

Phase 2 Base Hospital Allocation

Appeals Guidance

The University of Buckingham Medical School

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Purpose

This document sets out the principles and practices, which underpin the University of Buckingham Medical School (UBMS) Appeals process for the Phase 2 base hospital allocations. It applies to all students of the MB ChB programme.

All queries related to this policy and all appeals relating to Phase 2 base hospital allocations should be addressed to the Quality team via FMHS-appeals@buckingham.ac.uk

Policy Details

Introduction

Throughout Phase 2 of the MB ChB programme, a student will be based at their allocated base hospital, of either Leighton Hospital, Macclesfield Hospital, Milton Keynes University Hospital, Stoke Mandeville Hospital or Warwick Hospital.

All base hospitals offer an excellent student experience in which to study and will follow the same curriculum.

The Faculty of Medicine and Health Sciences Phase 2 Base Hospital Allocation team will allocate an individual to their base hospital at random unless there are personal circumstances that should be considered.

The Medical School follows the principles of the UK Foundation Programme for pre-allocation on the grounds of personal circumstances. If a student feels they need to be in a geographical area for a specific caring or health reason they are required to submit an application for pre-allocation to a specific base hospital on grounds of personal circumstances.

If a student is not satisfied with their base hospital allocation and feel they met the requirements for a specific base hospital allocation, they may appeal the decision of the Phase 2 Allocation team within 7 working days of their allocation being received.

Grounds for Appeal

A student may appeal the decision of the Phase 2 allocation team under the following grounds:

- New mitigating circumstances - If you are appealing under this ground, please ensure that you have provided all the following information:
 - New information which the Phase 2 Base Hospital Allocation team has not previously considered.
 - A reason/evidence to explain why you feel your Phase 2 Base Hospital allocation should be changed and a reason/evidence to explain why you were unable, or for valid reasons unwilling to submit this information to the Phase 2 Base Hospital Allocation team before it reached its decision.

- New evidence to support your existing mitigating circumstances - If you are appealing under this ground, please ensure that you have provided all the following information:
 - New evidence which the Phase 2 Base Hospital Allocation team has not previously considered.
 - A reason/evidence to explain why you feel your Phase 2 Base Hospital allocation should be changed and a reason/evidence to explain why you were unable, or for valid reasons unwilling to submit this information to the Phase 2 Base Hospital Allocation team before it reached its decision.
- Procedural irregularity in the operation of the medical school processes:
 - If you are appealing under this ground, please ensure that you have provided clear evidence of a significant irregularity on the part of UBMS and a reason/evidence to explain why you feel you may have been adversely affected by factors evidenced in the information submitted.

Appeal Criterion

Under Mitigating Circumstances, the Appeal should satisfy one or more of the following criterion:

Criterion 1: You are a parent or legal guardian of a child or children under the age of 18, who reside permanently with you or for whom you have significant caring responsibilities.

- 1.1. If your sole criterion is that you (or your partner) are currently pregnant, you will not be regarded as eligible for appeal on the grounds of personal circumstances under this criterion.
- 1.2. It is expected that you and your child(ren) will remain at your current address and application for appeal allocation will be to the base hospital local to that address. This will be verified by the Medical School.
- 1.3. If you and the child(ren) do not normally reside together, this should be referred to on the appeal application form, and information supplied as to why the caring responsibilities remain equally significant.
- 1.4. You will be required to supply the following supporting evidence:-
 - Copy of birth certificate(s) of the child(ren)
 - For legal guardians, a copy of the legal document that confirms your status for the child named in the birth certificate.
 - Proof of current address, e.g. driving licence, utility bill dated within the last three months or council tax bill dated within the last twelve months.
 - Proof of Child's address?

Criterion 2(a): You are the primary carer for someone who is disabled (as defined by the Equality Act 2010). Definition of 'disability' under the Equality Act 2010

The Equality Act 2010 defines a disabled person as someone who has a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. For the purposes of the Act:

- Substantial means more than minor or trivial
- Long-term means that the effect of the impairment has lasted or is likely to last for at least 12 months
- Normal day-to-day activities include things like eating, washing, walking and going shopping. Some conditions, such as addictions to non-prescribed substances, are specifically excluded

People who have had a disability in the past that meet this definition are also covered by the scope of the Act.

There are additional provisions relating to people with progressive conditions. People with HIV, cancer and multiple sclerosis are protected by the Act from the point of diagnosis. People with visual impairments are automatically deemed to be disabled.

2(a).1 For you to meet this criterion you must be the primary carer for this person, who would normally be your partner, sibling or parent.

2(a).2 If the person you are caring for is not your partner, sibling or parent, you will have to explain clearly and present a strong case as to why and how you have the role of primary carer for this person.

2(a).3 If you provide care for a person as part of a group of carers, e.g. a family, you are not eligible to apply under this criterion.

2(a).4 It is expected that you and the person who you care for in this category will remain at your current address(es), and the application for appeal allocation will be to the base hospital local to that address. If this is not the case, relevant evidence must be supplied as to why follow up arrangements could not continue as present.

2(a).5 You will be required to complete a care plan to demonstrate how you will combine the responsibilities of a medical student and primary carer, and that you have fully considered local support and resources. You will be required to supply the following supporting evidence:

- Statement from GP/Social Services professional that you have known for at least six months confirming your role as primary carer for this person.
- Care plan.
- Proof of current address, e.g. driving licence, utility bill dated within the last three months or council tax bill dated within the last twelve months.

Criterion 2(b): You have significant caring responsibilities for a family member. Definition of 'significant caring responsibilities'

Significant caring responsibilities equate to anyone who looks after a family member, partner or friend who needs help because of their illness, frailty, disability, any other mental or physical health issue or an addiction and cannot cope without their support. If the person cared for has physical or mental health issues, a learning disability, a substance use disorder (or any other addiction) or is vulnerable or frail and the applicant provides care with their day to day living, they are considered to be a carer. The responsibilities should extend beyond running basic errands, such as shopping, etc.

2(b).1 For you to meet this criterion, you must have significant caring responsibilities for a family member, partner or friend but have not been identified as a primary carer.

2(b).2 You will have to explain clearly and present a strong case as to why and how you have significant caring responsibilities for this person and how this fits in with the role of the primary carer.

2(b).3 You will be required to provide a self-assessment based on clearly defined criteria.

2(b).4 If you provide care for a person as part of a group of carers, e.g. a family, you are eligible to apply under this criterion – provided ALL other requirements listed are met.

2(b).5 You must meet all of the following requirements to be eligible for this criterion:

- You have significant caring responsibilities but are not considered to be the primary carer
- You provide care over the course of a typical week and not just at weekends (that is, your caring responsibilities require you to be in the requested region on a frequent and constant basis)
- Significant caring responsibilities are known to the medical school
- Significant school support has been provided to allow you to continue with your course while also continuing with your caring responsibilities. This support should be in place currently (that is, you have an ongoing requirement for this support).
- You would not be able to provide this care whilst living in any other region than the hospital requested

2(b).6 It is expected that you and the person who you care for in this category will remain at your current address(es), and the application for appeal allocation will be to the education provider local to that address. If this is not the case, relevant evidence must be supplied as to why caring arrangements could not continue as present.

2(b).7 You are not required to complete/provide an official care plan; however, you are required to explain the type and amount of care you provide and demonstrate how you will combine the responsibilities of a medical student with your significant caring responsibilities, and that you have fully considered local support and resources.

2(b).8 You will be required to supply the following supporting evidence:

- supporting statement from Student Support confirming your significant caring responsibilities (this is part of the main pre-allocation application form)
- proof of current address, e.g. driving licence, utility bill dated within the last three months or council tax bill dated within the last twelve months.

Criterion 3: You have a medical condition or disability for which ongoing follow up for the condition in the specified location is an absolute requirement.

3.1 As you already have this medical condition, it is expected that you will remain at your current address, and application for appeal allocation will be to the base hospital local to that address.

3.2 If the request for appeal allocation is not for the base hospital local to your current address, relevant evidence must be supplied as to why follow up arrangements could not continue as present. The requirement is to provide information as to where your treatment needs to take place.

3.3 You will be required to supply the following supporting evidence: (the supporting evidence needs to be clear and explicit, and it must state why you need to be allocated to a particular local education provider):

- A report by the current medical specialist treating your condition or Occupational Health physician, in which they will be required to:
 - Describe the current medical condition or disability
 - Describe the nature of the ongoing treatment and frequency
 - Explain why the follow up must be delivered in a specific location rather than by other treatment centres in the UK. The clinician needs to state that it is essential for treatment or medical follow-up to be accessed in a specific location
- Proof of current address, e.g. driving licence, utility bill dated within the last three months or council tax bill dated within the last twelve months.

Criterion 4: Unique circumstances.

4.1 If you consider that there are particular unique circumstances that require you to be in a particular environment for your phase 2 rotations, you can apply for Special Circumstances under this criterion. Caring responsibilities that do not meet the requirements of criterion 2 (primary carer/significant caring responsibilities) are not considered to be unique circumstances. Applications under this criterion are for unique circumstances only, and not just any other circumstance for which evidence is not available to meet the requirements for criteria 1, 2, 3 and 5.

Applications based on circumstances that are not unique and evidenced to have an absolute requirement for appeal allocation will not be approved.

4.2 You must provide evidence with regard to these circumstances including the reasons for placement in a particular location from a professional individual who has recognised standing to support the application.

4.3 You will be required to supply the following supporting evidence: Statement by a professional that:

- Describes the current unique situation
- Explains why the unique circumstance requires you to be in a specific location rather than another location in the UK
- Proof of current address, e.g. driving licence, utility bill dated within the last three months or council tax bill dated within the last twelve months.

If you believe, you have sufficient grounds for appeal you must submit your Appeal Application Form and evidence **within 7 calendar days** of receiving your base hospital allocation. Please note that appeals are only accepted during the appeals windows, and appeals sent to the appeals inbox outside of these time frames will not be considered.

Submitting an Appeal

Please ensure you read the form carefully and complete each section in full.

<https://forms.office.com/r/6Ltw1m2LFX>

When filling out your appeal application, you must detail all evidence you wish to submit alongside the Appeal form, ensuring each piece of evidence is clearly titled and dated; forms that do not contain sufficient information may be rejected.

Your appeal application must be submitted via the MS Forms link to the appeals team within 7 calendar days of your base hospital allocation. Any supporting documentation must also be sent to fmhs-appeals@buckingham.ac.uk within 7 calendar days of receiving your base hospital allocation.

Appeals and/or supporting documentation received after this date will not normally be considered.

Appeals should be made on your own behalf and it is your responsibility to obtain the required evidence. The Appeal Panel may request additional information, which will equally be your responsibility to provide by the set deadline.

All evidence must be submitted in English. If the original evidence is not written in English, you are responsible for providing a certified translated copy. Medical evidence should be provided in the form of an official signed document from a registered medical practitioner and a clear medical diagnosis must be included as appropriate.

The Medical School does undertake checks to ensure that all evidence provided is genuine and true.

Once your appeal and all supporting documentation has been received, you will receive an email of acknowledgement from the Appeals Team, normally within 1 working day of submission. The Quality Lead, or their nominee, will check the eligibility of the appeal to ensure that:

- a) The Appeals Policy and Procedure is applicable; and
- b) That any of the grounds as listed above are met; and
- c) That the appeal has been submitted in time; and

d) That appropriate evidence has been provided to support the appeal.

Ineligible appeals may be directed to a more appropriate procedure or dismissed completely with sign off by the Dean of the faculty, or designated nominee.

Appeals Process

Upon receipt of your appeal, the Appeals Team will form an appropriate Appeal Panel that is fit for purpose. The Appeal Panel will usually consist of 2 members who are not involved in the Base Hospital Allocation process.

The Quality Lead, or their nominee, will be available to call upon to offer clarification on the process or the codes of practice and procedures within the medical school. There may be occasions where additional members are recruited to the appeals panel to provide additional expertise.

The Quality team will provide administrative support to the Panel, however will have no involvement in any decisions.

Occasionally, the Appeals Panel may decide it is appropriate for the applicant to appear before it.

Applicants may also make a case to appear in front of the Panel personally if their case is sensitive, though the final decision rests with the Panel. If an applicant does appear before the Panel a companion may accompany them. Legal representatives may not be present under any circumstances.

Outcomes

The Appeals panel are bound by UBMS regulations and are therefore limited in their powers to modify and amend decisions made.

The Appeal Panel may only:

- Confirm there are no grounds to change the base hospital allocated, or
- Permit the individual to move to an alternative base hospital to begin their Phase 2 studies. However, due to a limited number of places available at each site, this may be at a deferred point of entry for Phase 2 studies.

Once a decision has been reached, you will normally be informed in writing by the Quality team on behalf of the Chair of the Appeals panel within two weeks of the appeal submission deadline.

Review of Decision

If the applicant is not satisfied with the outcome of the appeal, they may request a further review. The request for a further review should be made, in writing, to student-complaints@buckingham.ac.uk detailing the grounds for the review. The university will conduct the review to ensure that all procedures have been correctly followed. The applicant should normally expect an outcome two weeks after the date of the review.

The outcome of this review will be considered final.

Quality Control

The FMHS Quality Team will keep confidential records of all appeals lodged in line with current guidelines. The effectiveness of the procedure will be monitored and reviewed annually.

Further information on any aspect of the appeals process can be obtained from the Quality team FMHS-Quality@buckingham.ac.uk.

Equality Statement

UBMS upholds the key principle that the policies and procedures governing the Phase 2 allocation process should be fair, transparent, implemented consistently and are compliant with all relevant legislation and regulations.

Related Policies

1 Phase 2 Pre-allocation Guidance

Document Control

Date policy approved: September 2021

Date of policy review approval: January 2023

Date of next policy review: Academic year 2023/24