

## Policy

**Subject: Trainees in Difficulty Support**  
**Approval Date:** February 2013, February 2014, July 2017, May 2019, December 2021  
**Review Date:** December 2025  
**Review By:** Board of Education and Assessment  
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### Purposes

- To provide an objective, stepwise and supportive process to assist the remediation of a Trainee's difficulty in progressing with training.
- To define responsibilities and resources to support Trainees experiencing difficulty.
- To set out the options for disciplinary measures in exceptional circumstances.

For Trainees in joint RCPA/RACP programs the two Colleges will agree which is the most appropriate College to manage any Trainee in difficulty. Both Colleges will share relevant documentation and correspondence.

### Principles

- Issues of patient and person safety take precedence at all times.
- Natural justice, fairness and equitable treatment of Trainees will occur at all times.
- Confidentiality will be maintained as far as possible at all stages.
- Attempts should initially be made at a local level to resolve Trainee difficulties.
- Maintaining and retaining adequate and accurate documentation is critical.

### Definitions

A Trainee may experience difficulties relating to:

- Knowledge and/or aptitude
- Examination progression
- Trainee performance / progression
- Practical skills
- Communication, organisation and professional behaviour
- The learning and work environment, including educational opportunities and relationships therein
- Health and personal concerns

For the purpose of this policy, and to enable a stepwise approach, three categories of difficulty are defined. Examples in these categories include, but are not limited to the following:

#### Stage 1: Non-Critical Difficulty

- Up to three scores of \* '2' on the Supervisor Report
- Single failed examination
- Temporary personal or health problem interfering with work or study
- Trainee at risk of failure due to suboptimal educational resources in the training environment
- Problems with Professionalism

\* Four or more ratings of '2' will signify Stage 2: Major Difficulty, particularly if applying to professionalism or areas of critical knowledge and skills. If the Supervisor considers such a Trainee to be at Stage 2: Major Difficulty, this may be indicated as a global rating in the Supervisor Report

### Stage 2: Major Difficulty

- Any rating of '1' on the Supervisor report
- Four or more ratings of '2' in the Supervisor Report as described above\*
- Two failures in the same examination, including two failures in the Basic Pathological Sciences examination if attempted whilst a registered Trainee. Note: if a Trainee who has previously failed an examination and does not enrol in the examination the following year without presenting any extenuation, this will be deemed as a Fail. Non-attendance (unless for a documented health reason) will also constitute a Fail
- Persisting personal or health problem interfering with work or study
- A Trainee identified by at least two pathologists, of whom one is the Supervisor, as being at risk of being unable to complete the program within a reasonable timeframe, or whose professional behaviour or lack of aptitude would make them unsuitable for Fellowship if not remedied
- A previously non-critical difficulty, including persisting multiple ratings of '2' in the Supervisor Report, that has been unresolved within the workplace over a period of one year or more

### Stage 3: Critical Difficulty

- Any rating of '1' or consecutive repeated multiple Ratings of '2' on the Supervisor Report
- Three or more failures in the same examination, including three failures in the Basic Pathological Sciences Examination if attempted whilst a registered Trainee. Note: if a Trainee who has previously failed an examination and does not enrol in the examination the following year without presenting any extenuation, this will be deemed as a Fail. Non-attendance will also constitute a Fail (unless appropriate documentation and reasoning is provided).
- Dismissal by an employer
- A situation where there is any immediate danger to patients, the Trainee or others
- Serious professional misconduct involving a breach of the RCPA Code of Ethics or requiring reporting to the Medical Registration Authority
- Where measures applied to remedy a major difficulty have been unsuccessful over a period of at least one year

**NOTE: General Pathology Trainees** – The Trainee in Difficulty Support process and steps may be expedited for General Pathology Trainees given the shorter duration of training time in each required discipline as per Handbook requirements (as compared to Trainees pursuing other disciplines).

## **Roles, responsibilities and resources**

### Employers

- Comply with the RCPA Policy: Laboratory Accreditation for Training Programs
- Deal with employment-related issues and non-compliance with institutional policies
- Offer employee assistance programs when appropriate
- The Management/Administration of the employing body is responsible to take prompt action in the event of a serious issue potentially affecting the Trainee, patient or other person safety

### Regional/discipline-based training networks

- Determine and implement policies with respect to re-appointment within the network. These policies are independent of recommendations for exclusion from the RCPA training program.
- Ensure that Trainees have opportunities to access all essential learning experiences

### Trainees

- Trainees should seek early assistance if they are aware of a problem. In the first instance, Trainees should speak to their Supervisor or employer, or seek professional health advice if needed
- Trainees may at any time communicate with or seek confidential advice from the Trainees' Committee, the RCPA Education Advisors, State or Regional Councillor or New Zealand Representative, Network Coordinator, the Registrar/Deputy Registrar of the Board of Education and Assessment, or the RCPA CEO
- Access the Trainee Handbook: Administrative Requirements and RCPA website for information regarding avenues for raising concerns or seeking assistance
- Professional associations, Unions or indemnifiers may also be sources of assistance
- In the case of a serious unresolved issue, a Trainee may contact the RCPA Ombudsman in accordance with the policy document: Roles and Responsibilities: Ombudsman for Trainees

### Supervisors

- Undertake educational activities and consult the online resources provided by the RCPA to assist with the identification and management of Trainees in difficulty
- Identify signs and risk factors relating to Trainees in Difficulty
- Initiate early dialogue to assess the nature and severity of the problem, explore the Trainee's insight and alert the Trainee to any concerns
- Engage at least one other pathologist in these processes. For Trainees at Stage 2: Major Difficulty or Stage 3: Critical Difficulty, a second Supervisor should be appointed if the Trainee does not currently have two Supervisors
- Record any concerns on the Supervisor Report
- Develop a Remediation Plan agreed with the Trainee and give a concise description in the Supervisor Report
- Review previous Supervisor Reports, portfolios, log books and examination reports, and use these to develop the Remediation Plan
- Monitor the Trainee's progress with the agreed plan, meeting formally at least 3-monthly intervals
- Provide information about available avenues for raising concerns or seeking assistance when needed
- Escalate Stage 1: Non-Critical issues to Stage 2: Major Difficulty status if unresolved or irresolvable in the workplace environment after one year. In the first instance this should be at the State/Regional or Training Network level
- Maintain confidential records, either written or audio (with permission), of relevant incidents or conversations with the Trainee
- Communicate with the Head of Department or employer regarding any employment related or departmental resource issues
- Supervisors who become aware of serious mental health or other issues potentially affecting the safety of the Trainee, patients or others should notify the senior management of the employing institution immediately they become aware of the problem
- Mandatory reporting where necessary in accordance with Medical Registration Authority and other legal requirements. Notify and/or receive advice from the RCPA CEO regarding mandatory reports.

At any stage, Supervisors may communicate directly and confidentially with the State or Regional Councillor or New Zealand Representative, the Registrar/Deputy Registrar of the Board of Education and Assessment, the RCPA CEO or RCPA Education Advisors. Supervisors may not communicate directly with the Chief Examiner with respect to a Trainee in Difficulty.

## Registrar/Deputy Registrar of the Board of Education and Assessment

- Review Supervisor Reports where there is a rating of less than '3' or where concerns have been identified by the Head of Education and Assessment;
- The Registrar/Deputy Registrar may communicate with the Trainee, Supervisor, Chief Examiner or relevant Councillor in accordance with the policy: Review of Supervisors' Reports

## Chief Examiners

- Provide sufficient feedback to failed examination candidates to enable them to act on comments;
- May at his/her discretion decline accreditation of training time;
- Ensure compliance of laboratories with RCPA Policy: Laboratory Accreditation for Training Programs;
- May appoint a member of the panel of examiners to assist the Chair of the Board of Education and Assessment with review of documentation relating to Trainees in difficulty and liaising with the relevant Councillor or network coordinator.

In the case of Stage 2: Major Difficulty: RCPA Education Advisors to inform the Trainee and the Supervisor if necessary

The State or Regional Councillor or New Zealand Representative or Training Network Coordinator will:

- Develop/review a Plan of Action in consultation with the Trainee and Supervisor
- Monitor the Trainee's progress with the Plan, communicating at, at least 3-monthly intervals
- If required, act as or appoint a mentor in accordance with the RCPA Guideline: Mentoring for Trainees and New Fellows
- Recommend external professional support if needed
- Maintain confidential records, either written or audio (with permission), of relevant incidents or conversations with the Trainee and Supervisor
- Advise the College if they are aware of any significant contributing factors in the training environment
- Escalate the matter to Stage 3: Critical Difficulty status if there is any immediate danger to patients, the Trainee or others or where measures have been unsuccessful for a period of over one year
- Ensure that any serious mental health or other issues potentially affecting the safety of the Trainee, patients or others are brought promptly to the attention of the senior management of the employing institution and the RCPA CEO or DCEO
- Mandatory reporting where necessary in accordance with Medical Registration Authority and other legal requirements. Notify and/or receive advice from the RCPA CEO regarding mandatory reports

In the case of Stage 3: Critical Difficulty:

Undertake the steps described for Stage 2: Major Difficulty if appropriate, and:

- Notify the Registrar of the Board of Education and Assessment of escalation to Stage 3: Critical Difficulty Stage
- If necessary, recommend to the Chair of the Board of Education and Assessment to consider referral to a review panel

## Mentor

- Provide professional and personal guidance in accordance with the Guideline: Mentoring for Trainees
- If inexperienced, undertake face-to-face or online professional development relating to mentoring processes

- Mandatory reporting where necessary in accordance with Medical Registration Authority and other legal requirements. Notify and/or receive advice from the RCPA CEO regarding mandatory reports

## Review Panel

The Chair of the Board of Education and Assessment will decide, after presentation of evidence to the Board, if it is necessary to convene a meeting of the Review Panel with the Trainee. The Chair of the Board of Education and Assessment may act as or nominate a Chair for the Review Panel.

The Panel will include the following:

- Discipline Chief Examiner or delegate
- Registrar/Deputy Registrar of the Board of Education and Assessment
- State/Regional Councillor or Network Coordinator
- CEO or DCEO or —
- Head of Education and Assessment

The Panel will:

- Assess all available and relevant evidence, and
- Determine a course of action that may involve probation or exit from the program

The Trainee:

- Will attend the interview when required in person or via teleconference
- May elect to be accompanied to the Review Panel by a support person. If the trainee chooses to be accompanied by a support person, the support person should be a colleague, friend or family member who can provide moral support and reassurance to the Trainee in the Review Panel meeting. The support person may not be the Trainee's current Supervisor. The support person may not advocate for the Trainee.
- Has the right to appeal any decisions of the Review Panel in accordance with the By Laws listed in the references at the end of this document

## Ombudsman

At the request of, or with permission of the Trainee, the Ombudsman will:

- Informally conduct fact-finding to ensure that the Trainee is fairly treated
- Recommend solutions to parties involved in any dispute concerning the Trainee
- Keep the Trainee informed and explain reasons for any decisions

## RCPA Management/Training and Education Portfolio Team

- Provide educational support to network coordinators, Supervisors and mentors via written, online and face-to-face modalities, offering practical guidance for identification and management of Trainees in Difficulty
- Provide information about available avenues for raising concerns or seeking assistance when needed
- Provide Councillors and Network Coordinators with relevant lists of failed candidates following each examination cycle
- Report on the status of Trainees in Difficulty to the Board of Education and Assessment, ensuring that Trainees' identities are not disclosed
- Allocate an alternative / interim candidate number if there is risk of compromise of confidentiality for a Trainee

- RCPA staff members who become aware of serious mental health or other issues potentially affecting the Trainee, safety of patients or others are to notify the RCPA CEO or DCEO immediately they become aware of the problem

### Procedures following identification of a Trainee in Difficulty

Category	Responsibility	Actions	Outcome
<b>Stage 1: Non-Critical Difficulty</b>	Trainee	Seek early assistance at the local level	
	Supervisor	Engage assistance from another pathologist. Provide feedback. Develop and monitor a Plan with the Trainee. Document areas of weakness and a brief Remediation Plan in the Supervisor Report. If possible, address any deficiencies in educational opportunities and resources. Maintain records of relevant incidents or conversations with Trainee.	Review at 3-monthly intervals. If a significant issue is unresolved after one year, escalate to Stage 2: Major Difficulty
	BEA Registrar/Deputy	Review Supervisor Report. Discuss or refer if necessary.	
	Chief Examiner	Provide examination feedback in the case of a failed examination.	
<b>Stage 2: Major Difficulty</b>	Supervisor/s	Maintain communication with the network coordinator and/or Councillor. Monitor progress and maintain records of relevant incidents or conversations with the Trainee.	
	BEA Registrar/Deputy	Discuss with Supervisor and/or Trainee and refer to the Network Coordinator, Councillor or possibly the Chair of the BEA as necessary.	
	Councillor or Network Coordinator	Counsel the Trainee and/or Supervisor. Develop a Remediation Plan in consultation with the Trainee and Supervisor. May act as or appoint a mentor. Recommend external professional support if needed. Advise the College of any contributing workplace factors. Maintain records of relevant incidents or conversations with the Trainee.	Monitor progress, communicating at, 3-monthly intervals.  If a major issue is unresolved after one year, escalate to Stage 3: Critical Difficulty .
	Mentor	Provide professional and personal guidance to the Trainee.	
	Chief Examiner	Provide detailed feedback on examination failures. May at his/her discretion decline accreditation of training time.	
<b>Stage 3: Critical Difficulty</b>	Councillor or network coordinator	May develop and monitor a Remediation Plan if appropriate. Notify the BEA Registrar / Deputy Registrar. If necessary, recommend that the Chair of the BEA consider referral to a Review Panel.	
	Chair, BEA	Convene Review Panel meeting if required.	
	Review Panel	Assess all available and relevant evidence.	Recommend probation or exit

Category	Responsibility	Actions	Outcome
	Ombudsman	Ensure that the Trainee is treated fairly and recommend solutions to disputes. Keep the Trainee informed and explain reasons for any decisions.	
	Trainee	Attend Review Panel meeting when required.	

## Timeframes

Supervisors should meet with Trainees at three-monthly intervals as a minimum and implement remedial measures as soon as any difficulties are identified.

Stage 1: Non-critical Difficulties: if significant, should be escalated to Stage 2: Major Difficulty Stage if unresolved after one year.

Stage 2: Major Difficulties should be escalated to Stage 3: Critical Difficulty Stage if unresolved after one year.

Trainees at Stage 3: Critical Difficulty will be reviewed as soon as possible, ordinarily within three months. The Review Panel will inform the Trainee of their decision within one month.

## Exit from the Trainee in Difficulty pathway

Trainees will no longer be considered in difficulty when:

- A pass has been achieved in a previously failed examination
- All actions on the Remediation Plan have been satisfactorily addressed
- Satisfactory Supervisor Reports have been received over a 12 month period. Such reports have been signed and approved by two Supervisors.

## References

Policy: Supervision of Training and Accreditation of Supervisors

Policy: Review of Supervisors' Reports

Terms of Reference: Board of Education and Assessment

Terms of Reference: State and Regional Councillors Guideline: Mentoring for Trainees and New Fellows

Policy: Accreditation of Sites for Training Programs

Roles and Responsibilities: Ombudsman for Trainees

RCPA Code of Ethics

Supervisor Resources

Regulations Governing Review of Directors' Decisions on Admission to Fellowship and Termination of Membership of a Fellow under Rules 14.9 and 17.8