WORKPLACE-BASED ASSESSMENT: ASSESSMENT REVIEW POLICY

Scope

This policy applies to medical practitioners employed by Western Australian (WA) Health, which incorporates the following entities:

- Department of Health
- Metropolitan Area Health Service
- Peel Health Service
- WA Country Health Service

This policy applies only to WA Health entities providing the Workplace Based Assessment (WBA) program and should be read in conjunction with the WBA Assessment Review Guidelines.

Policy Statement

WA Health is committed to and supports the principles of procedural fairness and equitable treatment of candidates of the WBA program.

WBA candidates will be able to access a range of processes to promote a satisfactory resolution.

All stages of the assessment review processes will be managed by a person or persons with the knowledge, expertise and authority to resolve the issue.

Purpose

The intention of the policy and supporting guidelines is to:

- describe the circumstances that may form the basis of a candidate’s request for an assessment review;
- describe the procedure for requesting an assessment review; and
- describe the responsibilities of all parties involved in an assessment review.

This policy contains the following attached documents:

- WBA Assessment Review Guidelines
- WBA Assessment Review Administrative Process flowcharts.
Definitions

An **Appeal**, as it relates to this policy and guidelines is the process available to a candidate who does not agree with the outcome of a re-evaluation.

The **Appeal process** is a formal, independent and external review mechanism available to a candidate who does not agree with the outcome of a re-evaluation.

An **Assessment Review** is an informal internal review mechanism for a candidate to raise ‘**concerns over the circumstances associated with the assessment**’.

A **Candidate**, for the purposes of this policy and these guidelines, is a participant of the WBA program.

The **Delegated Officer**, in relation to this policy and guidelines is appointed by the employer and is suitably qualified, independent of the candidate and provided with the authority to undertake reviews in response to a candidate’s request for an assessment review, re-evaluation or appeal.

**Natural Justice**, as it relates to this policy and guidelines, concerns the concept of fairness, which can be described as ‘justice should be done and is seen be done’.

**Procedural Fairness** principles are required in the resolution of assessment reviews, re-evaluation and appeal processes and include:

- the ‘decision maker’ declaring any interest and stepping aside if it could be deemed that the decision was arrived at for reasons other than the merits of the case;
- the ‘decision maker’ should grant a hearing to any person whose interests will be affected by the exercise of that decision before a decision is made;
- each party has the right to obtain the advice of a suitably qualified person to advise, represent and/or support them in dealing with the complaint. This could be a person or persons internal and/or external to the organisation;
- reviewing and evaluation of issues will be undertaken in accordance with the ‘**WBA Assessment Review Guidelines**’ specified timelines; and
- all parties to the process will be provided with information on meeting times and locations, and will be given reasonable time to prepare.

The **Re-evaluation process** is a formal internal review mechanism available to a candidate who does not agree with the outcome of an assessment review.
A **Re-evaluation Request**, as it relates to this policy and these guidelines, is the process available to a candidate who does not endorse the outcome of an assessment review.

Any request for a re-evaluation under this policy must comply with the ‘**WBA Candidate’s Guide**’. The scope of a re-evaluation shall not extend to matters falling under other public sector standards or to matters where the resolution process is mandated by legislation or regulation.

Matters which fall outside the scope of this policy because they have legislative or regulatory mandated processes in place to facilitate resolution include:

- workers compensation matters;
- occupational safety and health matters;
- disputes over the application or operation of Awards and/or Agreements;
- disputed compensation or reclassification claims, including alleged denied contractual benefits, underpayments or those within the scope of the Industrial Magistrates Court;
- industrial relations matters that are the subject of application to the West Australian Industrial Relations Commission or Fair Work Australia;
- equal opportunity matters, including those subject to applications to the Equal Opportunity Commission or Tribunal; and
- Public Interest Disclosure.

A **Request for an Assessment Review** as it relates to this policy and these guidelines is as a result of a candidate’s ‘concern over the circumstances associated with the assessment’.

These circumstances can include events which are outside the control of the candidate, supervisor/assessor, which may impair the candidate’s performance. These include but are not limited to:

- the candidate is unable to complete the assessment due to illness\(^1\);  
- the patient becomes unavailable e.g. a change in condition status or is attending a clinical procedure; and  
- the supervisor/assessor did not administer the assessment in accordance with the terms detailed in the ‘**WBA Candidates’ Guide**’.

Matters which fall outside the definition of circumstances associated with the candidate’s assessment, as they relate to this policy and these guidelines will not be considered.

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\(^1\) In circumstances where illness is cited by the WBA candidate as the reason for the inability to complete an assessment, a medical certificate must be supplied to support the application.
Principles

1. The principles of ‘natural justice and procedural fairness’ will apply in the resolution of assessment reviews, re-evaluation and appeal processes.
2. The confidentiality of all processes and documentation associated with an assessment review, re-evaluation or appeal process is to be maintained at all times.
3. Candidates will make every effort to resolve the issue informally via the assessment review process before progressing to more formal and structured processes.
4. The complaint may be dismissed at any stage in the review or resolution of an assessment review, re-evaluation or appeal, where the delegated officer, as appointed by the employer, determines that the issue:
   - is not in keeping with the definition of circumstances associated with the candidate’s assessment; or
   - is considered as being frivolous, vexatious, misconceived or lacking in substance.
5. The issue can continue to be investigated by the delegated officer if there is a potential for impact on other candidates.
6. The candidate may withdraw a request for assessment review, re-evaluation or appeal at any stage of the process.
7. All requests for assessment review, re-evaluation and appeals will be considered in accordance with the timelines noted in the supporting ‘WBA Assessment Review Guidelines’. In circumstances where this timeline will not be met, the delegated officer will inform all parties in writing of the delay and reasons for the delay.
8. All parties may be accompanied to meetings/discussions by a support person of their choice.
9. Unless significant new information that may alter the outcome of an original finding becomes available, an assessment review, re-evaluation or appeals will only be investigated once by the delegated officer/ appeal committee.

Supporting Documents
_Workplace Based Assessment Candidate’s Guide_

Relevant Legislation
_Health Practitioner Regulation National Law (WA) 2010_
_Health Practitioner Regulation National Law Act 2009_

Accessing Policies
WA Health policies are located on:
Authority

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This document has been developed in accordance with the WA Health Workforce Policy Development Framework. This policy remains effective for the duration of the Workplace Based Assessment pilot program.

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Please Note:
The links in this document are provided as a service. Links to documents can be volatile. If the link is broken you may need to search for the document.
WORKPLACE-BASED ASSESSMENT
ASSESSMENT REVIEW GUIDELINES

Overview
The workplace-based assessment (WBA) program has been developed for standard pathway international medical graduates\(^2\), as an alternative pathway to the Australian Medical Council’s (AMC) clinical examination to obtain general registration. For further information on the assessment pathways please refer to the AMC website accessible via the following link: http://www.amc.org.au/.

The WBA program assesses a candidate’s clinical performance through 29 workplace-based assessments across a range of clinical areas.

The AMC has established that, to maintain good standing in the program, a candidate must achieve a satisfactory rating in 16 of the 18 direct and indirect assessments, in all the summative supervisors’ reports, and in both multi-source feedback reviews, as detailed in the WBA Candidate’s Guide.

The review of any assessment, re-evaluation, or appeal is limited to the scope and definitions outlined in the WA Health WBA Assessment Review Policy.

Introduction
These guidelines should be read in conjunction with the WA Health WBA Assessment Review Policy.

The WBA Assessment Review Policy (the Policy) ensures that candidates are able to raise and address concerns over the circumstances associated with their assessment in a fair, equitable and prompt manner. The WBA Assessment Review Guidelines (the Guidelines) apply to any Assessment Review, re-evaluation or appeal, as defined in the Policy.

These guidelines apply to all WA Health sites providing the WBA program. These guidelines do not apply to matters that are not defined in the Policy, or where alternative public sector standards, or WA Health policies and guidelines exist.

Additionally, matters which have legislated or regulatory mandated processes in place to facilitate the resolution of grievances are excluded from the scope of the Policy and these Guidelines.

In these circumstances, alternative advice and recourse may be sought by the WBA candidate.

\(^2\) An International Medical Graduate has achieved their primary medical qualifications outside of an Australian or New Zealand accredited medical school.
Procedures
The Assessment Review process seeks to provide solutions to a candidate’s ‘concern over the circumstances associated with the assessment’ initially through an informal and internal review mechanism, prior to initiating the more formal and structured processes of a re-evaluation or an appeal if the matter is not resolved.

There are three separate processes available to the candidate who does not accept the workplace based assessment outcomes. They are:
1. Assessment Review – a informal, internal review mechanism;
2. Re-evaluation Request – a formal, internal review mechanism; and
3. Appeal Request – a formal, external review mechanism.

1. ASSESSMENT REVIEW

Introduction and Purpose
The Assessment Review is an informal internal review mechanism for the candidate to raise a real or perceived ‘concern over the circumstances associated with the assessment’, as defined in the Policy.

Assessment Review Processes
The Assessment Review process should be read in conjunction with the Assessment Review timeline and process flowchart (Attachment 1).

1.1. A candidate lodging a request for an Assessment Review, must do so in accordance with the following requirements:
1.1.1. complete and lodge the ‘Assessment Review’ request form (Attachment 4) with the employer, within the timeframe detailed in Section 4 of this guideline.

1.2. The employer must acknowledge the Assessment Review request via the candidate’s ‘work email address’, which is accessible through the WA Health Global address list.

1.3. An officer independent of the candidate’s original assessment will be delegated by the employer to undertake the Assessment Review.

1.4. The delegated officer undertaking the Assessment Review will consider:
1.4.1. the candidate’s ‘Assessment Review’ request form;
1.4.2. all original assessment documentation; and
1.4.3. interviewing the supervisor/assessor and /or the candidate, if required.

1.5. The delegated officer, on completing the review of the original assessment, will:
1.5.1. meet with, and provide the candidate with verbal feedback regarding the outcome of the Assessment Review;
1.5.2. provide written feedback on the outcome; and
1.5.3. inform the candidate of their options in regard to the outcome of the Assessment Review.
1.6 The candidate, on receiving the outcome of the Assessment Review, must return the signed Assessment Review report form to the employer within the timeframe detailed in Section 4 of these guidelines.

1.7 If a candidate does not accept the Assessment Review outcome and wishes to request a re-evaluation, a request for a re-evaluation must be completed and lodged with the employer, in accordance with the timeframe detailed in Section 4 of these guidelines.

1.8 The employer finalises the Assessment Review documentation and notes the outcome in the candidate’s file.

2. **RE-EVALUATION REQUEST**

**Introduction and Purpose**
A re-evaluation is a formal internal review mechanism available to a candidate who does not endorse the outcome of an Assessment Review. It is a separate, independent review into any ‘concern over the circumstances associated with the assessment’.

**Re-evaluation Process**
The Re-evaluation Process should be read in conjunction with the Re-evaluation Request timeline and process flowchart (Attachment 2).

2.1 A candidate lodging a request for a re-evaluation, must do so in accordance with the following requirements:

2.1.1 complete and lodge the ‘Re-evaluation Request’ form (Attachment 5) with the employer; and

2.1.2 the request form must be lodged within the timeframe detailed in Section 4 of these guidelines.

2.2 The employer must acknowledge the re-evaluation request via the candidate’s ‘work email address’, which is accessible through the WA Health Global address list.

2.3 An officer, independent of the candidate’s original assessment and Assessment Review, will be delegated by the employer to undertake the Re-evaluation Process.

2.4 The delegated officer undertaking the Re-evaluation Process will consider:

2.4.1 the original assessment;

2.4.2 the Assessment Review process;

2.4.3 the Assessment Review outcome and rationale behind the decision; and

2.4.4 any additional information/material considered relevant to the investigation process, and will consider interviewing the supervisor/assessor who undertook the original assessment, the delegated officer of the Assessment Review, and / or the candidate if considered necessary.
2.5 The delegated officer, on completion of the analysis of the re-evaluation, will:
   2.5.1 meet with, and provide the candidate with verbal feedback regarding the outcome of the Assessment Review;
   2.5.2 provide written feedback on the outcome; and
   2.5.3 inform the candidate of their options in regard to the outcome of the re-evaluation.

2.6 The candidate, on receiving the outcome of the re-evaluation, must return the signed re-evaluation report form indicating their decision to the employer within the timeframe detailed in Section 4 of these guidelines.

2.7 If a candidate does not accept the re-evaluation outcome and wishes to request an appeal, he/she should complete and lodge a request for an appeal with the employer, in accordance with the timeframe detailed in Section 4 of these guidelines.

2.8 The employer finalises the re-evaluation documentation and notes the outcome in the candidate’s file.

3. APPEAL REQUEST

Introduction and Purpose
The Appeal Process is a formal external review mechanism accessible to a candidate who does not endorse the outcome of a Re-evaluation Review. It enables the candidate to request an additional independent review into his/her ‘concern over the circumstances associated with the assessment’.

Candidates must demonstrate in their request that they have exhausted all other avenues to seek a resolution to the issue.

The WBA Appeal Committee (the Committee) will undertake the investigation. The Committee will be convened by the employer, and will comprise delegated officers independent of the candidate’s original assessment, Assessment Review and Re-evaluation Review, who are not employed within the hospital in which the candidate is based.

Appeal Process
The Appeal Process should be read in conjunction with the Appeal Request timeline and process flowchart (Attachment 3).

3.1 A candidate lodging a request for an appeal must do so in accordance with the following requirements:
   3.1.1 complete and lodge the ‘Appeal Request’ form (Attachment 6) with the employer, within the timeframe detailed in Section 4 of these guidelines; and
   3.1.2 pay the appeal fee at the time of lodging the ‘Appeal Request’ form.
3.2 The employer must acknowledge the appeal request via the candidate’s ‘work email address’, which is accessible through the WA Health Global address list.

3.3 The Committee will consider:
3.3.1 the original assessment;
3.3.2 the assessment process;
3.3.3 the Assessment Review outcome and rationale behind the decision;
3.3.4 the Re-evaluation Process; and
3.3.5 any additional information/material considered relevant to the investigation process, and will consider interviewing the supervisor/assessor of the original assessment, the delegated officer of the Assessment Review, the delegated delegated officer of the Re-evaluation Review and the candidate.

3.4 The Committee, on completion of the investigation and analysis of the appeal request, will:
3.4.1 meet with, and provide the candidate with verbal feedback regarding the outcome of the assessment review;
3.4.2 provide written feedback on the outcome; and
3.4.3 inform the candidate of his/her options in regard to the outcome of the Appeal Process.

3.5 The candidate, on receiving the outcome of the appeal, must return the signed appeal request report form indicating his/her decision to the employer within the timeframe detailed in Section 4 of these guidelines.

3.6 If a candidate does not accept the Appeal Process outcome and wishes to lodge an appeal request with the AMC Appeal Committee, he/she should complete and lodge a request for an appeal with the AMC, in accordance with the timeframe detailed in Section 4 of these guidelines.

3.7 The employer finalises the Appeal Process documentation and notes the outcome in the candidate’s file.

4 REVIEW TIMELINE

The review timeline section should be read in conjunction with the flowcharts of the:
- Assessment Review timeline and processes (Attachment 1);
- Re-evaluation timeline and processes (Attachment 2); and
- Appeal timeline and processes (Attachment 3).
Assessment Review Timeline
1. The candidate must lodge an ‘Assessment Review’ request form with the employer no later than 4 working days after receiving the supervisor/assessor feedback on the assessment.
2. The timeline for the Assessment Review process is from 1 to 15 working days after the employer receives the candidate’s correctly completed ‘Assessment Review’ request form.
3. The candidate, on receiving the outcome of the Assessment Review, must return the signed Assessment Review report form to the employer within 2 working days.
4. Should the delegated officer require an extension to the proposed timeframe, this will be communicated in writing to all parties involved in the Assessment Review.

Re-evaluation Process Timeline
1. The candidate must lodge a ‘Re-evaluation’ request form with the employer no later than 2 working days after returning a signed Assessment Review report indicating that he/she does not accept the delegated officer’s decision in the Assessment Review.
2. The timeline for the Re-evaluation Process is from 1 to 16 working days after the employer receives the candidate’s correctly completed ‘Re-evaluation Request’ form.
3. On receiving the outcome of the Re-evaluation Review, the candidate must return the signed re-evaluation report form indicating his/her decision to the employer within 2 working days.
4. Should the delegated officer require an extension to the proposed timeframe for investigating the re-evaluation request, this will be communicated in writing to all parties involved in the Re-evaluation Process.

Appeal Process Timeline
1. The candidate must lodge an ‘Appeal Request’ form with the employer no later than 5 working days after returning a signed re-evaluation report indicating that he/she does not accept the delegated officer’s decision.
2. The timeline for the investigation and Appeal Process is from 15 to 20 working days after the employer receives the candidate’s correctly completed ‘Appeal Request’ form.
3. On receiving the outcome of the Appeal Process, the candidate must return a signed appeal report form indicating his/her decision to the employer within 5 working days.
4. The candidate must lodge an appeal with the AMC Appeal Committee no later than 20 working days after returning the signed appeal report form indicating that he/she does not accept the decision of the WBA Appeal Committee.
5. Should the WBA Appeal Committee require an extension to the proposed timeframe for investigating the appeal request, this will be communicated in writing to all parties involved in the Appeal Process.
5 THE PARTIES' ROLES AND RESPONSIBILITIES

1. The Candidate:
   - in electing to lodge an Assessment Review, acknowledges responsibility to seek and support the resolution of the issue/s and to cooperate with the process.
   - must provide evidence to support the request.
   - may withdraw a request for an Assessment Review, Re-evaluation or Appeal at any stage of the process.
   - must submit a written withdrawal request.

2. The Delegated Officer:
   - is an independent officer delegated by the employer to review, investigate and assess a candidate’s 'concern over the circumstances associated with the assessment'.
   - may, in circumstances where the candidate withdraws his/her request for an Assessment Review, Re-evaluation or Appeal, continue to investigate the matter.
   - conducts all reviews and investigations in accordance with the principles detailed in the Policy and these Guidelines.

6 CONFIDENTIALITY

The employer must ensure that all parties are made aware that confidentiality must be maintained at all times during the Assessment Review, Re-evaluation or Appeal Processes.

A candidate who refers the matter to a personal representative must advise them that they are bound by confidentiality restrictions.

A breach of confidentiality is a breach of WA Health’s Code of Conduct and may result in disciplinary action under Part 5, Division 3 of the Public Sector Management Act 1994. The Code of Conduct website can be accessed at: http://intranet.health.wa.gov.au/code/home/index.cfm

7 DOCUMENTATION

The management and resolution of Assessment Review, Re-evaluation and Appeal Processes must be documented appropriately.

Documentation should:
   - have due regard to the requirements of the Freedom of Information Act 1992;
   - describe clearly and concisely the process;
   - describe clearly and concisely the grounds on which decisions have been made; and
   - be dated and signed by relevant parties.
Record Keeping:
- all documentation associated with an Assessment Review, Re-evaluation and Appeal Process will be kept in the candidate’s confidential file in secure storage by the employer.

8 SUPPORTING DOCUMENTS

- Workplace-Based Assessment Candidate’s Guide

Please Note:
The links in this document are provided as a service. Links to documents can be volatile. If the link is broken you may need to search for the document.
Supervisor/Assessor provides feedback of a failed assessment to Candidate

Candidate decides on assessment

Candidate does not accept assessment

Candidate has 4 working days to lodge Assessment Review Request form with employer

Employer acknowledges receipt of form; Delegated Officer reviews feedback

Delegated Officer decides on assessment

Delegated Officer does not uphold assessment; Delegated Officer offers Candidate a resit assessment with approved Supervisor/Assessor

Supervisor/Assessor provides feedback on resit assessment to Candidate

Candidate decides on resit assessment

Candidate decides on findings

Candidate does not accept assessment/findings; Candidate lodges re-evaluation form

Candidate accepts assessment/findings; no further action

Delegated Officer upholds assessment; Delegated Officer informs Candidate of findings
Delegated Officer provides feedback of a failed reassessment to Candidate

Candidate decides on reassessment

Candidate does not accept reassessment

Candidate has 2 working days to lodge Re-evaluation Request form with employer

Employer acknowledges receipt of form; Delegated Officer reviews feedback

Delegated Officer decides on reassessment

Delegated Officer upholds reassessment; Delegated Officer informs Candidate of findings

Candidate decides on findings

Delegated Officer does not uphold reassessment; Delegated Officer offers Candidate a resit assessment with approved Supervisor/Assessor

Candidate decides on findings

Candidate does not accept findings; Candidate lodges appeal

Candidate accepts reassessment/findings; no further action
Delegated Officer provides feedback of a failed re-evaluation to Candidate

Candidate decides on re-evaluation

Candidate does not accept re-evaluation

Candidate has 5 working days to lodge Appeal form and appeal fee with employer

Employer acknowledges receipt of form and fee; Appeal Committee reviews feedback

Appeal Committee decides on re-evaluation

Appeal Committee upholds re-evaluation; Chair of Appeal Committee informs Candidate of findings

Candidate decides on findings

Appeal Committee does not uphold re-evaluation; Chair of Appeal Committee offers Candidate a resit assessment with approved Supervisor/Assessor

Candidate does not accept findings; Candidate lodges appeal with the AMC’s Appeal Committee

Candidate accepts re-evaluation/findings; no further action
WA Health – WBA Assessment Review Policy and Guidelines

Attachment 4 – Assessment Review Request Form

Application for an Assessment Review

Candidate’s Name: ________________________________

Assessor’s Name: ________________________________

Assessment Date: ________________________________

Assessment method: (Please tick one)  Mini-CEX □ DOPS □ CBD □

Clinical Area: ______________________________________

Clinical Dimension / Skill: ______________________________

Reason for Assessment Review request: ______________________________________

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(if additional space is required for your request, please detail it on a separate document and attach it to the assessment review request form for submission).

Signed: ___________________________________________ Date: _______
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Application for an Appeal

Candidate's Name: ________________________________

Original Assessor: ________________________________

Assessment Reviewer: ________________________________

Evaluator: ________________________________

Assessment method: (Please tick one) Mini-CEX DOPS CBD

Clinical Area: ________________________________

Clinical Dimension / Skill: ________________________________

Assessment Review outcome: ________________________________ Date: ______

Re-evaluation outcome: ________________________________ Date: ______

Reason for Appeal: ________________________________

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Signed: ________________________________ Date: _____
# Application for Appeal Request Form

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