

Schedule F: Level 1 Appeals Procedural Guidelines

1. A Resident appealing to the Residency Program Committee (RPC) or Departmental Appeals Committee (DAC) must file the appeal in writing explaining the reasons for the appeal and the remedy sought 15 business days after the decision being appealed. The grounds for an appeal to the RPC/DAC are Extenuating Circumstances that the Resident was unable to raise before the CC through no fault of their own, or a breach of Procedural Fairness. Academic and/or clinical performance determinations are not subject to appeal.
2. In advance of the appeal proceeding, the Resident shall file with the RPC/DAC documents that are relevant to the appeal that are not already contained in the resident's assessment file.
3. The RPC/DAC will give the PD or delegate notice of the appeal and forward any documents received from the Resident. The PD or delegate will be asked to provide any response on behalf of the Program and any additional relevant documentation. Any such response or additional documentation received shall be provided to the Resident.
4. The RPC/DAC will set a date for the appeal proceeding as soon as reasonably possible. Any RPC/DAC committee member who is unable to be present for the entire appeal may not participate in the final decision.
5. The Resident and the PD or delegate will be invited to meet with the RPC/DAC to make submissions. The Resident may be accompanied by an advisor and/or support person; however it is expected that the Resident will present their case and be prepared to respond to questions from the members of the RPC/DAC.
6. After hearing first from the Resident, the RPC/DAC will invite the PD or delegate to make submissions in response. The Resident will then be given the opportunity to reply to any new issues raised.
7. The members of the RPC/DAC may ask questions of the Resident and the PD or delegate and may ask for additional information to assist in understanding all the issues.
8. There will generally not be any witnesses called or cross-examination of parties permitted during the meeting.
9. After the appeal meeting, the RPC/DAC will meet in camera and render a decision. The decision and the reasons for the decision will be delivered to the Resident and the PD or delegate.
10. The RPC/DAC must advise the Associate Dean, Postgraduate Medical Education of the outcome of the appeal.