

Examination and Assessment of Adverse Event Process

1. The Pharmacy Council's (Council) processes embody the principles of fairness, transparency and natural justice.
2. This process is associated with the *Examination and Assessment Adverse Event* policy (the Policy).
3. This process applies to candidates who believe that they have experienced a breach of process, or an adverse event, **during** a Council examination or assessment and that the event has adversely affected their performance.
4. If you wish to discuss your examination or assessment experience, you are encouraged to contact the Council's Assessments and Examinations Manager by phone or email immediately after the assessment. If, after an initial discussion, you still believe your examination or assessment performance has been affected by an event outside your control or a breach of procedure you may formally request a consideration of your situation by following the steps in this document.
5. A request to consider your situation must be received by Council staff **after the examination or assessment and before notification of the results**. Requests received after notification of results will not be considered.
6. Your request for consideration must be made in writing.
7. The request must include:
 - 7.1 your name and contact details, including email address
 - 7.2 a clear description of the issue and reason/s you believe consideration of your situation is justified, with reference to relevant Council guidelines and processes
 - 7.3 any documentation you wish to provide in support of your request
 - 7.4 the non-refundable Request Lodgement Fee.
8. You will receive written acknowledgement of your request from Council staff **within three working days** of its receipt. No further action will be taken until after notification of results of the examination or assessment.
9. After notification of results of the examination or assessment:
 - 9.1 in the case of a Pass result, the request to consider will not be progressed
 - 9.2 in the case of a Fail result, Council staff will ask you if you wish to continue with the request to consider your situation
 - 9.2.1 if you do not wish to continue with the request to consider your situation, you must advise the Council

- 9.2.2 if you do wish to continue with the request to consider your situation, you must advise the Council in writing within **five working days** of the Fail result. The request must be accompanied by payment of the Review Management Fee. Steps 10– 23 apply
- 9.2.3 if you do not respond within the specified timeframe, Council will assume you do not wish to progress your request. It will be closed and consideration will not be undertaken.
10. Additional information may be sought by Council staff from you or from other relevant parties, e.g. providers of examination services. The Privacy Act applies – the information sought will be used solely for the purpose of informing a consideration (Principle 10) and will not be kept for longer than is required for this purpose (Principle 9).
 11. The Examination and Assessment Centre Appeals Committee (the Committee) undertakes the consideration. The Committee comprises the Council Chair, one other Council member, the Council's Assessment and Examinations Manager and Professional Standards Advisor.
 12. At the sole discretion of Council, a consideration may be undertaken as a paper review, or as a meeting held by teleconference, video conference or in person.
 13. The Committee will meet or conduct a paper review to consider the request within **15 working days** of receiving your confirmation request and payment. You will be advised in writing of the date your request will be considered by the Committee.
 14. You may make a submission about the request for consideration.
 15. You will be advised in writing of the date by which you must make a submission. Submissions must be in writing for a paper review, or may be in person if the consideration is conducted in a meeting.
 16. At least **10 working days** in advance of the meeting you must advise Council staff if you intend to make a submission in person, including being present at a teleconference or videoconference, and if a support person (and their name) will accompany you. Costs of your, and your support person's, attendance at the meeting must be met by you.
 17. You must provide any documented information that you want to have taken into account in the consideration at least **10 working days** in advance of the consideration meeting or paper review. Exceptional circumstances may apply – any decision to admit further information is made by the Committee Chair.
 18. At least **five working days** in advance of the meeting or paper review, Council staff will provide you with all the documented information that will be used by the Committee to make the consideration decision.
 19. You may not provide additional documentation relating to your request within **five working days** of the Committee meeting/review. Exceptional circumstances may apply – any decision to admit further information is made by the Committee Chair.

20. The Committee's decision will be one of:
 - 20.1 no consideration granted, or
 - 20.2 consideration is granted, and
 - 20.2.1 you may sit the examination or assessment at the next scheduled opportunity, and/or
 - 20.2.2 the examination or assessment fee already paid will be applied to the next attempt, meaning there will be no additional fee paid for the next attempt, and/or
 - 20.2.3 the examination or assessment attempt for which consideration has been granted will not count towards a maximum allowable number of attempts for that examination or assessment, and/or
 - 20.2.4 where it is established that the adverse event was the fault of the Council, or its agent, a full or (at the Committee's discretion) partial refund will be made of the Review Management Fee that was paid to undertake the consideration.
21. The initial Request Lodgement Fee is non-refundable.
22. You will be advised in writing of the outcome of your request **within 15 working days** of the Committee decision.
23. If you wish to request a re-consideration of the outcome decision, the policy *Reconsideration of Decisions* and process *Reconsideration of a Decision* will apply.

Effective date

24. 22 June 2016