

NORTHERN IRELAND CLINICAL EXCELLENCE AWARDS COMMITTEE (NICEAC)

APPEALS PROCEDURE

1. It was agreed that an independent appeals process should be introduced for the higher awards element of the new Clinical Excellence Awards scheme. In line with the framework document as approved by Minister and as set out in paragraph 38 of the Guide to the Scheme, the basis for the appeals process is as follows:

“The new scheme will have an independent appeal process. An appeal panel will be set up and will comprise three people nominated by the Department and who were not involved in the original decision. The appeals panel will only consider the process by which the decision was made. It will not consider whether an award should or should not have been made. If the panel finds a flaw in the process it will have the authority to ask the Committee to look at the case again”.
2. It is worth making the point at the outset that the awards scheme is an extremely competitive system. Each year there are many more applications than awards available and many very able consultants who satisfy all the awards criteria will not be recommended for awards.
3. Any consultant who has applied for a higher clinical excellence award and who is dissatisfied with the Committee’s decision:
 - must, in the first instance, request feedback from the Chairman of NICEAC; feedback will initially be given in writing and may be followed up by a meeting if necessary.
 - if still dissatisfied he/she may then appeal to the independent appeals panel – only on the grounds of process.

Feedback

4. A consultant may benefit from written feedback from the NICEAC Chairman and if necessary through a follow-up meeting. Such a request should be made in writing to the NICEAC Chairman (through the NICEAC secretary) and should be received within 30 days of the decision being issued. The NICEAC secretary may accept a late request for feedback provided there are good reasons, for example illness. Following written feedback, the NICEAC secretary will, if necessary, arrange a meeting between the consultant and Chairman.

Scope of Appeal

5. As mentioned above the appeals panel will only consider the process by which the decision was made. The panel will not consider whether an award should or should not have been made. It will also not be permitted to consider an appeal against the level of an award.

Making an Appeal

6. Following the receipt of feedback, a request for an appeal must be made in writing by the consultant concerned; should give reasons for the appeal; and should be sent to the NICEAC secretary. This must be received within 30 days of the date written feedback was issued (or the date of the meeting with the Chairman).
7. The NICEAC secretary may accept a late request for an appeal provided there are valid reasons, for example illness.

Process

8. On receipt of an appeal the NICEAC secretary will refer the letter of appeal and all documentation relating to the Committee's decision to the independent appeal panel. This will include the consultant's application form, any citation forms, and any scoring forms. A copy of any written feedback provided by the NICEAC Chairman will also be included. The panel should consider the case within a period of 4 weeks of the appeal being made and make its judgement solely on the basis of the documentation before the awards committee. No new additional information will be considered. The panel will not be involved in interviewing the consultant. If the panel finds that the awards process was not adhered to it will have the authority to ask NICEAC to re-examine the award application.
9. When the appeal panel reaches its decision it will set out clearly and fully the reasons for the decision and inform the NICEAC secretary who in turn will inform NICEAC and the consultant. If the appeal panel has asked NICEAC to re-examine the award application the NICEAC secretary will subsequently inform the consultant of the outcome of the Committee's decision.
10. There is no further right of appeal beyond this process.

Composition of Appeals Panel

11. The independent appeals panel will comprise three people, nominated by the Department from a list of suitable individuals held by the department. The panel will include medical and lay people and they will not have been involved in the original decision.

Annual Report

12. The NICEAC annual report will include statistical information about the number of appeals, and decisions of the appeals panels.