



Educational grievance procedures

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1.0 Purpose

These procedures support the Educational Grievance Policy and outline steps for the open and transparent assessment, investigation and resolution of grievances promptly, impartially and fairly.

The grievance management process regulates the receipt of information about GP Training Programme-related breaches, or breaches of The Irish College of GPs (the College) rules, policies and procedures. With the rules and standards contained therein, the GP Trainee Agreement forms a basis for the daily conduct of trainees in their day-to-day learning environment.

These procedures serve as a reference and tools for case managers and investigators.

2.0 Scope

These procedures support the review of grievances under the Educational Grievance Policy only and provide guidance to those who are involved in the investigation process.

3.0 Procedures statement

A grievance is 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.

The grievance management process is divided into six stages as described in this workflow:

	1. Submission of grievance	2. Assessment of grievance	3. Investigation	4. Completing the investigation report	5. Response to the complainant	6. Appeal
Complainant	Submits a grievance using the Grievance Notification Form	May be contacted for additional information to assist in deciding to proceed with an investigation			Receives results of investigation and steps to appeal.	May appeal the decision if the complainant believes the process leading to a decision was incorrectly performed, flawed or biased.
Complaint Officer	-Acknowledges grievance and advises complainant of next steps -Identifies appropriate case manager	-Supports case manager in determining whether to proceed with an investigation -Logs complaint in Grievance SP		Reviews draft for reasonableness and consistency of process and sanctioning (if any)	Informs the complainant of the results in writing and their right to appeal.	The complaint officer will receive the appeal and submit to Appeals Committee.
Case manager		-Assesses credibility of allegation and whether additional information is required before moving further -Identifies a case investigator and briefs them	-Oversees investigation, ensuring reasonable and proportionate steps are taken -Protects the integrity of the process	-Approves report -Follows up on next steps and sanctioning (if any)		
Case investigator			-Develops investigation plan -Identifies relevant issues -Collects and reviews evidence -Conducts interviews	-Drafts investigation report -Makes recommendations on sanctioning and next steps (if any)		
Appeals Committee						Appeals Committee reviews the grounds for appeal and the investigation report.

1. Submission of grievance
2. Assessment of grievance
3. Investigation
4. Completion of the investigation report
5. Response to the complainant
6. Right to appeal

3.1 Submission of grievance

For a most efficient and expedient resolution, a grievance should be submitted in writing via gptraining@icgp.ie, using the standard Grievance Notification Form and must include sufficient detail to enable the College to investigate. Trainees wanting to submit a grievance should consider the reason for the complaint, the outcome desired and documentation to support the grievance.

The Complaints Officer will acknowledge receipt of a complaint and notify the complainant of the timeframe for providing a full response, noting that in some cases no further action will be taken by the College beyond the acknowledgement of receipt. The complainant will be notified where no further action will be taken by the College.



Acknowledgement will usually be sent within 5 business days of receipt or as soon as possible thereafter.

Here is a sample acknowledgment response:

Dear Dr Ryan,

We acknowledge receipt of your Grievance Notification Form dated 28 June 2024.

The College is committed to delivering high quality GP training and welcomes feedback and complaints about its delivery and performance as a means of monitoring and improving the learning environment, as well as enhancing organisational effectiveness and efficiency.

The College takes allegations seriously and will take steps for the open and transparent review of grievances promptly, impartially and fairly.

Regards,
[name of complaints officer]

3.2 Assessment of grievance

The College will record grievances received in the Grievance SharePoint and will, at its discretion, consider what action it may take based on the information that has been provided.

When a complaint is received, consideration is first given to the substance of the allegations and the information submitted to support the allegation.

The complaint officer will identify the most appropriate person to act as case manager. This person will be qualified to assess the credibility of the grievance, based on the events that triggered the grievance, and oversee an investigation, should one proceed. In assessing the grievance, the complaint officer and case manager will collaborate and record the decision made and rationale on whether to proceed.

Additional information may be requested to further substantiate the allegation. It may also be appropriate to speak to the complainant to clarify the nature of the grievance or any other pertinent information to substantiate the allegations presented. A request for additional information or contact can often be made at the same time as the acknowledgement in step 1.

Assessment of whether a grievance should move to investigation should be completed within 5 business days of receipt or as soon as practicable.



Important to Note

Before proceeding with the investigation, evaluate whether legal advice should be sought.

An assessment means first considering whether the issue being raised can be investigated in accordance with the Educational Grievance Policy. The complaint officer or case manager may suggest that a complaint could be better addressed by another organisation and provide the complainant with the contact details of that organisation.

If an assessment reveals an initial suspicion of at least one breach, assuming that the facts presented in the notification are true, the complaint officer creates a case for the clarification of the facts in the Grievance SharePoint and ensures that the appropriate case investigator is identified (the case manager will in most cases be the most adept person at identifying the appropriate case investigator, but they may do so in consultation with the complaint officer).

A case investigator or case manager suitable for the individual case includes but is not limited to Regional Programme Directors (RPDs), Scheme Directors (SDs), Assistant Scheme Directors (ASDs), trainers or any other appropriately qualified nominee.

Messages that obviously refer to a matter that has already been created as a case are assigned to the already existing matter by the complaint officer who also notifies the case manager of the subsequent submission with possibly additional information on the subject matter. After the plausibility check, messages that are identified as being without any doubt irrelevant are closed with a corresponding note.

The forwarding of the case to the investigator is done on a case-by-case basis by providing personal access to the information stored in the Grievance SharePoint. Other third parties who go beyond the direct investigator of a case and are absolutely necessary on a case-by-case basis to support a clarification of the facts do not receive access to the entire case but are included on partial aspects according to the necessity principle and do not receive access to the case file.

In most investigations, timing is crucial and recording facts as quickly as possible will help protect the integrity of the process.

The case manager in discussion with GP Training Directorate may need to inform the relevant HSE line manager of the allegations.

3.3 Investigation

The integrity of the investigation is paramount: this includes persons party to the investigation, timing of notification or invitations to an interview, impartiality and objectivity. It is a fact-finding exercise.

The case manager will identify and brief a qualified person to act as case investigator. The case investigator will be given access to all the information submitted and/or previously collected in connection with the grievance.

Using the investigation report template, the case investigator will formulate their plan and approach. This includes:

- Contact details of the complainant
- Nature of the grievance
- Description and timing of the events leading to the grievance
- Itemisation of issues
- Relevant laws, rules, policies or procedures purported to have been breached
- List of evidence in their possession and to be collected
- List of correspondence, including prior attempts for resolution by the complainant prior to submitting a grievance
- Persons to interview

It is important to take timeframes in mind to avoid long-winded investigations.

3.3.1 *Documentation collection and preservation*

When collecting evidence or correspondence it is important to protect the chain of custody and keep information sharing on a strictly need to know basis. Emails should be marked confidential, use the encryption option, avoid forwarding to multiple individuals and avoid tampering with the email chain.

For documentation collected, the investigator must not change the file name or properties or keep files in personal folders.

3.3.2 *Conduct of meetings and interviews*

Preparation and open and honest conversation in an interview will help make the fact-finding exercise effective. The interviewee should be encouraged to respond completely and truthfully.

When determining the appropriateness of interviewing someone, consider the following:



- Is there a need to interview?
- Were they present during the alleged action?
- What is to be gained from interviewing that person?

The investigator may hold a meeting or interview in person, by teleconference or videoconference, or decide based on the paper evidence.

Here is an example of an interview invitation:

My name is [name of investigator]. I am currently in the process of conducting an investigation into a grievance submitted to the College.

I am writing to invite you to an interview meeting on so that I may discuss the matter with you.

In attendance at the meeting will be myself and [name of note-taker], who will be present to take notes. Please bring with you any information that you think might be useful to the investigation.

If you wish, you may be accompanied by friend or a colleague. However, your companion will not be able to answer questions on your behalf or participate.

To ensure that the investigation can proceed fairly and objectively, we request that you keep the matter, and anything discussed at the meeting, confidential. Any breach of confidentiality may be considered a disciplinary matter.

If you are unable to attend the meeting please contact me as soon as possible, so that alternative arrangements can be made.

The investigator must take all practicable steps to ensure that notice of the time, place and date of any meeting or interview is given. The complainant may request the presence of a support person; if not, they should be encouraged to do so. A support person may be a family member, a senior clinical colleague not involved in training, or union a legal representative.

If the named subject is called for an interview, submit a meeting request with ample time to allow for availability, but details of the nature of the interview should be limited.

An interview should ideally be led by two people: one who takes notes and one who engages with the interviewee. Typically, this would be the case manager and investigator.



It is recommended to interview each person individually, starting with the complainant, followed by any witnesses or persons germane to the grievance that may clarify issues raised and concluding with the named subjects of the investigation. This is to ensure the investigator has most of the facts collected to refer to.

Typically, questions in an interview should be prepared in advance (with of course, room for flexibility) and start more generic and then move into specifics (avoid yes or no questions). Ask questions, clarifying questions, and follow-up questions. The person will likely be nervous or defensive. It is the role of the interviewer to set a positive tone.

At the beginning of the interview, the interviewer and note taker will introduce themselves and the reason for the interview. The case investigator will explain the grievance process and the roles and rights of all persons involved. This includes:

- Define acceptable behaviour for the meeting (e.g. no interrupting, no raised voices, being honest, etc.);
- Explain that their role is to gather and determine the facts and make conclusions as to whether the allegation is substantiated, partially substantiated or unsubstantiated. The interviewer's role is not to answer questions, but to ask them;
- Recordings of interviews and use of cell phones during the interview is not allowed. But the interviewee is informed that they will receive a copy of the interview notes on which's accuracy they may comment upon;
- The interview is part of an internal grievance management process, and not legal proceedings.

As the interview progresses, the interviewer should summarize as necessary, to make sure they understand the responses correctly.

The case investigator should close the interview of each person with the following:

- Ask if anyone else should be contacted that may have relevant information, and their contact information;
- Ask if the interviewee has any questions;
- Advise the interviewee that they may be contacted again if additional information or clarification is needed;
- Advise the interviewee that the interview and the grievance process must remain confidential and not be discussed with anyone, including others involved in the investigation and others that do not have a need to know;
- Advise the interviewee that they can contact the investigator or case manager if they have subsequent questions or relevant information to provide;
- Thank the interviewee for their time, transparency and honesty.

Tips for conducting an interview

- Use silence as a way to encourage interviewees to give the most complete statement
- Do not answer your questions for the interviewee. Ask them if they want the question repeated or if they understand the question
- If an interviewee becomes distraught, allow them a few minutes to regain their composure and then resume the meeting
- Ask one question at a time, avoiding compound questions
- Ask questions and communicate without accusation, sarcasm, hostility or emotion
- Maintain your objectivity, control your temper and be business-like
- If a named subject interviewed refuses to answer questions, the investigator should tell them that if they choose not to answer, they will draw conclusions based upon other information gathered. The investigator should confirm with the interviewee that they understand, and the note taker must document their response
- Focus on the issue at hand and do not become distracted by extraneous information. If the interviewee appears to not answer the question, repeat the question and ask them to address the question, as asked



3.4 Completion of the investigation report

After all the steps of the investigation plan are complete, the case investigator analyses the evidence against the issues raised in the grievance and drafts a report. Information must be clear, concise, objective and factual.

The report should include the facts found and all relevant documents that were referenced, submitted, or may corroborate the facts, e.g. handwritten notes, policies, procedures, manuals, interview notes, photographs, phone logs, emails, and any other materials that were presented during the investigation or that aided in gathering the facts.

The case investigator may describe any inconsistencies between interviewees but should not speculate on the reason for such inconsistencies.

Based on the facts collected, the investigator will recommend that a grievance be found substantiated, partially substantiated or unsubstantiated. The recommendation should be tied to specific factual elements of the case, e.g. reference to a factual event against a policy provision. Each issue raised in the grievance should be addressed separately.

In most cases, if a grievance is substantiated or partially substantiated, the investigator will recommend remediation actions to minimize the risk of recurrence.

When making recommendations, consider the nature of the breach (e.g. one-off or systemic), the options, downstream impact to the training programme or other programmes and services across the organisation as well as the practicalities of implementation.

The complaints officer and case manager have at this stage the opportunity to read the draft investigation report and make recommendations with regard to its completeness and reasonableness. The purpose is to ensure a consistent investigative process, reporting and sanctioning across all regions. The complaints officer and case manager may also request additional information be reviewed or persons interviewed.

The investigation and draft of the report should not take longer than 4 weeks. However, it is possible to take longer in particularly complex cases. If the investigation is expected to last longer than 4 weeks, then the case manager should contact the complainant to let them know the investigation is still underway.



3.5 Response to the complainant

Upon completion of the investigation and the report is finalised, the complaints officer will contact the complainant in writing advising them of the results and any relevant steps taken in connection with the grievance. The complainant, however, will not have access to the details of the investigation, a copy of the report or any action taken against any person involved and/or named in the grievance.

Here is an example of a standard response for a grievance found to be substantiated:

Dear Dr Ryan,

Further to your submission of the Grievance Notification Form dated 28 June 2024, the College have completed their review and investigation in accordance with the Educational Grievance Policy and corresponding procedures.

The facts reviewed substantiate your grievance. Your Scheme Director will contact you within the next week to arrange for your summative assessment to be scheduled at the earliest availability.

OR

As a result, we will be taking steps to make sure that such a complaint does not happen again in the future.

OR

The investigation is now complete. The complaint was found to have merit, specifically regarding [policy name]. While the College will not share confidential information, we have taken appropriate action which we believe will address your concerns and prevent similar actions from taking place in the future.

Please be reminded that any and all aspects of the grievance process must remain confidential and must not be discussed or shared with anyone. The College will maintain a record for reporting and future audit purposes. The College will not share any details and considers this matter closed.

Regards,
[name of complaints officer]



Here is an example of a standard response for a grievance found to be unsubstantiated:

Dear Dr Ryan,

Further to your submission of the Grievance Notification Form dated 28 June 2024, the College have completed their review and investigation in accordance with the Educational Grievance Policy and corresponding procedures.

The investigation is now complete. After careful consideration, the College has not found 1) enough information to support your grievance or 2) any violation of the College rules, policies or procedures.

Please be reminded that any and all aspects of the grievance process must remain confidential and must not be discussed or shared with anyone. The College will maintain a record for reporting and future audit purposes. The College will not share any details and considers this matter closed.

An appeal against a decision under the Educational Grievance Policy may be brought where the appellant believes the process leading to a decision was incorrectly performed, flawed or biased, and will only cover the process used to reach that decision.

An application for appeal must be submitted to the Appeals Committee within 14 calendar days of receipt of a decision following an investigation for grievances under this policy.

Regards,
[name of complaints officer]



3.6 Right to appeal

A trainee may appeal a decision under this policy. Any appeal must only relate to the process used to reach the decision, not of the actual decision. An appeal will not move forward otherwise, and the grievance process will be considered closed.

An application for appeal must be submitted to the College within 14 calendar days of receipt of a decision following an investigation for grievances under this policy. No application for appeal made outside of this timeframe will be accepted, unless the National GP Training Directorate is satisfied that the delay in lodging the application was due to exceptional circumstances (e.g. serious illness or a bereavement).

4.0 Related and supporting documentation

- Trainee Grievance Notification Form
- Educational Grievance Policy
- Trainee Grievance Investigation Report Template

5.0 Contact

Quality assurance and enhancement

qae.training@icgp.ie