

## PRIORITY GROUP 1 EXTENUATING CIRCUMSTANCES POLICY

<b>Subject</b>	Consideration of Priority Group 1 Applicants' Extenuating Circumstances
<b>Summary</b>	This document sets out the policy and procedure for assessing applications by Priority Group 1 applicants who may have grounds for special consideration based on extenuating circumstances that restrict their ability to work in a health service or intern training program within a particular geographical location in Victoria.
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<b>Responsible Officer</b>	Allocation and Placement Service Manager, PMCV Medical Advisor, PMCV

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## INTRODUCTION

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The Postgraduate Medical Council of Victoria (PMCV) has delegated authority from the Victorian Department of Health (DH) to administer the annual Victorian Medical Intern Allocation and Placement Service. Medical Graduates who submit applications for intern training positions in Victoria are bound by the Allocation and Placement Service [Code of Conduct](#), and [Privacy Policy](#).

It is acknowledged that some Priority Group 1 applicants seeking internship training in Victoria may have extenuating circumstances that restrict their ability to work in a health service or intern training program within a particular geographical location in Victoria.

This policy and procedure was developed by PMCV in consultation with DH. It needs to be read in conjunction with the **Intern Match Rules**.

All applicants under this policy must adhere to the Victorian Intern Match Rules. Failure to complete the registration and health service or intern training program application requirements will result in your special consideration application being rejected.

PMCV provides an Allocation and Placement Service. It does not make employment decisions, and cannot bind any health service to make an offer of employment. PMCV is not responsible for decisions of employers. PMCV cannot guarantee an offer from any health service, even if an application under this policy is favourable.

The PMCV Medical Adviser may be in contact after an application has been received to discuss further details relating to the application.

## PURPOSE

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This policy outlines the criteria and mechanisms by which PMCV will consider extenuating circumstances which may adversely impact a Priority Group 1 applicant's ability to preference health services for internship training in certain geographic regions of Victoria.

Circumstances which have affected the academic performance and results of a graduate will not be accepted as extenuating circumstances which will affect their ability to work as a medical professional and/or in a particular location under this policy.

PMCV is unable to determine in advance all circumstances that might lead to the granting of special consideration under this policy. Each case will be considered on its merits in accordance with this policy.

## SCOPE AND ELIGIBILITY

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Priority Group 1 applicants are those who meet the following criteria:

- ✓ Australian citizen or Australian permanent resident or New Zealand citizen.
  
- ✓ Currently in their graduating year at any of the following Victorian medical schools: University of Melbourne, Monash University, Deakin University and University of Notre Dame: Melbourne and Ballarat Clinical Schools.

This policy only applies to those applicants who have been categorised as Priority Group 1.

Where PMCV determines an applicant is eligible for special consideration, the applicant will be entitled to only apply for health service(s)/training program(s) in the relevant geographical region if they choose to do so.

**EXAMPLE:** An applicant who has successfully applied for special consideration may apply for Victorian health services or Victorian Rural Generalist intern training programs in one particular geographical region. An applicant will rank those health service(s)/training program(s) where they are willing to work in preference order as part of their registration with the Victorian Intern Match.

The granting of special consideration under this policy, does **not**:

- guarantee an applicant an offer of internship in their preferred geographical location or health service/intern training program in Victoria; or
- prioritise an applicant over other existing applicants in Priority Group 1.

The matching algorithm works to ensure the best outcome for the whole cohort based on a merit selection process.

## GROUNDS FOR SPECIAL CONSIDERATION

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The grounds for special consideration are limited to the following:

<b>1. Medical grounds</b>	The applicant has a medical condition or disability which requires ongoing management and treatment in a specific geographical location.
<b>2. Parental or carer responsibilities</b>	<p>The applicant is a person who has parental responsibilities and/or total or substantial responsibility for ongoing care and support of another dependent person in a specific geographical location.</p> <p>The dependent person may be a child, a partner, a parent, a relative or a friend.</p>
<b>3. Statutory Grounds</b>	Any other circumstances to which provisions of relevant discrimination legislation applies in each case.

The following are examples of situations that would **NOT** be classed as extenuating circumstances:

- Delay in completion of medical training;
- Lack of access to a motor vehicle, inability to drive or other transportation issues;
- Ownership or rental accommodation;
- Ignorance of policies of PMCV;
- Minor illnesses or medical conditions;
- Elderly or socially isolated parents;
- Stress or anxiety generally, not of a serious nature;
- Personal objections to the requirements of an offered position;
- The applicant's secondary employment;
- Financial issues;
- Location and employment of spouse/partner
- Location of applicant's child/ren's schools or daycare;
- Purely social or emotional support or care (in the absence of other factors),

**OR**

- Other circumstances relating to the choice or option of an applicant, including personal or lifestyle choices.

## SUPPORTING EVIDENCE

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The applicant must provide full and complete supporting evidence in respect of the ground/s relevant to their application for special consideration. The onus is on the applicant to provide sufficient evidence and supporting documentation to justify their grounds. Evidence, documents or statements from qualified third parties will carry more weight.

The supporting evidence must provide enough detail to enable PMCV to make an assessment as to whether the ground is met. The information provided will be assessed by the PMCV Medical advisor in the first instance. The information will be deidentified if reviewed by the extenuating circumstances committee.

PMCV expects that the evidence provided include:

- A statement or brief letter outlining reasons for consideration of eligibility under the relevant category.
- Evidence of current residential address, for example, utility bills or Council rates issued in the past 12 months.
- Where the ground relates to a medical condition or disability (whether the applicants' or a dependent), a letter from a treating medical practitioner which outlines:
  - The details of the condition or disability;
  - How long the treating practitioner has been seeing the patient;
  - The nature of the ongoing treatment; and
  - Options for alternate treatment elsewhere in Victoria.
- Where the ground relates to the parental or carer responsibilities, evidence of the nature of the relationship with the person dependent on the applicant's care, together with the nature of the care, the support available from other people (other than the applicant) and the amount of time of the applicant in providing the care.
- Any other information the applicant considers relevant to their application for special consideration, including statement from the treating doctors, and other qualified third parties who can explain and verify aspects of the grounds on which the applicant relies.

PMCV may request further or specify the documentation and supporting evidence required depending on the circumstances of each case. The onus of providing sufficient relevant information in support of an application is on the applicant.

## APPLICATION PROCEDURES

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### Rules for Supporting Evidence

The evidence an applicant provides must directly relate to the criteria for their grounds of special consideration as set out in this policy.

Where possible, all supporting evidence should be provided by an independent third party. Any documents from third parties will include contact details to allow communication and verification by PMCV.

Copies of documents must be certified in accordance with state legislation. For a list of authorised persons that can certify documents, visit the [Victorian Department of Justice and Community Safety website](#). [Statutory Declarations](#) are accepted where proof of relationship with immediate family member is required (in the absence of birth certificates and marriage certificates).

### Application Process

PMCV recommends that each applicant discuss their requirements with health services in the specific geographical location that they wish to apply to as PMCV is not responsible for the employment decisions made by each health service in making offers.

Following this discussion, applicants must download and complete the **Priority Group 1 Special Consideration Form** available on the PMCV Intern Match page -<https://www.pmcv.com.au/intern-match-2023/>

An application for special consideration will only be considered if it clearly shows:

- satisfaction of all eligibility criteria;
- the grounds for special consideration relied on; and
- documented evidence to support the application.

All applicants must attach supporting documentation and evidence to support their application for special consideration and should be written and presented in a way that addresses the criteria.

### Timing

Applicants must make an application for special consideration at the time their application for matching is made to PMCV. Applicants must ensure their health service preferences align with their requirements pursuant to the grounds for special consideration.

Applications after this time will only be accepted by PMCV in its discretion, where there are good and justifiable reasons, such as a significant change in the applicant's circumstances after the deadline, that were not known prior to the deadline.

Completed applications and supporting documentation should be sent by email to [allocations@pmcv.com.au](mailto:allocations@pmcv.com.au). All applications will be acknowledged by email.

### **Assessment Process**

PMCV will check that all application forms are correctly filled out and that all supporting documentation have been provided. If the application is incomplete, PMCV will advise the applicant of any further documentation or evidence to be provided. The applicant must provide this additional information promptly and no later than 5 calendar days after the request has been made.

Applications will be treated confidentially and will not be shared with a health service or intern training program, except to the extent required to assess the application in accordance with this policy.

PMCV will conduct an initial review of the application and may determine in its absolute discretion that the application consists of insufficient grounds for an application under this policy, lacks documentary evidence or fails to comply with the requirements of the policy. In this case, PMCV will not be required to convene a Panel (as set out below) to consider the application. Examples of issues that will not be considered as sufficient grounds are listed earlier in this policy.

Where PMCV has determined that the application has sufficient grounds and complies with the requirements of the policy, the PMCV Medical Advisor will establish a Panel to assess the application. Panel members may comprise a nominee of DH and/or a consumer representative and/or a nominee of the Victorian Doctors Health Program.

The Panel may determine that for the application to be properly assessed, additional information or evidence may be required. Applicants will be contacted and asked to provide this information and must provide it within 5 calendar days.

The Panel will be guided by the principles of natural justice, transparency and consistency in deciding application outcomes, and any subsequent decision about an application for appeal. The Panel will notify PMCV of its decision for communication to the applicant.

### **Application Outcomes**

Application outcomes, whether successful or not, will be communicated to applicants by email within 14 business days of the close of applications, unless the candidate has been asked to provide additional information or evidence, in which case the communication of application outcome may be delayed.

Possible outcomes are:



- That special consideration is not granted, and the reasons why are provided to the applicant.
- That special consideration is granted for a geographical region.

## **MATCHING PROCESS FOR APPLICANTS GRANTED SPECIAL CONSIDERATION**

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The granting of special consideration does not guarantee the applicant will receive an offer of internship at a health service or intern training program in their preferred geographical area, as the matching algorithm is designed to ensure the best outcome for the whole cohort based on a merit selection process. Victorian health services and intern training programs are independent legal entities and may impose their own selection criteria in respect to the ranking of candidates for internship positions to best meet their workforce needs.

The matching algorithm for Priority Group 1 applicants will be run and the outcomes determined through the normal matching process.

It is the responsibility of the applicant to only include health services in their preference list that are suitable to their requirements. Intern Match candidates must understand that they may be matched to any health service listed in their preferences, and that they are only eligible to receive one offer of internship in Victoria. Applicants who have requirements for reasonable adjustments will be required to provide details of those requirements in the application process. This is to enable health services to assess whether they are able to provide those adjustments to the applicant if the applicant were matched to a position at that health service. Applicants should discuss their requirements with health services prior to submitting their preferences.

PMCV is not responsible for any employment decisions made by health services following the intern matching process. All employment arrangements, including reasonable adjustments, are for discussion and agreement between the applicant and the employing health service.

### **Applicant is matched in Round 1 of Intern Match**

If an application for special consideration has been approved and the applicant is matched to an internship position in Round 1 of the Intern Match, then no further action is required.

### **Applicant is not matched in Round 1 of Intern Match**

If an applicant who has been approved for special consideration is unmatched by the algorithm in Round 1 of the Intern Match, there is a risk that the applicant will not be placed in an internship position with one of their preferred health services or intern training programs. If this situation arises, the PMCV will firstly discuss the available unmatched positions and the Unmatched Priority Group 1 offers process with the applicant. If none of the health services/intern training programs with unmatched positions meet the needs of the applicant, the PMCV will undertake the following steps:

- The PMCV Medical Advisor will seek the applicant's consent to transfer information regarding the applicant's extenuating circumstances to health services or intern training programs in the applicant's desired location. This will be undertaken with a view to gaining the in-principle support of the health service or intern training program that the applicant will be considered for an offer of internship if a vacancy is or becomes available.
- If a vacancy is available or arises within the applicant's desired location, the health service or intern training program with the vacancy will consider the unmatched applicant for employment and determine whether they wish to offer. The final decision to make an offer of employment rests with the employing health service or intern training program.
- If there are vacancies at more than one health service within the applicant's desired location, the applicant will be assessed by their highest preferred health service first, then their next preferred health service if they are unsuccessful, and so on.

Vacancies due to declines/withdrawals may arise at various times throughout the year. There is no guarantee that a vacancy will arise within the applicant's desired location. Similarly, should the applicant accept an offer of employment, they will not be eligible for consideration for any vacancies at other health services which may arise later in the year, even if these are the applicant's higher preference. Applicants may only receive one offer of internship in Victoria.

## **APPEALS PROCESS**

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Decisions regarding eligibility for special consideration will be final and applicants will be advised of decisions in writing.

An applicant may appeal PMCV's decision regarding eligibility for special consideration by lodging an application with the CEO, PMCV within 10 working days of the date of the decision. An application for appeal may only be made on the following grounds:

- That an error in law or in due process occurred in the formulation of the original decision;
- That relevant and significant information, which should have been known to the decision-maker was not considered or not properly considered in the making of the original decision;
- That the original decision was clearly inconsistent with the evidence and arguments put before the body making the original decision;
- That irrelevant information was considered in the making of the original decision; or

- That original decision was made for improper purpose.

The CEO, PMCV may request further information from the applicant. If such a request is made, the applicant must provide the information within 5 working days.

The CEO, PMCV will make a decision based on the information provided.

The decision following the appeal is final and there will be no further internal right of appeal.

## **FLEXIBLE WORK ARRANGEMENTS**

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The PMCV is not an employer of medical interns.

It is generally expected that all applicants, including those granted special consideration, who accept an internship offer are required to participate in overtime, on call and shift rosters including evenings, nights and weekends and to undertake rotations at facilities other than their parent health service.

If an applicant's circumstances impact on these aspects or recruitment, they are expected to negotiate any variation, reasonable adjustments or flexible work arrangement with the employing health service/intern training program.

The PMCV acknowledges that in certain circumstances, access to part-time and interrupted training during internship is in the intern's best interests and to this end, has in place a policy in relation to Part-Time and Interrupted Training. This policy enables the PMCV Medical Advisor to negotiate with relevant health services or intern training programs regarding the development of a part-time or job-share arrangement and educational plan for the doctor, noting that some health services and intern training programs in Victoria may not be able to accommodate part-time interns. For more information about this policy, please contact PMCV.

## **RESPONSIBILITIES**

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### **Applicants**

Applicants are expected to:

- Read and understand this policy, as well as the **Intern Match Rules** and the [Allocation and Placement Service Code of Conduct](#).
- Complete the online registration process via the Allocation and Placement Service website and complete relevant health service applications processes by the close date.
- Discuss any proposed application for special consideration with the PMCV Medical Advisor before making an application.
- Complete the special consideration application form in accordance with this policy.
- Ensure their contact details are current (i.e. email and phone).
- Communicate their circumstances to the HMO Manager at the intern training programs or health services where they are interested in working, so that

applicants' circumstances are considered in the health services' merit-based selection processes.

## **PMCV**

The PMCV is expected to:

- Provide all relevant information about medical internship recruitment posted on the [PMCV Intern Match website](#).
- Verify eligibility criteria and coordinate the assessment of applications.
- Establish a Panel to review applications (as required).
- Communicate by email with applicants regarding their registration and completion of requirements for a valid application via the Intern Match.
- Provide a summary of the Special Consideration applications received and their outcomes to the DH.

## **REVIEW OF POLICY**

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This policy will apply for the 2023/2024 Intern Match and will be reviewed for applicability in future years.