | The Programme Support Business Manager prepares a brief summary of the case with input from the TPD/HoS and submits to england.complaints.nw@nhs.net for consideration at the next Responsible Officers Discussion group (ROAG)There may be occasions where extra information will need to be requested which may impact the timescale.  | Within 10 working days |
| **3** | The decision is confirmed by ROAG with a brief summary of the rationale. The School Programme Support (Business) Manager informs the resident doctor/dentist & TPD/Head of School of the decision. The decision is final. | Within 5 working days |