



TE19 (2010)

AUSTRALIAN AND NEW ZEALAND COLLEGE OF ANAESTHETISTS

ABN 82 055 042 852

POLICY ON TRAINEE ILLNESS OR DISABILITY

1. INTRODUCTION

- 1.1 The College recognises that, on occasion, trainees may either not be able to perform their duties adequately owing to illness or other disability, or may need special assistance as a result of ongoing disability.
- 1.2 The process of selection of medical graduates into anaesthesia training and their reselection during training must be based on equal opportunity without prejudice, regardless of gender, race, religion, age, pregnancy, disability or other personal attribute, provided that these do not impair the trainee's professional and clinical performance (i.e. the ability to meet the reasonable and genuine requirements of the position). If in doubt, appropriate advice and guidance should be obtained.
- 1.3 Trainees have a responsibility to ensure that they are fit to practise, and that they seek medical advice if they are uncertain about their fitness to practise.
- 1.4 Those dealing with trainees who are ill or disabled must ensure both that patients are not put at risk, and that the trainees are not unfairly prejudiced because of illness or disability.
- 1.5 Maintenance of confidentiality and protection of privacy are paramount obligations to trainees with illness or disability. These obligations should not be breached except in the case of mandatory reporting requirements to external regulatory authorities, and / or where immediate patient safety is at risk.
- 1.6 In cases where patient safety may be affected, the College reserves the right to notify Medical Boards / Councils or other appropriate authorities.

2. **FITNESS TO PRACTISE**

- 2.1 The College does not determine fitness to practise. This is a matter for the trainee's treating medical practitioner, their employer and, where relevant, the supervising Medical Board / Council.
- 2.2 The reporting requirements of the jurisdiction within which the trainee is working with regard to illness or disability must be met.
- 2.3 At the end of each Hospital Employment Year, and as part of the Application to present for College Examinations, trainees are required to make a declaration as follows:

I certify that:

a) I have no illness or disability that would preclude the safe practice of anaesthesia, intensive care medicine and pain medicine, including dependence on or inappropriate use of alcohol or recreational and / or non-prescribed drugs, and / or treatment with prescribed drugs likely to compromise the safe practice of anaesthesia, intensive care medicine or pain medicine.

or

I have informed the College of any illness or disability that would preclude the safe practice of anaesthesia, intensive care medicine and pain medicine, including dependence on or inappropriate use of alcohol or recreational and / or non-prescribed drugs, and / or treatment with prescribed drugs likely to compromise the safe practice of anaesthesia, intensive care medicine or pain medicine, and I am receiving appropriate medical care.

b) I undertake to notify the College if I develop an illness or disability that would preclude the safe practice of anaesthesia, intensive care medicine and pain medicine, including dependence on or inappropriate use of alcohol or recreational and / or non-prescribed drugs, and / or treatment with prescribed drugs likely to compromise the safe practice of anaesthesia, intensive care medicine or pain medicine.

Signature:

- 2.4 Trainees applying for Admission to Fellowship are also required to make the above declaration (2.3), together with the following:
- a) I acknowledge that any condition which could preclude the safe practice of anaesthesia, intensive care medicine or pain medicine, including personal drug or chemical dependence, may prevent my admission to Fellowship.
- b) I agree that all communications made by the Council of the College or any of its officers, and all answers made and all communications of every kind in relation to this my Application for Admission to Fellowship of the College shall for all purposes be absolutely privileged.

Signature:

- 2.5 Notification to the College of any illness or disability that would preclude the safe practice of anaesthesia, intensive care medicine and pain medicine, including dependence on or inappropriate use of alcohol or recreational and / or non-prescribed drugs, and / or treatment with prescribed drugs likely to compromise the safe practice of anaesthesia, intensive care medicine or pain medicine should be made in writing and addressed to the Chief Executive Officer.
- 2.6 The College will handle each notification, taking into account all the particular circumstances and the principles set out in 1.2, 1.3 and 1.4.

3. TRAINING OPTIONS IN THE CASE OF ILLNESS OR DISABILITY

- 3.1 All trainees are entitled to take sick leave under their contractual arrangements. Normal sick leave requirements do not constitute an interruption of training (see Regulation 15 for details of Normal Leave).
- 3.2 Interruption of training is allowable, but may have implications for training requirements (see Regulation 15).
- 3.3 Extended parental or sick leave must be notified to the College and advice obtained as to the effect on training time.
- 3.4 Any trainee may undertake part-time training provided this is prospectively approved by the Assessor and meets the other requirements (see Regulation 15).
- 3.5 A candidate may withdraw on medical or compassionate grounds from either the Primary or the Final Examination. A formal application for special consideration or approval for withdrawal will be required by the College, and should be made in writing and addressed to the General Manager, Training and Assessments.
- 3.6 Application may also be made for special consideration for assistance appropriate to any disability that may impair performance in a College Examination, provided that such assistance does not compromise the fairness and reliability of the Examination. Application should be made as in 3.5.
- 3.7 Some trainees with illness or disability will require the assistance provided under the College's *Guidelines for Assisting Trainees with Difficulties*. Where these Guidelines have been applied without resolution of the issue(s), the Trainee Performance Review Process may be implemented. This Process may result in a determination that the trainee is not fit to continue in the training program.
- 3.8 Some jurisdictions have programs specifically set up to assist doctors with impairment. Where appropriate, these or other doctors' health programs should be accessed to deal with trainee illness or disability.

4. SEEKING ADVICE

All enquiries, applications and communications regarding this policy must be made in writing and addressed to the General Manager, Training and Assessments, Australian and New Zealand College of Anaesthetists, 630 St Kilda Road, Melbourne, Victoria 3004, Australia.

Notwithstanding any provision in this policy, where there are exceptional circumstances recognised and approved by the Assessor, the Council of the College may approve an amended Training Program.

REFERENCES

College Professional Document TE18 *Guidelines for Assisting Trainees with Difficulties.*

College Professional Document EX1 *Policy on Examination Candidates Suffering from Illness, Accident or Disability.*

College Professional Document PS 49 *Guidelines on the Health of Specialists and Trainees.*

Regulation 33, Trainee Performance Review Process.

Regulation 14, Eligibility for Fellowship by Examination.

Regulation 15, Training and Examinations in Anaesthesia.

Guidelines for the Selection of Trainees.

COLLEGE PROFESSIONAL DOCUMENTS

College Professional Documents are progressively being coded as follows:

TE Training and Educational

EX Examinations

PS Professional Standards

T Technical

POLICY – defined as ‘a course of action adopted and pursued by the College’. These are matters coming within the authority and control of the College.

RECOMMENDATIONS – defined as ‘advisable courses of action’.

GUIDELINES – defined as ‘a document offering advice’. These may be clinical (in which case they will eventually be evidence-based), or non-clinical.

STATEMENTS – defined as ‘a communication setting out information’.

This document has been prepared having regard to general circumstances, and it is the responsibility of the practitioner to have express regard to the particular circumstances of each case, and the application of this document in each case.

Professional documents are reviewed from time to time, and it is the responsibility of the practitioner to ensure that the practitioner has obtained the current version. Professional documents have been prepared having regard to the information available at the time of their preparation, and the practitioner should therefore have regard to any information, research or material which may have been published or become available subsequently.

Whilst the College endeavours to ensure that professional documents are as current as possible at the time of their preparation, it takes no responsibility for matters arising from changed circumstances or information or material which may have become available subsequently.

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**This professional document is being piloted for 12 months and will be reviewed in March 2011.*

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