

Reconsideration, Review and Appeal of Decisions Policy



The Royal Australian and New Zealand
College of Radiologists®

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Approved by:
RANZCR Board of Directors

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About the College

The Royal Australian and New Zealand College of Radiologists (RANZCR; the 'College') is a not-for-profit association of members who deliver skills, knowledge, insight, time and commitments to promote the science and practice of the medical specialties of clinical radiology (diagnostic and interventional) and radiation oncology in Australia and New Zealand.

The Australian Medical Council on behalf of the Medical Board of Australia accredits the College for the education and training program for clinical radiologists and radiation oncologists in Australia. The Medical Council of New Zealand accredits the College for the education and training program for clinical radiologists and radiation oncologists in New Zealand.

The Faculty of Clinical Radiology (FCR), RANZCR, is the peak bi-national body for setting, promoting and continuously improving the standards of training and practice in diagnostic and interventional radiology for the betterment of the people of Australia and New Zealand.

The Faculty of Radiation Oncology (FRO), RANZCR, is the peak bi-national body advancing patient care and the specialty of radiation oncology through setting of quality standards, producing excellent radiation oncology specialists, and driving research, innovation and collaboration in the treatment of cancer.

The College is led by clinicians who are democratically elected by the membership. The ultimate oversight and responsibility for the College is vested in the Board of Directors.

Vision

RANZCR leading best practice in clinical radiology and radiation oncology for the benefit of our patients and society.

Purpose

To drive the safe and appropriate use of radiology and radiation oncology to optimise health outcomes through leadership, education and advocacy.

Values

Commitment to Best Practice

Exemplified through an evidence-based culture, a focus on patient outcomes and equity of access to high quality care; an attitude of compassion and empathy.

Acting with Integrity

Exemplified through an ethical approach: doing what is right, not what is expedient; a forward thinking and collaborative attitude and patient-centric focus.

Accountability

Exemplified through strong leadership that is accountable to members; patient engagement at professional and organisational levels.

Leadership

Exemplified through a culture of leadership where we demonstrate outcomes.

Code of Ethics

The Code defines the values and principles that underpin the best practice of clinical radiology and radiation oncology and makes explicit the standards of ethical conduct the College expects of its members.

1. INTRODUCTION

1.1 Approval and Commencement

- (a) commences operation on 15 January 2021.
- (b) replaces the *Reconsideration, Review and Appeal of Decisions Policy Version 4.2* which ceases operation on 14 January 2021.

1.2 Scope and Objectives

The College is the peak body in Australia and New Zealand for training clinical radiologists and radiation oncologists to world-class standards and the College's processes, including its examination processes, aim to uphold and maintain those standards. This means that not every decision of the College is subject to this Reconsideration, Review and Appeal of Decisions Policy ('Policy').

The College is committed to providing clear advice to its members and other individuals and organisations about decisions that are able to be reconsidered, reviewed and formally appealed under established mechanisms.

It is intended that this Policy enables the College and those who have been subject to a decision which they consider unsatisfactory to embark upon a defined pathway to enable resolution.

This Policy sets out the mechanism for Reconsideration, Review and Appeal by any members, other individuals and organisations adversely affected by a decision of the College that is subject to this Policy, to ensure that:

- (i) due processes were followed by the College in reaching and reviewing those decisions; and
- (ii) proper consideration was given to evidence presented and available to the College in relation to those decisions and any Reconsideration, Review and Appeal of those decisions.

The Reconsideration, Review and Appeal of a decision also assists the College in undertaking a quality assurance assessment of the manner and processes by which a decision is made and advised.

In order to assist all parties involved, procedures have been developed to indicate what is meant by Reconsideration and Review, and the connection between these processes and a Formal Appeal. Accordingly, the process consists of:

- (i) Reconsideration of the original decision – Stage One;
- (ii) Review of the original decision – Stage Two; and
- (ii) Formal Appeal conducted by an Appeals Committee — Stage Three.

The Reconsideration Stage and the Review Stage provide for an internal deliberation/assessment which may resolve the matter. The conduct and findings of the Reconsideration Stage and/or the Review Stage, however, are explicitly "without prejudice" in the conduct of a Formal Appeal. This means that the conduct and findings of the Reconsideration Stage and/or the Review Stage cannot be used as potential grounds in a Formal Appeal (Stage 3). Each stage will be referable to the original decision only.

The Appeal process, as set out in this Policy, involves the appointment of an Appeals Committee. This provides a structured, formal approach to addressing challenging decisions. The Formal Appeal Stage has strict procedures to ensure it is conducted in accordance with principles of procedural fairness and transparency.

In describing what might lead to the establishment of an Appeals Committee, this Policy requires there to be a 'Reconsideration' and 'Review' of decisions.

Whether initiated by an Applicant or the College, the Reconsideration Stage, Review Stage and Formal Appeal Stage will be conducted in line with the timelines outlined in this Policy. Please refer to the relevant part of the Policy to determine the timeline applicable to a particular circumstance/request.

If the outcome of a stage involves the original decision being varied or set aside (or in the case of an examination related Reconsideration or Review, the examination sitting (of that component or segment) being voided and the Applicant being grant another sitting (of that component or segment)), then the matter will not proceed any further as the best possible outcome available under this Policy, would have already been granted to the Applicant.

To the extent that there are any inconsistencies between this Policy and the Appendices or the Q&As, this Policy prevails.

1.3 Definitions

In this Policy:

Appeals Committee means a committee convened pursuant to Part 10 of this Policy

Appeal Pack means a collated document which includes the summary of Appellant's correspondence with the College, the College's submission, other relevant statements and copies of relevant College policies. The Appeal Pack is considered by the Appeals Committee at the Formal Appeal Stage

Applicant means a person who has formally requested a Reconsideration, Review or Appeal of a decision (as the case may be). In the case of an examination result, this refers to the candidate. In other cases, it may refer to an individual, or a hospital/site/department or private practice in respect of which a decision has been made

Board means the Board of Directors of the College

Board of Examiners means the relevant panel delegated by the Radiation Oncology Education and Training Committee and chaired by the Chief of Examinations to determine the final results pertaining to each individual examination series (determined at the Board of Examiners meeting)

CEO means the Chief Executive Officer appointed by the Board of Directors of the Royal Australian and New Zealand College of Radiologists. This definition also includes an interim CEO for the College

Chief Censor means the clinician appointed under the Faculty By-laws to oversee all aspects of training and assessment conducted as part of the Clinical Radiology or the Radiation Oncology Training Program

Chief Accreditation Officer means the clinician appointed to oversee the accreditation of training networks and sites in which training is to be undertaken. The Chief Accreditation Officer makes recommendations to the relevant Education and Training Committee regarding the accreditation status of training sites and/or networks seeking to conduct registrar training and those already involved in training, in line with College policies

Chief of Examinations means the clinician appointed to oversee the processes associated with the Radiation Oncology Phase 1 and Phase 2 Examinations

Clinical Leader means an Office Bearer, Committee Chair or Senior Fellow of the College

Clinical Supervisor means any consultant radiologist or radiation oncologist at a College-accredited training site who supervises a session or modality and is involved in teaching, assessment and/or feedback

College means The Royal Australian and New Zealand College of Radiologists

College Solicitor means the solicitors appointed by the College from time to time

Conflict of Interest arises when a person makes a decision or exercises a power in a way that may be, or may be perceived to be, influenced by either material personal interests (financial or non-financial) or material personal associations, as defined by the College's Conflict of Interest Policy

Decision means a decision subject of this Policy and referred to in Part 2

Director of Training means the clinician/s appointed by the College, with overall responsibility for the structure and quality of training in a College-accredited training site in line with the College policies and the specific arrangements within their training network. The Director of Training is also responsible for providing trainees with information and feedback on their progress

Education and Training Committee (ETC) means the governing body under the Faculty By-laws that develops the educational content, assessments and accreditation mechanisms that ensure that trainees can become competent clinical radiologists and radiation oncologists

Examinations means a form of assessment as defined in the College's Examination Policies

Examination Review Panel means a panel of content experts guided by formal processes as set out in their relevant Terms of Reference. These panels work closely with educational assessment experts engaged by the College to ensure that the correct processes are followed appropriately at each stage of the examination cycle. The Examination Review Panel is distinct from a 'Review Panel' which is only convened under this Policy

Faculty Council means the Faculty of Clinical Radiology Council and the Faculty of Radiation Oncology Council constituted under the Faculty By-laws and the RANZCR Articles of Association, being the peak bodies responsible for setting, promoting and continuously improving the standards of training and practice in clinical radiology and radiation oncology, respectively

Fellow means a College member admitted to Fellowship of the Royal Australian and New Zealand College of Radiologists

Head of Specialty Training (HoST) means a College staff member who is the person appointed by the CEO to be responsible for the development and implementation of the Specialty Training programs of the College. The HoST works closely with elected clinical leaders and the relevant standing committees of the Faculty of Clinical Radiology and Faculty of Radiation Oncology, the senior management team and the College staff

International Medical Graduate (IMG) means International Medical Graduates who have completed their primary and specialist medical training overseas. IMGs are assessed by the College for comparability to an Australian/New Zealand trained radiologist or radiation oncologist

Member means a member of the College as specified under the RANZCR Articles of Association

Office Bearer means a person holding the office of President, Treasurer, Dean of the Faculty of Clinical Radiology, Dean of the Faculty of Radiation Oncology or Chairperson of the New Zealand Branch or any other Office Bearers as approved by the Board in the Faculty by-laws

Officer means an individual who has made an original decision as defined under this Policy

Original decision means a decision made by an Original Decision Maker which is capable of being reconsidered, reviewed or appealed under this Policy

Original Decision Maker means an individual or governing body specified under Part 2 of this Policy who has made the original decision that is being contested by the Applicant

Project Officer means a College staff member who is the person appointed by the Head of Specialty Training and who holds an employment competency scale of at least Project Officer and for the purposes of this Policy, is involved in the processes outlined under Part 5

Review Pack means a collated document which contains all relevant material held by the College which is to be considered by the relevant Reviewing Body at the Review Stage

Reviewing Body is the committee of the College responsible for the Review of decisions under this Policy. The appropriate Reviewing Body is determined by the CEO and may be the relevant Education and Training Committee, a Faculty Council, a Review Panel (specifically constituted for that purpose) or another senior committee of the College relevant to the substance of the Review application

Review Panel means a Panel formed pursuant to this Policy whose purpose is to facilitate the Review Stage processes (as deemed necessary)

Specialty Training Unit (STU) means the unit within the College's organisational structure, headed by the Head of Specialty Training, and principally responsible for administering the College's training programs, IMG assessments and associated activities such as training site accreditation, examinations, and trainee progression

Staff Member means any person appointed by the CEO or delegate who is working in a permanent, temporary, casual, termed appointment or honorary capacity for the College and for the avoidance of doubt includes contractors, consultants, and other workers at the College, including all personnel associated with third parties

Trainee means a College member actively participating in either the Clinical Radiology Training Program or the Radiation Oncology Training Program and is considered a trainee member under the RANZCR Articles of Association

2. DECISIONS ELIGIBLE TO BE RECONSIDERED, REVIEWED AND APPEALED

The following decisions can be subject to a Reconsideration, Review or Appeal under this Policy:

- (a) decisions of the:
 - (i) Chief Censor in Clinical Radiology; or
 - (ii) Chief Censor in Radiation Oncology; or
 - (iii) Faculty Councils (including decisions of their members); or
 - (iv) Education and Training Committees and their subcommittees (including decisions of their members); or
 - (v) Board of Examiners (including decisions of their members); or
 - (vi) Clinical Supervisors or Directors of Training,

in relation to the assessment of progress of Trainees of the College (including examinations/examination results, admission, performance and progression, completion of training requirements, dismissal/withdrawal from training, recognition of prior learning or applications made under the Consideration of Special Circumstances Policy); or
- (b) decisions of the Board (including decisions of its members) or Chief Censor in Clinical Radiology or the Chief Censor in Radiation Oncology in relation to applications for admission to Fellowship; or
- (c) decisions of the Chief Censor in Clinical Radiology or the Chief Censor in Radiation Oncology or an Education and Training Committee (including decisions of its members) and/or its subcommittees (including decisions of their members), namely the International Medical Graduate Committee or decisions of IMG Assessors in relation to applications from International Medical Graduates (IMGs) for assessment for recognition on behalf of the Australian Health Practitioner Regulation Agency / Medical Board of Australia through the Australian Medical Council, or the New Zealand Medical Council; or
- (d) decisions of the Chief Censor in Clinical Radiology or the Chief Censor in Radiation Oncology or an Education and Training Committee (including decisions of its members) and/or its subcommittees (including decisions of their members), namely the International Medical Graduate Committee or decisions of IMG Assessors in relation to examinations or training required to be undertaken by IMGs for assessment as set out above; or
- (e) decisions of the Chief Accreditation Officers or Chief Censor in Clinical Radiology or the Chief Censor in Radiation Oncology or an Education and Training Committee (including decisions of its members) and/or its subcommittees (including decisions of their members) in relation to accreditation for training of networks, hospitals/sites/departments, or decisions of the Chief Accreditation Officers or Chief Censor in Clinical Radiology or the Chief Censor in Radiation Oncology or an Education and Training Committee (including decisions of its members) and/or its subcommittees (including decisions of their members) in relation to hospitals/sites/departments, teaching centres or supervisors; or
- (f) decisions of the Professional Practice Committee (PPC) or the Post Fellowship Education Committee (PFEC) in relation to participation in the CPD programs and the statement of participation; or
- (g) decisions of the Treasurer in relation to the financial status of Fellows, trainees, or other members; or

- (h) such other decisions of the Board, Faculty Councils, or College committees as the Board may determine from time to time.

3. Q & A ON THE RECONSIDERATION, REVIEW AND APPEAL PROCESS

Q1: Who can request a Reconsideration, Review and Appeal?

- A1: A Reconsideration, Review and Appeal of a decision is commenced by an 'Applicant'. In the case of an examination result, this refers to the candidate. In other cases, it may refer to an individual, or a hospital/site/department or private practice in respect of whom decision has been made.

Q2: What information does the Applicant need to be provide to the College?

- A2: In the Reconsideration and Review stages, the Applicant must provide the College with the completed application form (templates are appended to this Policy) and supply any information/material which they believe may assist the College in reconsidering and reviewing the decision.

The Applicant must provide the College with written grounds for Reconsideration and Review (see section 4.2). Applications without specified grounds (i.e. reasons), which simply state that a Reconsideration or Review is requested, will not be accepted and will not be considered under this Policy. Applications without appropriate supporting information/material will not be accepted and will not be considered under this Policy.

The onus is on the Applicant to provide the reasons as to why the particular decision warrants Reconsideration, Review or Appeal and to provide supporting information/material.

In addition to materials submitted by the Applicant, the College will also consider any information/material in its possession which may assist in reconsidering or reviewing a decision. In a Formal Appeal, the Applicant is able to make submissions which may include documents or information pertaining to the decision to be appealed.

Q3: What does an Applicant need to do in order to activate the Reconsideration, Review or Appeal stage?

- A3: In order for a Reconsideration, Review or Appeal stage to be activated, the request must be submitted on the relevant application form which is appended to this Policy. The application must also include supporting information/material which may assist in the Reconsideration, Review or Appeal of the decision. The Applicant will need to formally indicate on their application form the grounds for the Reconsideration, Review or Appeal (see section 4.2). The application and supporting information/material must be sent to the College via the email address outlined in the application form. The Applicant must also pay the stipulated fee.

Q4: Why are there timelines for each aspect of these processes?

- A4: It is important that an Applicant and the College have a shared understanding of how long each process will take place and what is involved. The timelines also ensure that the applications are processed in a timely manner.

A firm timeline also recognises that an Applicant may need to act in response to the decision, such as needing to prepare and apply for a future examination series.

Q5: Why is there a separate process for examination results?

- A5: The decision making involved in the determination of examination results is very structured and often involves a number of participants including Examiners, Chief Censor, Chief of Examinations and Examination Review Panels/ Board of Examiners. Therefore, the process is described

separately to better indicate who is involved, and the manner in which the Reconsideration and Review stages take place.

Q6: What if special circumstances have affected an Applicant's performance?

A6: The College's 'Consideration of Special Circumstances Policy' governs applications where an Applicant believes that their performance in an assessment or examination was adversely affected by a circumstance or condition beyond their control. In those situations, applications are made under the Consideration of Special Circumstances Policy for appropriate relief or remedies. If an Applicant does not make an application under that policy, the special circumstances or conditions will not be grounds for Reconsideration, Review or Appeal under this Policy.

Please note that strict time limits apply under the Consideration of Special Circumstances Policy and applications under that policy are required to be submitted prior to the release of examination results or an assessment outcome. Special circumstances cannot be raised in an application under this Policy if they were not raised previously under the Consideration of Special Circumstances Policy within the timeframes required by that policy.

Q7: What advice and information is the Applicant provided with at the conclusion of the Reconsideration and Review Stages?

A7: At the conclusion of the Reconsideration and Review Stages, the College will advise an Applicant of its decision to either affirm/uphold, set aside or vary the original decision (or in the case of an examination related Reconsideration or Review, to void the examination sitting (of that component or segment) and grant the Applicant another sitting (of that component or segment)), and its reasons for doing so.

Q8: What does an Applicant need to indicate if they wish to move to the next stage?

A8: At the conclusion of Stage One (Reconsideration) an Applicant needs to advise as to whether they wish to proceed to Stage Two (Review). At the conclusion of Stage Two (Review) an Applicant needs to advise as to whether they wish to proceed to Stage 3 (Formal Appeal). Please see section 4.4 for further information.

Please also note that an Applicant's notification of proceeding to the next stage is required to take place in accordance with the timelines outlined in this Policy.

Q9: What are some examples of issues and statements which will not be considered as sufficient grounds for a Reconsideration application or Review application pertaining to an examination or assessment?

A9: Examples include but are not limited to:

- A broad sense of dissatisfaction with the examination or assessment outcome/result.
- 'I am a competent radiologist/radiation oncologist'.
- 'I performed very well in my assessment and responded to most of the cases correctly'.
- 'I am an expert in my field, your assessment must be incorrect'.
- 'I am sure that I obtained enough marks to pass the examination'.
- 'I am a good registrar who has attended all tutorials, I am well liked in my Department and I believe I should have passed'.
- 'The standard set was too high, everyone I know failed'.
- 'I only need to pass this component to pass the examination, please reconsider'.

- 'I was unwell on the day of the exam but decided to attend regardless. However, I believe I failed due to feeling unwell' (or any other claims which must be made under the Consideration of Special Circumstances Policy).
- 'I believe I did better than other candidates and should have passed'.
- 'I studied and prepared hard for the exam and I should have passed'.
- 'My Director of Training or Clinical Supervisor/s will confirm how hard I've worked and deserve to have passed'.
- 'Before my exam, I completed a mock exam and passed, so I should have passed this exam'.
- 'I have a typing deficiency'.
- 'I compared my responses with other candidate/s, and we had similar/same answers. They passed but I did not.'
- 'I can recall my responses and I am sure I passed more than 50% of the cases that were presented'.
- 'I was close to the passing standard, please reconsider'.
- 'I was close to the passing standard, can you please remark my exam'.

Q10: Can one of the outcomes under this Policy be that examination results are upgraded?

A10: No, the College does not amend or upgrade examination marks. A candidate must legitimately meet the minimum standard to obtain a pass mark.

Q11: Is a Reconsideration application of an examination the same as feedback on a candidate's examination performance?

A11: Candidates should note that an application for Reconsideration of examination results is different to a request for feedback on examination performance. If a candidate has no grounds to apply for a Reconsideration, they are still permitted to apply for feedback.

Candidates may request feedback on failed components, directly from the relevant Project Officer (Clinical Radiology/Radiation Oncology). This must be sent to the relevant Project Officer (Clinical Radiology/Radiation Oncology) in writing within 28 days of a candidate's receipt of their examination result notification.

For candidates who do submit an application for Reconsideration, Review or Appeal pertaining to their examination results, feedback will only be provided following the cessation of any Reconsideration, Review and/or Appeal of a decision in accordance with this Policy.

For further information on examination feedback, please refer to the relevant College Examination Policies.

Q12: When can video recording of examinations or IMG assessments be accessed or used in these processes?

A12: Candidates in examinations and/or IMGs in IMG assessments have no automatic right to access video recordings. The recordings are made principally for the purposes of quality control and improvement of the examinations and IMG assessments as well as for the education and training of examiners and assessors.

Recordings may be made available to an Applicant in a Formal Appeal, solely with the prior consent of the Appeals Committee, if the Appeals Committee determines that it is relevant and of assistance to the Appeals Committee for its deliberations. The recordings will be released to the Applicant at such time and subject to such conditions and directions as the Appeals Committee may, in its discretion, determine.

Only recordings of the Applicant's own performance in the examinations or assessment (or excerpts) are available under this Policy.

In assessing a Reconsideration application or a Review application, the College will take into account all available evidence to determine whether there are sufficient grounds for the application. This may include the viewing of the video recording by the Head of Specialty Training and/or other relevant College staff members or appropriate clinical leaders only as determined by the College CEO (please see below for further information).

It is only in limited circumstances (for example if the Applicant raises claims regarding an examiner's potential inappropriate behaviour towards the Applicant; potential intimidating, bullying or harassing behaviour towards the Applicant), that the CEO may at their discretion depart from the requirement that the video recording will only be made available at the discretion of the Appeals Committee, and permit the Head of Specialty Training and/or other relevant College staff members or appropriate clinical leaders to view the video recording at the Reconsideration and/or Review Stages. If this occurs during the Reconsideration and/or Review Stages, the video recording will not be made available to the Applicant or the Applicant's representatives.

Please note that as at the date of this Policy, only Clinical Radiology Viva Examinations and IMG Assessments (for both Clinical Radiology and Radiation Oncology) are recorded. Radiation Oncology Viva Examinations are not currently recorded. It is anticipated that Radiation Oncology Viva Examinations will be recorded in the future, at which point the provisions outlined above will apply to Radiation Oncology Viva Examinations as well.

4. PROVISIONS APPLICABLE TO ALL APPLICATIONS

4.1 Application

4.1.1 Any Applicant:

- (a) whose interests are directly and adversely affected by an original decision that is inconsistent with an approved College regulation or policy; and
- (b) who is dissatisfied with that original decision,

may, within the specified timeframe, apply to the College to have the original decision Reconsidered, Reviewed and/or considered at a hearing of the Appeals Committee ('application') where there is demonstrable evidence of one or more grounds under section 4.2 of this Policy.

4.1.2 The Applicant bears the onus of establishing the relevant grounds of an application.

4.1.3 This Policy is not intended to provide an avenue for any person to contest results awarded, based on allegations of poor training or supervision or general grievances.

4.1.4 A Reconsideration, Review or Appeal application:

- (a) must demonstrate clearly prima facie grounds as described in section 4.2.1 (a) – (f);
- (b) will not be accepted where the application relates to matters that fall under the remit of the 'Consideration of Special Circumstances Policy', and where that policy was not utilised within the timeframe outlined therein and the results of the examination or outcome of an assessment have been published, regardless of the reasons cited for not submitting an application under that policy;
- (c) will not be accepted where the basis of the application is a belief by an Applicant that they should have passed an examination or component thereof or an assessment based on their recall of a response (written or oral) provided in the examination or assessment in question;
- (d) will not be accepted where the basis of the application is that the Applicant was, or was not, supplied with specific information in the course of the conduct of a component of an examination or assessment, unless verifiable evidence is supplied to support the application;
- (e) will not be accepted where the basis of the application is the provision of additional information following receipt of feedback from the College on their performance in an examination or assessment;
- (f) will not be accepted where the basis of the application is the provision of additional information (which has been brought to the attention of the Applicant) following:
 - i. the date of the original decision; and/or
 - ii. the lapsing of the time period in which the Applicant is eligible to apply for a Reconsideration, Review or Appeal;

4.1.5 In the case of a Reconsideration, Review or Appeal application related to the process

followed in the conduct of an examination or other assessment being considered, an investigation may be undertaken to ensure all steps in the examination marking or assessment process were correctly executed.

- 4.1.6 This Policy is not intended to provide an avenue for person(s) or institution(s) to be exempted from any requirements or components of any training program or training and accreditation standards on the basis of ignorance of relevant published policies and or regulations/guidelines.
- 4.1.7 Any meeting, interview, assessment, panel, hearing, Reconsideration/Review/Appeal deliberations may be conducted by electronic means, as the College may determine, in lieu of a face-to-face or physical meeting.

4.2 Grounds for Application under this Policy

- 4.2.1 In order for any application made under this Policy to progress to Reconsideration, Review or Appeal, there must be demonstrable evidence, provided at the time of the application, of one or more of the following grounds relating to the outcome of a decision that is the subject of the application:
 - (a) that an error in law or in due process occurred in the formulation of the original decision;
 - (b) that the relevant approved regulation or policy was not correctly applied;
 - (c) that procedures required by approved College policies or regulations to be observed in connection with the making of the original decision were not observed;
 - (d) that relevant and significant information, existing at the time of the original decision and which should have been known to the original decision-maker, was not considered or not properly considered in the making of the original decision. For the avoidance of doubt, evidence of any further training or experience by an Applicant during the period between the making of the original decision (the subject of the Reconsideration, Review or Appeal), and the date of hearing/consideration/assessment of any Reconsideration, Review or Appeal, shall be considered as information that becomes available subsequent to the original decision;
 - (e) that irrelevant information was considered by the original decision-maker in the making of the original decision;
 - (f) that the original decision was made for a purpose other than for which the power was conferred, or by a body that was not empowered to make the decision; or
 - (g) the original decision was affected by actual or perceived bias.

4.3 Acceptance of Applications

- 4.3.1 The College reserves the right to not accept an application for Reconsideration, Review or Appeal where the Applicant is unable to produce any reasonable or relevant evidence in support of the stated grounds on which the application is based. This assessment will be made by the College prior to the Reconsideration, Review or Formal Appeal Stages commencing under Parts 5-10 of this Policy.

4.4 Stage Progression for Reconsiderations, Reviews and Appeals

- 4.4.1 With reference to Part 5 of this Policy, if the Head of Speciality Training (or delegate) and the designated Project Officer unanimously determine that there are insufficient grounds for an application for Reconsideration, the application will not be forwarded to the relevant Chief Censor and/or Chief of Examinations or delegate and the Applicant will have no recourse to request a Review of the decision.
- 4.4.2 With reference to Part 6 of this Policy, if the CEO determines that there are insufficient grounds for an application for Reconsideration, the application will not be forwarded to the officer, committee or College group responsible for the original decision and the Applicant will have no recourse to request a Review of the decision.
- 4.4.3 With reference to Part 7 of this Policy, if the CEO determines that there are insufficient grounds for an application for Review, the application will not be forwarded to the Reviewing Body, and the Applicant will have no recourse to request an Appeal of the decision.
- 4.4.4 With reference to Part 8 of this Policy, if the CEO determines that there are insufficient grounds for an application for Review, the application will not be forwarded to a Reviewing Body, and the Applicant will have no recourse to request an Appeal of the decision.

4.5 Fees

- 4.5.1 The College will apply a fee for each stage of the Reconsideration, Review or Appeal process. The fee amount will be the amount applicable at the time of submitting an application for Reconsideration or Review or Appeal. The fees are set by the Board of Directors in May each year and published annually on the College's website.
- 4.5.2 Application fees are a contribution to the cost of facilitating a Reconsideration, Review or Appeal. The College contributes to the cost of the Formal Appeal Stage as part of its commitment to providing high quality, fair and transparent decision-making.
- 4.5.3 An invoice for payment of the stipulated fee will be generated within 3 calendar days of receipt of an application (where reasonably practicable).
- 4.5.4 The College will not consider an Applicant's application until the relevant fee has been paid. Failure to pay the relevant fee will result in the Applicant's application not being actioned. Delays in the payment of the relevant fee may result in a subsequent delay in the release of an outcome for a Reconsideration, Review or Appeal.
- 4.5.5 At the Reconsideration Stage or Review Stage, where the original decision is varied or set aside (or in the case of an examination related Reconsideration or Review, the examination sitting (of that component or segment) is voided and the Applicant is granted another sitting (of that component or segment)), the Applicant will be reimbursed the full application fee.
- 4.5.6 If an application for Reconsideration or Review is deemed to not have sufficient grounds, the Applicant will not be refunded the fee, which will be used to cover administrative costs of processing the application.

- 4.5.7 The Applicant may withdraw their application for Reconsideration or Review within 40 calendar days of lodging an application for Reconsideration or Review (unless the Applicant is notified by the College in writing that an extension of time is required to assess their claims; this will extend the time period in which the Applicant may withdraw their application for Reconsideration or Review). If the Applicant withdraws the application, the Applicant will not be refunded the fee, which will be used to cover administrative costs of processing the application.
- 4.5.8 The Applicant may withdraw their application for a Formal Appeal at any time prior to the scheduled Appeals Committee hearing. The Applicant will be refunded the fee minus an AUD 1,000 administrative fee (or equivalent) and any irrecoverable and otherwise committed costs for the conduct of the Appeals Committee hearing (for example, Appeals Committee member travel, accommodation or the venue and audio/visual costs for the Appeals Committee hearing).
- 4.5.9 In its absolute discretion, the Board may waive all or part of the Formal Appeal application fee and costs.

PART 5: STAGE ONE - RECONSIDERATION

If the decision relates to a Clinical Radiology or Radiation Oncology Examination Result

5. STAGE ONE – RECONSIDERATION (EXAMINATIONS)

If the decision relates to a Clinical Radiology or Radiation Oncology Examination Result

Reconsideration Process

	ACTION	TIMELINE/COLLEGE RESPONSE
1.	<p>If an Applicant wishes to make an application for Reconsideration of a decision, the Applicant submits to the College a Reconsideration Application Form (see appendix A), to request a Reconsideration of their examination result.</p> <p>The Applicant must identify the grounds for the application and must provide any supporting information/material. Refer to section 4.2.</p> <p>The Applicant must pay the stipulated fee. Refer to section 4.5.</p>	<p>Application Form and paid fee is to be received within 10 calendar days of notification of the examination result.</p> <p>Note: An invoice for payment of the stipulated fee will be generated within 3 calendar days of receipt of an application (where reasonably practicable).</p> <p>The designated Project Officer will acknowledge receipt of the application within 14 calendar days of receipt of the application.</p>
2.	<p>The Reconsideration application will initially be assessed by the Head of Speciality Training (or delegate) and the designated Project Officer.</p> <p>If the Head of Speciality Training (or delegate) and the designated Project Officer unanimously determine that:</p> <ul style="list-style-type: none"> (i) there are insufficient grounds for an application for Reconsideration, or (ii) the information provided by the Applicant falls outside of the grounds and terms contained in this Policy or other College policies, <p>the College will not be obliged to consider the application or the information provided any further. Refer to Part 3 and section 4.1.4.</p> <p>This determination made by the Head of Speciality Training (or delegate) and the designated Project Officer is conveyed in writing to the Applicant, noting the reasons for the determination and that the Applicant will have no recourse to request a Review of the decision.</p>	<p>The College will provide the Applicant with an outcome of their Reconsideration application within 40 calendar days of an Applicant's submission of a completed Reconsideration Application Form and receipt of payment of the stipulated fee (whichever is later).</p> <p>Where it is determined that the Reconsideration application requires further time to be assessed, the College will advise the Applicant in writing as soon as is reasonably practicable.</p> <p>Please note that College closure periods will affect the timeframe outlined in this section.</p>

	<p>If deemed necessary, the Head of Speciality Training (or delegate) or the designated Project Officer may confer with examiners (including clinicians who sit on an examination related panel or committee) prior to reaching their determination. In considering Conflict of Interest principles, any examiner who is involved at this stage will be excluded from taking part in the decision-making process, should the application progress further or the matter progress to Review or Formal Appeal.</p> <p>Process issues in the conduct of the examination are grounds which will be considered for a Reconsideration application. Refer to section 4.2 for further information.</p> <p><u>Consideration of Special Circumstances</u> (whereby an Applicant believes that their performance in an examination was adversely affected by a circumstance or condition beyond their control) will not be addressed under this Policy. In this regard, candidates are referred to RANZCR's Consideration of Special Circumstances Policy (publicly available on the College website). Such applications must be made <u>before</u> the publication of examination results and in accordance with the timeframes specified in the Considerations of Special Circumstances Policy. Refer to Part 3 and section 4.1.4(b).</p>	
3.	<p>If the Head of Speciality Training (or delegate) and the designated Project Officer unanimously determine that the application for Reconsideration is supported by sufficient grounds, then the relevant Chief Censor and/or Chief of Examinations or delegate* will consider the application. This may involve the Chief Censor and/or the Chief of Examinations or delegate obtaining relevant supporting documentation from the examination and examination processes.</p> <p>The Chief Censor and/or Chief of Examinations or delegate may confer with the Senior Examiner of the topic(s) and, in the case of viva examinations, may also confer with the individual examiner(s) who assessed the Applicant.</p> <p>*Please note that the Chief Censor and/or Chief of Examinations in their absolute discretion may delegate consideration of the Reconsideration application to the appropriate Education and Training Committee for their determination. If this occurs and the matter progresses to the Review Stage, the Reviewing Body under Part 7 of this Policy will be the appropriate Faculty Council or any other relevant body as determined by the CEO.</p>	
4.	<p>The Chief Censor and/or Chief of Examinations or delegate will make a determination with regard to the merits of the application for Reconsideration.</p> <p>The Chief Censor and/or Chief of Examinations or delegate may determine:</p> <ul style="list-style-type: none"> • To uphold the examination result; or • To void the examination sitting (of that component or segment) and grant another sitting (of that component or segment) to the Applicant. 	

5.	<p>The Chief Censor's and/or Chief of Examinations' or delegate's determination is conveyed in writing to the Applicant. If the original decision is upheld, the written communication will contain:</p> <ul style="list-style-type: none"> • the reasons for the decision being upheld; and • instructions on how the Applicant can proceed to the next Stage (i.e. Review Stage). <p>PLEASE NOTE:</p> <p>(i) The College does not upgrade examination results.</p> <p>(ii) If the original decision is not upheld (i.e. the examination sitting (of that component or segment) is voided and another sitting (of that component or segment) is granted to the Applicant), the Applicant will not be eligible to progress to Stage 2 (i.e. Review Stage) or Stage 3 (i.e. Formal Appeal).</p>	<p>The College will provide the Applicant with an outcome of their Reconsideration application within 40 calendar days of an Applicant's submission of a completed Reconsideration Application Form and receipt of payment of the stipulated fee (whichever is later).</p> <p>Where it is determined that the Reconsideration application requires further time to be assessed, the College will advise the Applicant in writing as soon as is reasonably practicable.</p> <p>Please note that College closure periods will affect the timeframe outlined in this section.</p>
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PART 6: STAGE ONE - RECONSIDERATION

**If the decision relates to any other
matter (i.e. excluding a Clinical
Radiology or Radiation Oncology
Examination Result)**

6. STAGE ONE – RECONSIDERATION (OTHER MATTERS)

If the decision relates to any other matter (i.e. excluding a Clinical Radiology or Radiation Oncology Examination Result)

Reconsideration Process

	ACTION	TIMELINE/COLLEGE RESPONSE
1.	<p>If an Applicant wishes to make an application for Reconsideration of a decision, the Applicant submits to the College a Reconsideration Application Form (see appendix A), indicating the decision made and requesting a Reconsideration of that decision.</p> <p>The Applicant must identify the grounds for the application and must provide any supporting information/material. Refer to section 4.2.</p> <p>The Applicant must pay the stipulated fee. Refer to section 4.5.</p>	<p>Application Form and paid fee is to be received within 10 calendar days of notification of the original decision.</p> <p>Note: An invoice for payment of the stipulated fee will be generated within 3 calendar days of receipt of an application (where reasonably practicable).</p> <p>CEO (or their delegate) will acknowledge receipt of the application within 14 calendar days of receipt of the application.</p>
1A.	<p>In the case of a decision relating to assessment of an IMG, if the Applicant wishes to make an application for Reconsideration of a decision, the Applicant submits a Reconsideration Application Form (see Appendix A), indicating the decision made and requesting Reconsideration of that decision.</p> <p>The Applicant must identify the grounds for the application and may provide any supporting information/material.</p>	<p>Application Form and paid fee is to be received within 21 calendar days of notification of the original decision.</p> <p>Note: An invoice for payment of the stipulated fee will be generated within 3 calendar days of receipt of an application (where reasonably practical).</p> <p>CEO (or their delegate) will acknowledge receipt of the application within 14 calendar days of receipt of the application.</p>

<p>2.</p>	<p>The Reconsideration application will initially be assessed by the CEO.</p> <p>If the CEO determines in his or her absolute discretion that:</p> <ul style="list-style-type: none"> (i) there are insufficient grounds for an application for Reconsideration, or (ii) the information provided by the Applicant falls outside of the grounds and terms contained in this Policy or other College policies, <p>the College will not be obliged to consider the application or the information provided any further. Refer to Part 3 and section 4.1.4.</p> <p>This determination made by the CEO is conveyed in writing to the Applicant, noting the reasons for the determination and that the Applicant will have no recourse to request a Review of the decision.</p> <p>If deemed necessary by the CEO, the CEO may confer with suitable office bearer, clinical leader or Committee Chair prior to reaching their determination. In considering Conflict of Interest principles, if the office bearer, clinical leader or Committee Chair is involved at this stage, they will be excluded from taking part in the decision-making process should the application progress further or the matter progress to Review or Formal Appeal.</p> <p>The CEO may delegate his or her powers and discretion under this Policy to another College staff member.</p> <p>Process issues in the conduct of the assessment are grounds which will be considered for a Reconsideration application. Refer to section 4.2 for further information.</p> <p><u>Consideration of Special Circumstances</u> (whereby an applicant believes that their performance in an assessment was adversely affected by a circumstance or condition beyond their control) will not be addressed under this Policy. In this regard, candidates are referred to RANZCR’s Consideration of Special Circumstances Policy (publicly available on the College website). Such applications must be made <u>before</u> the publication of an assessment outcome and in accordance with the timeframes specified in the Considerations of Special Circumstances Policy. Refer to Part 3 and section 4.1.4(b).</p>	<p>The College will provide the Applicant with an outcome of their Reconsideration application within 40 calendar days of an Applicant’s submission of a completed Reconsideration Application Form and receipt of payment of the stipulated fee (whichever is later).</p> <p>Where it is determined that the Reconsideration application requires further time to be assessed, the College will advise the Applicant in writing as soon as is reasonably practicable.</p> <p>Please note that College closure periods will affect the timeframe outlined in this section.</p>
<p>3.</p>	<p>If the CEO determines that the application for Reconsideration is supported by sufficient grounds, the CEO refers the application the officer, committee or College group responsible for the decision (i.e. the original decision maker).</p>	
<p>4.</p>	<p>After deliberation of the application for Reconsideration, the officer, committee or College group advises the CEO of their determination.</p>	

	<p>The original decision-maker may make any one of the following Reconsideration decisions:</p> <ul style="list-style-type: none"> • affirm its original decision; or • vary its original decision; or • set its original decision aside and make a new decision. <p>A written record of the original decision maker's Reconsideration deliberations must be kept in accordance with the ordinary practices of that entity.</p>	
5.	<p>The CEO advises the Applicant of the determination in writing. If the original decision is affirmed, the written communication will contain:</p> <ul style="list-style-type: none"> • the reasons for the decision being affirmed; and • instructions on how the Applicant can proceed to the next Stage. (i.e. Review Stage) <p>PLEASE NOTE:</p> <p>(i) If the original decision is varied or set aside, the Applicant will not be eligible to progress to Stage 2 (i.e. Review Stage) or Stage 3 (i.e. Formal Appeal).</p>	<p>The College will provide the Applicant with an outcome of their Reconsideration application within 40 calendar days of an Applicant's submission of a completed Reconsideration Application Form and receipt of payment of the stipulated fee (whichever is later).</p> <p>Where it is determined that the Reconsideration application requires further time to be assessed, the College will advise the Applicant in writing as soon as is reasonably practicable.</p> <p>Please note that College closure periods will affect the timeframe outlined in this section.</p>

PART 7: STAGE TWO - REVIEW

**If the decision relates to a Clinical
Radiology or Radiation Oncology
Examination Result**

7. STAGE TWO – REVIEW (EXAMINATIONS)

If the decision relates to a Clinical Radiology or Radiation Oncology Examination Result

Review Process

	ACTION	TIMELINE/COLLEGE RESPONSE
1.	<p>Following the outcome of the Reconsideration Stage, if an Applicant wishes to make an application for Review of a decision, the Applicant submits to the College a Review Application Form (see appendix B), indicating the decision made and requesting a Review of that decision.</p> <p>The Applicant must identify the grounds for the application and must provide any supporting information/material. Refer to section 4.2.</p> <p>The Applicant must pay the stipulated fee. Refer to section 4.5.</p>	<p>Application Form and paid fee is to be received within 10 calendar days of notification of the Reconsideration application outcome.</p> <p>Note: An invoice for payment of the stipulated fee will be generated within 3 calendar days of receipt of an application (where reasonably practicable).</p> <p>CEO (or their delegate) will acknowledge receipt of the application within 14 calendar days of receipt of the application.</p>
2.	<p>The Review application will initially be assessed by the CEO.</p> <p>If the CEO determines in his or her absolute discretion that:</p> <ul style="list-style-type: none"> (i) there are insufficient grounds for an application for Review, or (ii) the information provided by the Applicant falls outside of the grounds and terms contained in this Policy or other College policies, <p>the College will not be obliged to consider the application or the information provided any further. Refer to Part 3 and section 4.1.4.</p> <p>This determination made by the CEO is conveyed in writing to the Applicant, noting the reasons for the determination and that the Applicant will have no recourse to request a Formal Appeal of the decision.</p> <p>If deemed necessary by the CEO, the CEO may confer with suitable office bearer, clinical leader or Committee Chair prior to reaching their determination. In considering Conflict of Interest principles, if the office bearer, clinical leader or Committee Chair is involved at this stage, they will be excluded from taking part in the decision-making process should the application progress further or the matter progress to Formal Appeal.</p>	<p>The College will provide the Applicant with an outcome of their Review application within 40 calendar days of an Applicant's submission of a completed Review Application Form and receipt of payment of the stipulated fee (whichever is later).</p> <p>Where it is determined that the Review application requires further time to be assessed, the College will advise the Applicant in writing as soon as is reasonably practicable.</p> <p>Please note that College closure periods will affect the timeframe outlined in this section.</p>

	<p>The CEO may delegate his or her powers and discretion under this Policy to another College staff member.</p> <p>Process issues in the conduct of the assessment are grounds which will be considered for a Review application. Refer to section 4.2 for further information.</p>	
3.	<p>If the CEO determines that the application for Review is supported by sufficient grounds, the CEO refers the application to the Reviewing Body.</p> <p>Any committee member who has been party to the Reconsideration will not take part in this Review.</p> <p>Any decision-making authority/body who has or is perceived to have a conflict of interest will not take part in the Review.</p> <p>If through managing conflicts of interest, there is less than 50% of the membership of the appropriate committee remaining to make a Review determination, the CEO may select an alternate Reviewing Body.</p> <p>PLEASE NOTE: If at the Reconsideration Stage, the decision-making authority/body was delegated to the appropriate Education and Training Committee, the Reviewing Body under Part 7 of this Policy will be the appropriate Faculty Council or any other relevant body as determined by the CEO.</p> <p>The CEO or their delegate will provide the Applicant with a copy of the Review Pack. The Applicant will be allowed 7 calendar days to respond to that information before the Reviewing Body makes a decision on the application for Review.</p>	
4.	<p>After deliberation of the application for Review, the appropriate Reviewing Body will make a determination with regard to the merits of the application for Review and conduct the Review in line with the principles outlined in section 9.2 of this Policy.</p> <p>The Reviewing Body may determine:</p> <ul style="list-style-type: none"> • To uphold the examination result; or • To void the examination sitting (of that component or segment) and grant another sitting (of that component or segment) to the Applicant. <p>A written record of the Reviewing Body's Review deliberations must be kept in accordance with the ordinary practices of that entity.</p>	

5.	<p>The Reviewing Body's determination is conveyed in writing to the Applicant. If the original decision is upheld, the written communication will contain:</p> <ul style="list-style-type: none"> • the reasons for the decision being upheld; and • instructions on how the Applicant can proceed to the next Stage (i.e. Formal Appeal). <p>PLEASE NOTE:</p> <ul style="list-style-type: none"> (i) The College does not upgrade examination results. (ii) If the original decision is not upheld (i.e. the examination sitting (of that component or segment) is voided and another sitting (of that component or segment) is granted to the Applicant), the Applicant will not be eligible to progress to Stage 3 (i.e. Formal Appeal). 	<p>The College will provide the Applicant with an outcome of their Review application within 50 calendar days of an Applicant's submission of a completed Review Application Form and receipt of payment of the stipulated fee (whichever is later).</p> <p>Where it is determined that the Review application requires further time to be assessed, the College will advise the Applicant in writing as soon as is reasonably practicable.</p> <p>Please note that College closure periods will affect the timeframe outlined in this section.</p>
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PART 8: STAGE TWO - REVIEW

**If the decision relates to any other
matter (i.e. excluding a Clinical
Radiology or Radiation Oncology
Examination Result)**

8. STAGE TWO – REVIEW (OTHER MATTERS)

If the decision relates to any other matter (i.e. excluding a Clinical Radiology or Radiation Oncology Examination Result)

Review Process

	ACTION	TIMELINE/COLLEGE RESPONSE
1.	<p>Following the outcome of the Reconsideration Stage, if an Applicant wishes to make an application for Review of a decision, the Applicant submits to the College a Review Application Form (see appendix B), indicating the decision made and requesting a Review of that decision.</p> <p>The Applicant must identify the grounds for the application and must provide any supporting information/material. Refer to section 4.2.</p> <p>The Applicant must pay the stipulated fee. Refer to section 4.5.</p>	<p>Application Form and paid fee is to be received within 10 calendar days of notification of the Reconsideration application outcome.</p> <p>Note: An invoice for payment of the stipulated fee will be generated within 3 calendar days of receipt of an application (where reasonably practicable).</p> <p>CEO (or their delegate) will acknowledge receipt of application within 14 calendar days of receipt of the application.</p>
2.	<p>The Review application will initially be assessed by the CEO.</p> <p>If the CEO determines in his or her absolute discretion that:</p> <ul style="list-style-type: none"> (i) there are insufficient grounds for an application for Review, or (ii) the information provided by the Applicant falls outside of the grounds and terms contained in this Policy or other College policies, <p>the College will not be obliged to consider the application or the information provided any further. Refer to Part 3 and section 4.1.4.</p> <p>This determination made by the CEO is conveyed in writing to the Applicant, noting the reasons for the determination and that the Applicant will have no recourse to request a Formal Appeal of the decision.</p> <p>If deemed necessary by the CEO, the CEO may confer with suitable office bearer, clinical leader or Committee Chair prior to reaching their determination. In considering Conflict of Interest principles, if the office bearer, clinical leader or Committee Chair is involved at this stage, they will be excluded from taking part in the decision-making process should the application progress further or the matter progress to Formal Appeal.</p>	<p>The College will provide the Applicant with an outcome of their Review application within 40 calendar days of an Applicant's submission of a completed Review Application Form and receipt of payment of the stipulated fee (whichever is later).</p> <p>Where it is determined that the Review application requires further time to be assessed, the College will advise the Applicant in writing as soon as is reasonably practicable.</p> <p>Please note that College closure periods will affect the timeframe outlined in this section.</p>

	<p>The CEO may delegate his or her powers and discretion under this Policy to another College staff member.</p> <p>Process issues in the conduct of the assessment are grounds which will be considered for a Review application. Refer to section 4.2 for further information.</p>	
3.	<p>If the CEO determines that the application for Review is supported by sufficient grounds, the CEO refers the application to the Reviewing Body.</p> <p>Any committee member who has been party to the Reconsideration will not take part in this Review.</p> <p>Any decision-making authority/body who has or is perceived to have a conflict of interest will not take part in the Review.</p> <p>If through managing conflicts of interest, there is less than 50% of the membership of the appropriate committee remaining to make a Review determination, the CEO may select an alternate Reviewing Body.</p> <p>The CEO or their delegate will provide the Applicant with a copy of the Review Pack. The Applicant will be allowed 7 calendar days to respond to that information before the Reviewing Body makes a decision on the application for Review.</p>	
4.	<p>After deliberation of the application for Review, the appropriate Reviewing Body will make a determination with regard to the merits of the application for Review and conduct the Review in line with the principles outlined in section 9.2 of this Policy.</p> <p>The Reviewing Body may make any one of the following Review decisions:</p> <ul style="list-style-type: none"> • affirm its original decision; or • vary its original decision; or • set its original decision aside and make a new decision. <p>The Reviewing Body advises the CEO of their determination.</p> <p>A written record of the Reviewing Body's Review deliberations must be kept in accordance with the ordinary practices of that entity.</p>	
5.	<p>The CEO advises the Applicant of the determination in writing. If the original decision is affirmed, the written communication will contain:</p> <ul style="list-style-type: none"> • the reasons for the decision being affirmed; and • instructions on how the Applicant can proceed to the next Stage (i.e. Formal Appeal). <p>PLEASE NOTE:</p>	<p>The College will provide the Applicant with an outcome of their Review application within 50 calendar days of an Applicant's submission of a completed Review Application Form and receipt of payment of the stipulated fee (whichever is later).</p>

	(i) If the original decision is varied or set aside, the applicant will not be eligible to progress to Stage 3 (i.e. Formal Appeal).	Where it is determined that the Review application requires further time to be assessed, the College will advise the Applicant in writing as soon as is reasonably practicable. Please note that College closure periods will affect the timeframe outlined in this section.
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9. REVIEWING BODIES

9.1 Composition of a Review Panel

9.1.1 The CEO may convene a Review Panel, which shall comprise three individuals, no fewer than two (2) of whom are College Fellows chosen by the CEO from a list of nominees approved by the Board of Directors for this purpose. One (1) member of the Review Panel shall be nominated as the Chairperson.

9.1.2 The Review Panel shall not include a member who participated in the original decision or the Reconsideration decision or who otherwise has, or is perceived to have, a conflict of interest.

9.2 Conduct of the Reviewing Body (including a Review Panel)

9.2.1 The Reviewing Body shall consider, and conduct the Review on the basis of:

- (a) all the original material and documentation considered by the original decision-maker;
- (b) all additional material and documentation supplied by the Applicant for the purposes of the Reconsideration;
- (c) all additional material and documentation supplied by the Applicant for the purposes of the Review (if any);
- (d) any additional material and documentation considered relevant by the chair of the Reviewing Body;
- (e) whether the principles of procedural fairness were followed when the original decision was made and (if relevant) when it was considered;
- (f) the outcome previously granted to the Applicant for the circumstances relevant to the ground(s) on which the application is made (if any); and
- (g) any College regulations, policies and procedures relevant to the decision.

9.2.2 A Reviewing Body may not:

- (i) make any decision that the original decision-maker could not have made, or was not empowered to make; or
- (ii) upgrade an examination result; or

- (iii) revoke any clinical or examination assessment of any Applicant or replace the assessment with an assessment of its own; or
- (iv) recommend a pathway to Fellowship for an IMG; or
- (v) elevate an Applicant above others in a competitive assessment or selection process; or
- (vi) award Fellowship or other College membership to any Applicant.

9.2.3 The Reviewing Body must not take into account evidence of further training or experience by an Applicant during the period between the making of the original decision (the subject of the Review), and the date of the consideration/assessment of the Review (see section 4.2 for further information).

9.2.4 As is the case with any meetings at the Reconsideration stage, the Applicant does not have the right to attend any meetings of the Reviewing Body or to make any oral submissions to it, either personally or through any other party.

9.2.5 The secretarial support for the Reviewing Body will be provided by a College staff member, allocated by the CEO for that purpose, who will attend Reviewing Body meeting/s and keep minutes but will not be party to any decision.

9.2.6 The Reviewing Body is not subject to the legal rules of evidence.

9.3 Outcomes of a Review Panel Meeting

9.3.1 In the case of a Clinical Radiology or Radiation Oncology examination result, the Review Panel may make any one of the following Review decisions:

- to uphold the examination result; or
- to void the examination sitting (of that component or segment) and grant another sitting (of that component or segment) to the Applicant.

9.3.2 If the decision relates to any other matter (i.e. excluding a Clinical Radiology or Radiation Oncology examination result), the Review Panel may make any one of the following Review decisions:

- affirm the original decision or Reconsideration decision; or
- vary the original decision or the Reconsideration decision; or
- set aside the original decision or Reconsideration decision and refer the matter to the original decision-maker for further consideration in accordance with any directions or recommendations it may make; or
- set aside the original decision or Reconsideration decision and make any further decision it deems appropriate.

9.3.3 Minutes of the meeting of the Review Panel shall be confined to:

- a report listing the documentation presented and considered;
- a report of the Review decision, including reasons for the decision.

The applicant will not be entitled to a copy of the minutes of the meeting of the Review Panel, but will be provided with the reason/s for the decision.

9.3.4 The Review Panel must notify the CEO in writing of its decision, including reasons for the decision within 7 calendar days of the Review Panel meeting.

PART 10: STAGE THREE - FORMAL APPEAL

10. STAGE THREE – FORMAL APPEAL

10.1 How to institute a Formal Appeal

Within 10 calendar days of the Applicant being notified in writing of the Review application outcome, the Applicant must advise the College if they wish for a Formal Appeal to be instituted.

10.2 Formal Appeal process rules

- 10.2.1 The decision which may be appealed to an Appeals Committee are those listed in Part 2 of this Policy.
- 10.2.2 Before convening an Appeals Committee, the CEO will ensure that the original decision has been the subject of both a Reconsideration and Review. A Reconsideration and Review does not constitute a Formal Appeal under Part 10 of this Policy. An Appeal is to be conducted in a manner consistent with the processes outlined below.
- 10.2.3 An Appeals Committee hearing must (where reasonably practicable) be held within three months of the Applicant advising the College that they wish for a Formal Appeal to be instituted under Part 10 of this Policy.
- 10.2.4 Subject to Part 10 of this Policy, an Appeals Committee has full power to regulate its conduct and operation as it thinks appropriate.

10.3 Appeals Committee

- 10.3.1 If the CEO at their discretion accepts the Applicant's application to institute a Formal Appeal, an Appeals Committee must be convened.
- 10.3.2 The Board will determine the members of an Appeals Committee, who will comprise of:
 - (i) A Chairperson who is a member of the legal professional and who is not a College member;
 - (ii) two other persons who are not College members;
 - (iii) two College Fellows;none of whom participated in the original decision, the Reconsideration decision or the Review decision, or who otherwise have or are perceived to have a conflict of interest.
- 10.3.3 The CEO or his/her delegate will be the Secretary to an Appeals Committee, but is not a voting member of the Appeals Committee (see section 10.3.4).
- 10.3.4 A quorum for a hearing of the Appeals Committee will be the Chairperson and two other members, at least one of whom shall be a College Fellow. All members shall be entitled to vote on decisions, with decisions of the Appeals Committee being decided by a simple majority of those members present. In the event of an equality of votes, the Chairperson may exercise a casting vote.
- 10.3.5 Applicants will be advised in writing of the composition of the Appeals Committee at least 28 calendar days prior to the scheduled date of the Appeals Committee hearing.

- (a) The Applicant will be advised that should they believe any member has a conflict of interest that may impair that individual's ability to impartially consider the Appeal, they have the right to have the conflict of interest matter considered by the Chairperson of the Appeals Committee or the College CEO where the conflict is believed to be associated with the Chairperson.
- (b) The Applicant will be advised that any conflict of interest related application must include any relevant supporting documentation or other material(s) and must be provided at least 21 calendar days prior to the scheduled date of the Appeals Committee hearing.
- (c) Should the Chair or CEO believe that a conflict exists, and depending on the availability of a suitable replacement, the Appeals Committee hearing may need to be delayed or rescheduled in order to obtain a suitable replacement member, or the Appeal may proceed with a reduced membership of the Appeals Committee. Such a decision is at the discretion of the Chairperson or CEO.
- (d) Any costs incurred by the Applicant as a result of any delay(s) or changes to previously advised arrangements will be borne by the Applicant.

10.4 Grounds of Appeal

10.4.1 In order for any application made under this Policy to progress to Formal Appeal, there must be demonstrable evidence, provided at the time of the application, of one or more of the following grounds relating to the outcome of a decision that is the subject of the application:

- (a) that an error in law or in due process occurred in the formulation of the original decision;
- (b) that the relevant approved regulation or policy was not correctly applied;
- (c) that procedures required by approved College policies or regulations to be observed in connection with the making of the original decision were not observed;
- (d) that relevant and significant information, existing at the time of the original decision and which should have been known to the decision-maker, was not considered or not properly considered in the making of the original decision. For the avoidance of doubt, evidence of any further training or experience by an Applicant during the period between the making of the original decision, (the subject of the Reconsideration, Review or Appeal), and the date of hearing/consideration/assessment of any Reconsideration, Review or Appeal, shall be considered as information that becomes available subsequent to the original decision.
- (e) that irrelevant information was considered by the original decision-maker in the making of the original decision;
- (f) that the original decision was made for a purpose other than for a purpose for which the power was conferred, or by a body that was not empowered to make the decision; or
- (g) the original decision was affected by actual or perceived bias.

10.4.2 The conduct and findings of the Reconsideration Stage and/or the Review Stage cannot be used as potential grounds in a Formal Appeal (Stage 3). The Formal Appeal is referable to the original decision only.

10.5 Lodging a Formal Appeal

- 10.5.1 Any Applicant who has made a notification under section 10.1 must lodge their Formal Appeal with the CEO, within two months of their receipt of the Review application outcome. The Applicant must submit the Formal Appeal Application Form (see appendix C) which must:
- (i) be in writing;
 - (ii) set out the grounds of Appeal;
 - (iii) be accompanied by all relevant information upon which the Applicant seeks to rely in respect of the Formal Appeal; and
 - (iv) be accompanied by the Formal Appeal Application fee (see section 4.5).

10.6 Appeals Committee Hearing

- 10.6.1 At least 28 calendar days prior to the scheduled date of the Appeals Committee hearing, the CEO will advise the Applicant in writing of:
- (i) the date, time and place of the hearing;
 - (ii) the Applicant's right to appear, at their own cost, before the Appeals Committee; and
 - (iii) the Applicant's right to seek leave of the Appeals Committee to have legal representation (at their own cost).
- 10.6.2 The Appeals Committee will receive the Applicant's Appeal submission in the first instance (see section 10.5). The College will subsequently provide to the Appeals Committee an Appeal Pack which includes the summary of Appellant's correspondence with the College, the College's submission, other relevant statements and copies of relevant College policies. The Appeal Pack will be simultaneously shared with the Applicant at least 28 calendar days prior to the scheduled date of the Appeals Committee hearing. An Applicant may respond to the College's Appeal Pack by way of additional written submissions to the Appeals Committee (see section 10.6.3).
- 10.6.3 Following receipt of the Appeals Pack, an Applicant and the College may make additional written submissions to the Appeals Committee. If the Applicant or the College chooses to do so, they must give any written submissions and provide any relevant information in support of their submission to the CEO at least 10 calendar days prior to the scheduled date of the Appeals Committee hearing. These submissions are simultaneously made available to the Appeals Committee, the Applicant and the College.
- 10.6.4 In relation to the submissions noted at 10.6.3 and the Formal Appeal generally:
- (i) The Applicant has the right to appear before the Appeals Committee and to advocate the merits of the Appeal himself/herself as set out in his/her written submissions.
 - (ii) The Applicant has the right to be accompanied by a support person, who may not act as an advocate for the Applicant.

- (iii) The Applicant is not entitled to be accompanied by a legal representative (or any other person who shall act as an advocate) unless the Appeals Committee Chairperson has given prior consent where it is felt that an Applicant could not present in person, or would be disadvantaged in his/her Appeal if required to present in person. Any request for such representation:
 - must be made by the Applicant;
 - must specify the reasons on which the request is made, and
 - be received by the CEO at least 21 calendar days prior to the scheduled date of the Appeals Committee hearing.
 - (iv) If the Applicant has approval for a legal representative to be present on the day of the Appeals Committee hearing, the legal representative may be invited to address the Appeals Committee regarding any particular issue that the Appeals Committee believes cannot adequately be addressed by the Applicant.
- 10.6.5 In any Formal Appeal, the Applicant will bear the onus of proof to establish the grounds of the Formal Appeal.
- 10.6.6 An Appeals Committee will:
- (i) conduct the hearing with as little formality and technicality, and with as much expediency, as a proper consideration of the matters before the Appeals Committee permit;
 - (ii) to the extent it thinks appropriate, conduct the hearing in accordance with the section 10.7 below;
 - (iii) act according to the rules of natural justice; and
 - (iv) decide each Appeal on its merits.
- 10.6.7 An Appeals Committee:
- (i) is not bound by the legal rules of evidence but may inform itself on any matter in such manner as it thinks appropriate;
 - (ii) may consider all relevant information that it thinks appropriate; and
 - (iii) may invite any person to appear before it or to provide information.
- 10.6.8 A representative/s of the original decision-maker will attend the Appeals Committee hearing and address the Appeals Committee on matters relevant to the Appeal. The representative/s will be given opportunity to comment on submissions of the Applicant and the College.
- 10.6.9 Relevant College staff members will attend the Appeals Committee hearing and will speak to matters of College policy, process, records and answer questions of the Appeals Committee that pertain to their duties for the College which are relevant to the matter under Appeal.
- 10.6.10 The College Solicitor may be asked to attend the Appeals Committee hearing and act as a legal advisor to the College.
- 10.6.11 The Appeals Committee must keep confidential:
- (i) any transcript or recording of a hearing; and
 - (ii) any other information relating to a Formal Appeal that the Appeals Committee receives.

- 10.6.12 Notwithstanding section 10.6.11, the Appeals Committee may disclose the above matters:
- (i) if required to do so by law or a government body; or
 - (ii) in accordance with sections 10.9 and 10.10.
- 10.6.13 An Appeals Committee will prepare a Decision Record of the hearing setting out:
- (i) a report of the Appeals Committee's decision with reasons; and
 - (ii) the Appeals Committee's recommendations, if any, to the Board.
- 10.6.14 The Appeals Committee must provide the Board with a copy of the Decision Record. The Board may publish all or any part of the Decision Record if it thinks such publication is appropriate.

10.7 Procedures for the Conduct of Appeals Committee Hearings

- 10.7.1 An Appeals Committee will meet alone for up to one hour at the commencement of each hearing to review the matter before it.
- 10.7.2 The Applicant and other parties attending to provide information to the Appeals Committee will be admitted together. However, the Appeals Committee may, in its absolute discretion, hear the parties separately.
- 10.7.3 The Appeals Committee may request, or permit, other parties to appear before it to provide information to the Appeals Committee.
- 10.7.4 The Chairperson will first invite the Applicant and then any other party appearing before it to summarise their submissions and/or responses to the Appeals Committee prior to their formal presentation.
- 10.7.5 The Chairperson will then invite the Applicant to present their submissions and may at any time direct the Applicant to any point of those submissions or invite questions on any point of those submissions and may request the Applicant to bring their submissions to a close after due consideration of the time taken to deliver their submissions.
- 10.7.6 The Chairperson will then invite members of the Appeals Committee to seek clarification from the Applicant of any matters raised.
- 10.7.7 The Chairperson will then invite any person attending to provide information to the Appeals Committee and to comment on the submissions of the Applicant.
- 10.7.8 The Appeals Committee may direct questions to any person attending to provide information to the Appeals Committee.
- 10.7.9 The Applicant will be asked to respond or make submissions in relation to material presented by other parties or participants.
- 10.7.10 The Appeals Committee will then adjourn. The parties participating in the Appeal will remain available to clarify any further matters as requested by the Appeals Committee.

- 10.7.11 The parties involved in the Appeal will, if the Appeals Committee requires such further clarification, re-join the meeting and provide the clarification sought.
- 10.7.12 The Applicant will be asked if they have any further submissions or wish to make any further comments or responses before the formal proceedings are closed.
- 10.7.13 At the discretion of the Appeals Committee Chair, the Applicant may be given an opportunity to make any further written submissions necessary to the Appeals Committee within 7 calendar days following the close of the Appeals Committee hearing.
- 10.7.14 The Chairperson will thank all parties for their attendance and dismiss them.

10.8 Delegation

The CEO may delegate his or her powers and duties in respect of any appeal to such person as he or she determines.

10.9 Decisions of the Appeals Committee

- 10.9.1 An Appeals Committee may, upon considering all submissions, do any one or more of the following as the circumstances permit:
- (i) confirm the decision under Formal Appeal; and/or
 - (ii) revoke the decision under Formal Appeal (except in the case of examination results); and/or
 - (iii) revoke the decision under Formal Appeal and refer the decision back to the relevant Officer, Faculty Council, Committee or any other decision-making body for further consideration in accordance with the directions of the Appeals Committee; and/or
 - (iv) revoke the decision under Formal Appeal and make recommendations to the Board on an alternative decision; and/or
 - (v) recommend to the Board whether none, all or part of the Formal Appeal application fee and costs should be waived; and/or
 - (vi) make recommendations to CEO and to the Board with regards to matters covered by the Formal Appeal.
- 10.9.2 An Appeals Committee may not:
- (i) make any decision that the original decision-maker could not have made, or was not empowered to make; or
 - (ii) upgrade an examination result; or
 - (iii) revoke any clinical or examination assessment of any Applicant or replace the assessment with an assessment of its own; or
 - (iv) recommend a pathway to Fellowship for an IMG; or
 - (v) elevate an Applicant above others in a competitive assessment or selection process; or
 - (vi) award Fellowship or other College membership to any Applicant.

- 10.9.3 The Appeals Committee will issue a written decision, with reasons for the decision (i.e. the Decision Record) to the Applicant and the College, within five weeks of the Appeals Committee hearing or within four weeks of receiving any requested further written submissions after the Appeals Committee hearing, whichever is later.
- 10.9.4 Upon receipt of a recommendation of the Appeals Committee pursuant to section 10.9.1, the Board may accept and act upon all or part of such a recommendation as it sees fit, subject to the provisions of the RANZCR Articles of Association.
- 10.9.5 The decision of the Board following a recommendation of the Appeals Committee will be provided to the Applicant within 14 calendar days of the Board's decision.
- 10.9.6 Where an Appeal decision or recommendations of the Appeals Committee are determined by the College President and/or CEO to have direct relevance and ramifications beyond the entity that made the original decision, and where it is considered necessary in order for College processes to be altered as a result of the decision of an Appeal, and with the agreement of the Chairperson of the Appeals Committee, the Decision Record of the Appeals Committee, along with information relating to the summary of the reason(s) for the decision that is considered to be of direct relevance, may be conveyed to such other bodies (e.g. Faculty Councils, Committees etc.) or RANZCR staff members for their consideration, provided that the information conveyed is first de-identified to protect the confidentiality of the Appeal proceedings.

10.10 Annual Report

The College will publish annually a report on the activities of an Appeals Committee including the number of Formal Appeals lodged and the result of Formal Appeals.

11. APPENDICIES

- A. Reconsideration Application Form
- B. Review Application Form
- C. Formal Appeal Application Form
- D. Flowchart – Stage One: Reconsideration – If the decision relates to a Clinical Radiology or Radiation Oncology Examination Result
- E. Flowchart – Stage One: Reconsideration – If the decision relates to any other matter (i.e. excluding a Clinical Radiology or Radiation Oncology Examination Result)
- F. Flowchart – Stage Two: Review – If the decision relates to a Clinical Radiology or Radiation Oncology Examination Result
- G. Flowchart – Stage Two: Review – If the decision relates to any other matter (i.e. excluding a Clinical Radiology or Radiation Oncology Examination Result)
- H. Flowchart – Stage Three: Formal Appeal



Appendix A: RECONSIDERATION APPLICATION FORM

Before submitting your application, please read the Reconsideration, Review and Appeal of Decisions Policy published on the College website.

Personal Details:

Title:

First name:

Surname:

Email:

RANZCR ID Number:

Contact phone number:

What decision are you applying to have Reconsidered?

A Reconsideration may be made on one or more of the grounds below. You must detail evidence to support the grounds. Please select the grounds for your application for Reconsideration and provide an explanation of the reasons you are relying upon for your application:

that an error in law or in due process occurred in the formulation of the original decision:

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

- that the relevant approved regulation or policy was not correctly applied:**

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

- that procedures required by approved College policies or regulations to be observed in connection with the making of the original decision were not observed:**

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

- that relevant and significant information, existing at the time of the original decision and which should have been known to the original decision-maker, was not considered or not properly considered in the making of the original decision. For the avoidance of doubt, evidence of any further training or experience by an Applicant during the period between the making of the original decision, (the subject of the Reconsideration, Review or Appeal), and the date of hearing/consideration/assessment of any Reconsideration, Review or Appeal, shall be considered as information that becomes available subsequent to the original decision:**

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

- that irrelevant information was considered by the original decision-maker in the making of the original decision:**

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

- that the original decision was made for a purpose other than for a purpose for which the power was conferred, or by a body that was not empowered to make the decision:**

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

- that the original decision was affected by actual or perceived bias:**

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

Declarations:

- I certify that the information I have provided in and with this application is correct and complete.
- I have read the *Reconsideration, Review and Appeal of Decisions Policy*.
- I understand that providing false or misleading information will result in my application not being accepted and may result in a finding of professional misconduct/professional misbehaviour.
- I hereby authorise RANZCR to contact relevant authorities and any party named in support of my application for Reconsideration for the purpose of verifying any information I have supplied.

Signature:

Date:

Applications must be submitted via email to: rrad@ranzcr.edu.au

Applications must be emailed with the following subject line: Application for Reconsideration — Applicant's surname — Applicant's RANZCR ID number

Applicants must pay the Reconsideration Fee as outlined under section 4.5 of the Reconsideration, Review and Appeal of Decisions Policy. An invoice for payment of the stipulated fee will be generated within 3 calendar days of receipt of an application (where reasonably practicable).

Please include all supporting information/material you wish to rely upon, ensuring that all attachments are clearly numbered (e.g. attachment 1 of 2 etc.).

Applications will be acknowledged within 14 calendar days of receipt of your application.

Applications which are incomplete or not submitted according to these guidelines will not be considered.



Appendix B: REVIEW APPLICATION FORM

Before submitting your application, please read the Reconsideration, Review and Appeal of Decisions Policy published on the College website.

Personal Details:

Title:

First name:

Surname:

Email:

RANZCR ID Number:

Contact phone number:

What decision are you applying to have Reviewed?

A Review may be made on one or more of the grounds below. You must detail evidence to support the grounds. Please select the grounds for your application for Review and provide an explanation of the reasons you are relying upon for your application:

- that an error in law or in due process occurred in the formulation of the original decision:

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

- that the relevant approved regulation or policy was not correctly applied:**

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

- that procedures required by approved College policies or regulations to be observed in connection with the making of the original decision were not observed:**

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

- that relevant and significant information, existing at the time of the original decision and which should have been known to the original decision-maker, was not considered or not properly considered in the making of the original decision. For the avoidance of doubt, evidence of any further training or experience by an Applicant during the period between the making of the original decision, (the subject of the Reconsideration, Review or Appeal), and the date of hearing/consideration/assessment of any Reconsideration, Review or Appeal, shall be considered as information that becomes available subsequent to the original decision:**

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

- that irrelevant information was considered by the original decision-maker in the making of the original decision:**

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

- that the original decision was made for a purpose other than for a purpose for which the power was conferred, or by a body that was not empowered to make the decision:**

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

- that the original decision was affected by actual or perceived bias:**

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

Declarations:

- I certify that the information I have provided in and with this application is correct and complete.
- I have read the *Reconsideration, Review and Appeal of Decisions Policy*.
- I understand that providing false or misleading information will result in my application not being accepted and may result in a finding of professional misconduct/professional misbehaviour.
- I hereby authorise RANZCR to contact relevant authorities and any party named in support of my application for Review for the purpose of verifying any information I have supplied.

Signature:

Date:

Applications must be submitted via email to: rrad@ranzcr.edu.au

Applications must be emailed with the following subject line: Application for Review — Applicant's surname — Applicant's RANZCR ID number

Applicants must pay the Review Fee as outlined under section 4.5 of the Reconsideration, Review and Appeal of Decisions Policy. An invoice for payment of the stipulated fee will be generated within 3 calendar days of receipt of an application (where reasonably practicable).

Please include all supporting information/material you wish to rely upon, ensuring that all attachments are clearly numbered (e.g. attachment 1 of 2 etc.).

Applications will be acknowledged within 14 calendar days of receipt of your application.

Applications which are incomplete or not submitted according to these guidelines will not be considered.



Appendix C: FORMAL APPEAL APPLICATION FORM

Before submitting your application, please read the Reconsideration, Review and Appeal of Decisions Policy published on the College website.

Personal Details:

Title:

First name:

Surname:

Email:

RANZCR ID Number:

Contact phone number:

What decision are you applying to have Appealed?

A Formal Appeal may be made on one or more of the grounds below. You must detail evidence to support the grounds. Please select the grounds for your application for Review and provide an explanation of the reasons you are relying upon for your application:

- that an error in law or in due process occurred in the formulation of the original decision:**

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

- that the relevant approved regulation or policy was not correctly applied:**

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

- that procedures required by approved College policies or regulations to be observed in connection with the making of the original decision were not observed:**

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

- that relevant and significant information, existing at the time of the original decision and which should have been known to the original decision-maker, was not considered or not properly considered in the making of the original decision. For the avoidance of doubt, evidence of any further training or experience by an Applicant during the period between the making of the original decision, (the subject of the Reconsideration, Review or Appeal), and the date of hearing/consideration/assessment of any Reconsideration, Review or Appeal, shall be considered as information that becomes available subsequent to the original decision:**

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

- that irrelevant information was considered by the original decision-maker in the making of the original decision:**

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

- that the original decision was made for a purpose other than for a purpose for which the power was conferred, or by a body that was not empowered to make the decision:**

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

- that the original decision was affected by actual or perceived bias:**

Please provide an explanation of the reasons you are relying upon for your application e.g. if your grounds are 'that the relevant approved regulation or policy was not correctly applied', provide details of the regulation or policy and outline how it was not correctly applied

Declarations:

- I certify that the information I have provided in and with this application is correct and complete.
- I have read the *Reconsideration, Review and Appeal of Decisions Policy*.
- I understand that providing false or misleading information will result in my application not being accepted and may result in a finding of professional misconduct/professional misbehaviour.
- I hereby authorise RANZCR to contact relevant authorities and any party named in support of my application for Appeal for the purpose of verifying any information I have supplied.

Signature:

Date:

Applications must be submitted via email to: rrad@ranzcr.edu.au

Applications must be emailed with the following subject line: Application for Appeal — Applicant's surname — Applicant's RANZCR ID number

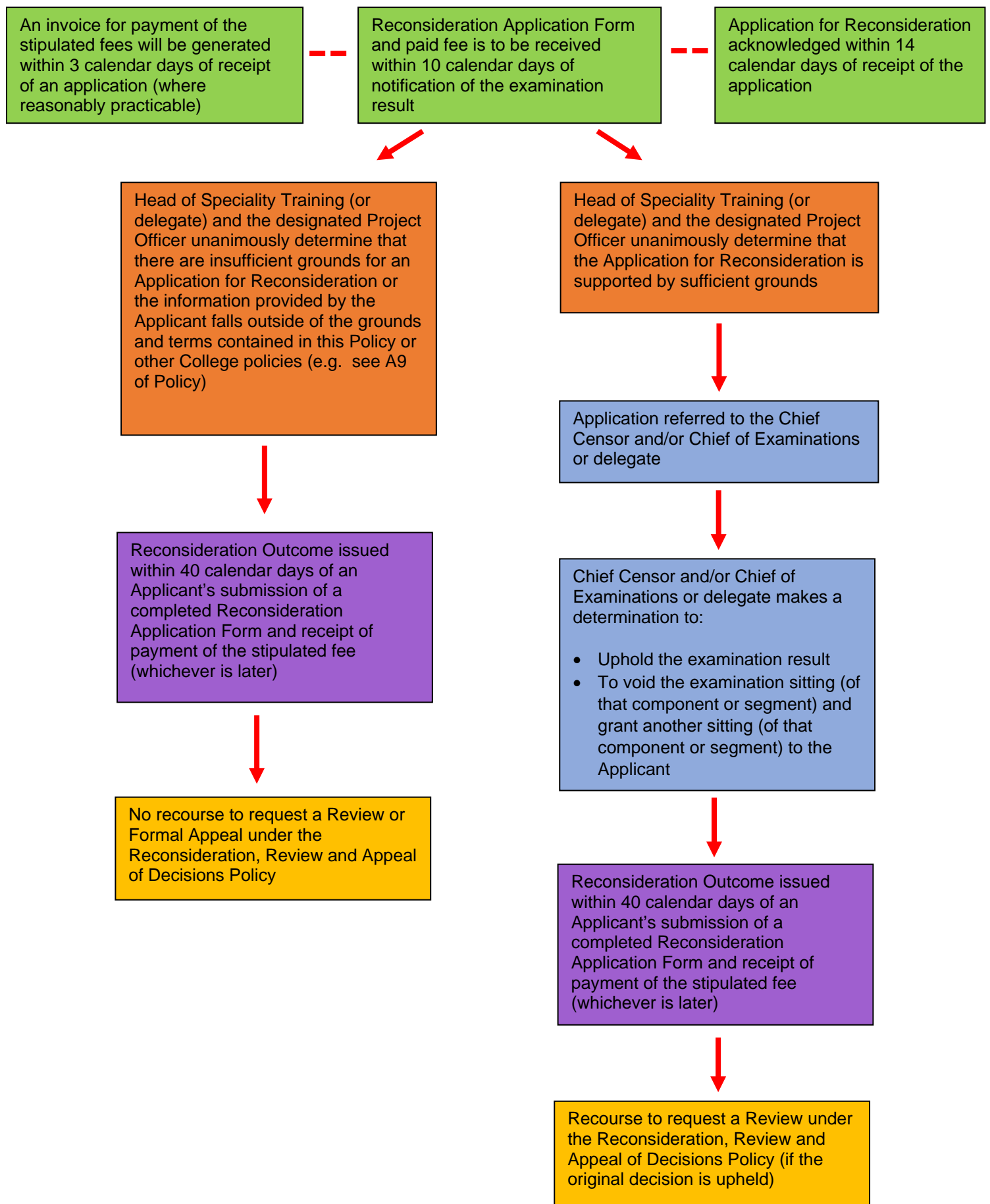
Applicants must pay the Appeal Fee as outlined under section 4.5 of the Reconsideration, Review and Appeal of Decisions Policy. An invoice for payment of the stipulated fee will be generated within 3 calendar days of receipt of an application (where reasonably practicable).

Please include all supporting information/material you wish to rely upon, ensuring that all attachments are clearly numbered (e.g. attachment 1 of 2 etc.).

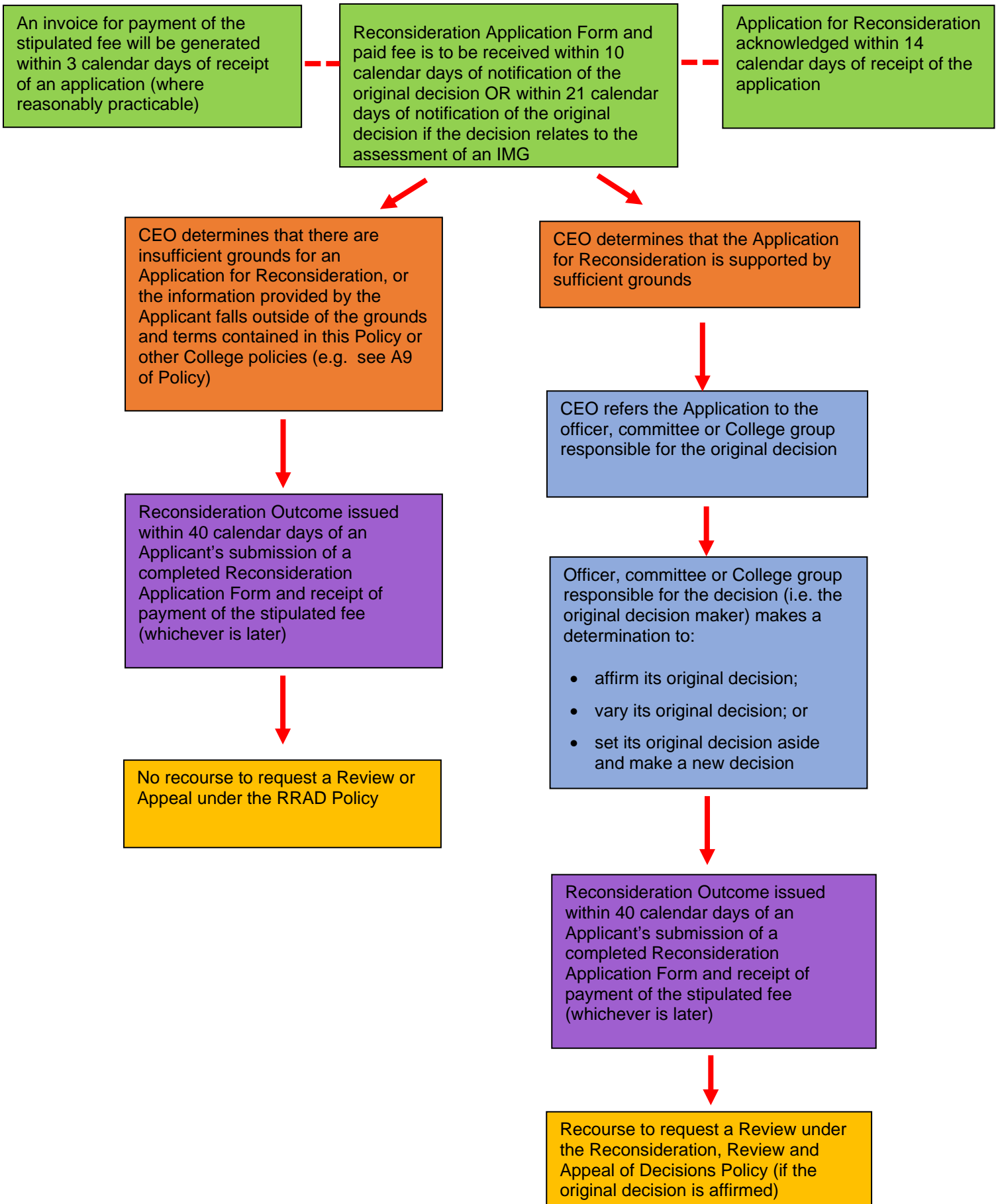
Applications will be acknowledged within 14 calendar days of receipt of your application.

Applications which are incomplete or not submitted according to these guidelines will not be considered.

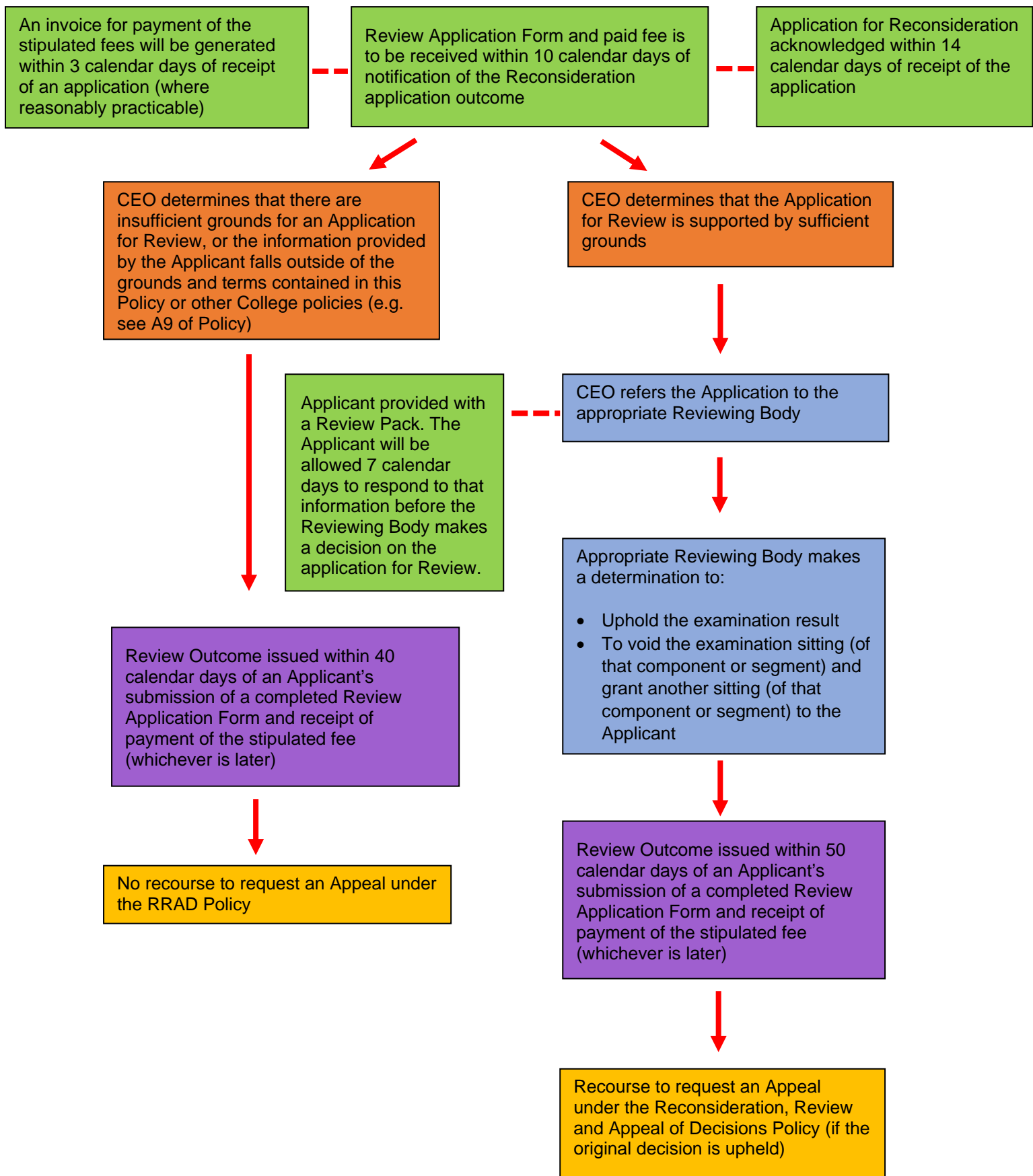
Appendix D – Stage One: Reconsideration – If the decision relates to a Clinical Radiology or Radiation Oncology Examination Result



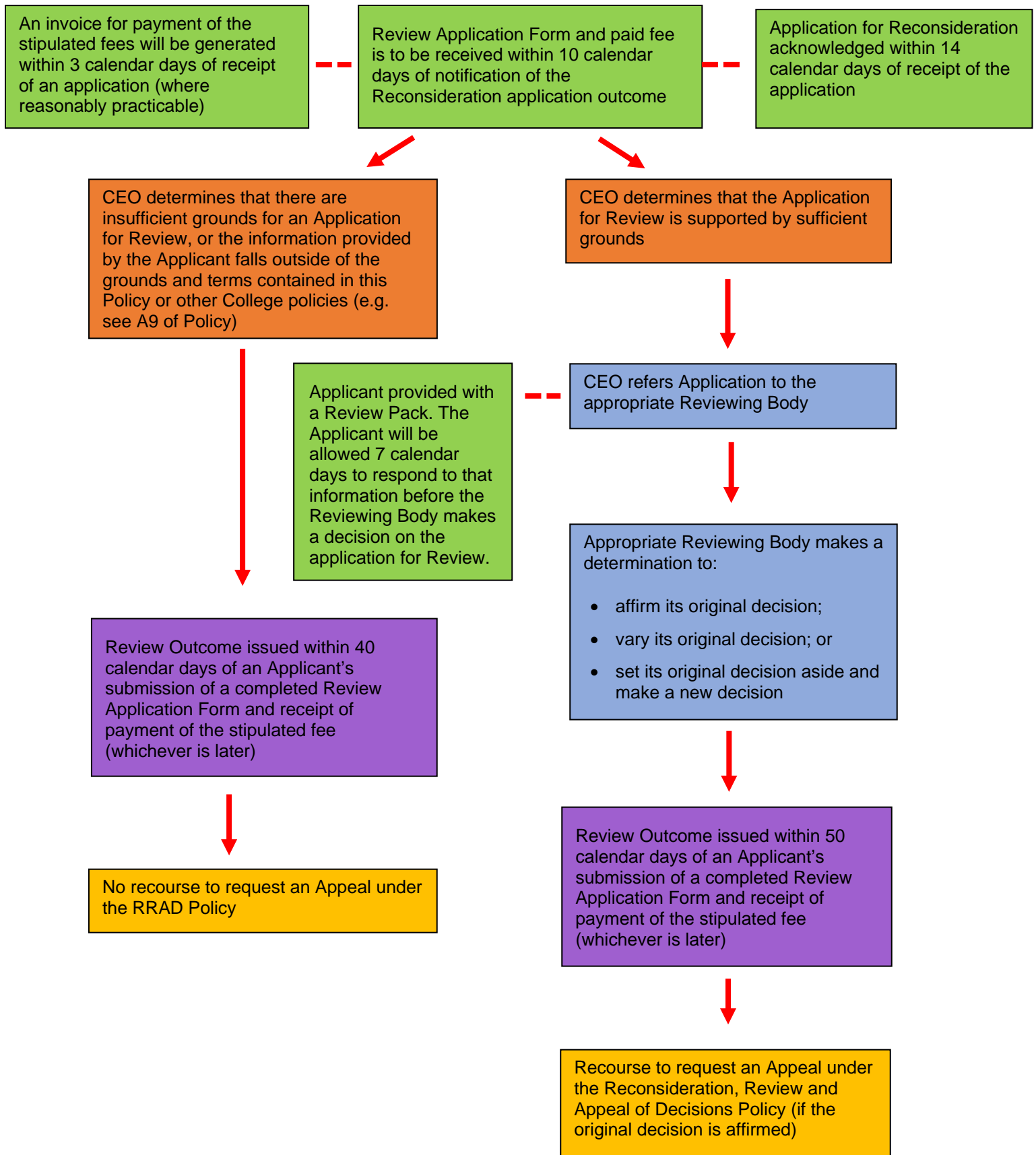
Appendix E – Stage One: Reconsideration – If the decision relates to any other matter (i.e. excluding a Clinical Radiology or Radiation Oncology Examination Result)



Appendix F – Stage Two: Review – If the decision relates to a Clinical Radiology or Radiation Oncology Examination Result



Appendix G – Stage Two: Review – If the decision relates to any other matter (i.e. excluding a Clinical Radiology or Radiation Oncology Examination Result)



Appendix H – Stage Three - Formal Appeal

