



**ANZCA**  
FPM

**ANZCA AND FPM**

# Special Consideration Policy

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# Special consideration policy – formally scheduled summative assessments and mandatory scheduled workshops

## 1. Purpose

This policy outlines the criteria and mechanisms by which applicants may advise the Australian and New Zealand College of Anaesthetists (**College**) of, and the College may consider, exceptional circumstances which may justify special consideration because of the potentially significant impact on or disadvantage an applicant's ability to meet expectations outlined in ANZCA regulations and FPM by-laws and progress through College processes.

## 2. Scope

This policy applies to individuals undertaking formally scheduled summative assessments (including examinations) and mandatory scheduled workshops which can't be altered. Where an assessment is on a one-to-one basis and scheduled by mutual agreement, the College may agree to a request for a change in time or date.

Fellows and other Continuing Professional Development (CPD) participants requiring special consideration for meeting ANZCA and FPM CPD Program requirements should refer to the [CPD Special Consideration Policy](#).

The College is unable to determine in advance all circumstances that might lead to special consideration. Each case will be considered on its merits in accordance with this policy. Where applications are submitted in accordance with this policy, the College will endeavour to accommodate the special consideration request, considering resource availability and the need to ensure the integrity of the assessment.

## 3. Exceptional circumstances

### 3.1. Definition

Under this policy:

- “exceptional circumstances” are unforeseen and/or beyond the applicant's control, and are of significant seriousness so as to affect the ability of the applicant to meet expectations outlined in ANZCA regulations and FPM by-laws and progress through College processes.
- “special consideration” is the consideration of exceptional circumstances in accordance with this policy.

### 3.2. Exceptional circumstances considered grounds for special consideration

Examples of exceptional circumstances which could be grounds for a special consideration application under this policy include, but are not limited to:

- 1) Medical grounds, such as:
  - Serious illness or injury, including acute mental health.
  - Serious complications due to a pregnancy or recent birth.
  - Circumstances which may affect emotional stability (including severe stress or anxiety).
- 2) Compassionate grounds, such as:
  - Birth or adoption of a child.
  - Death, serious injury, or substantive illness of an immediate family member, partner, or close relative.
  - Cultural responsibilities associated with bereavement.
  - Domestic violence impacting the applicant or an immediate family member or close relative.
  - Stress resulting from discrimination, bullying, extreme hardship or trauma (e.g., victim of violent crime), noting that special consideration does not allow for the investigation of claims made.
  - Serious disruptive or catastrophic events (e.g., flooding, bush fires, cyclone, earthquake).
  - Emergency service commitments where a candidate is required to attend an emergency situation and the requirement to attend is specified in supporting documentation.
  - Legal commitments, for example where a candidate has been refused excusal from jury duty or is the subject of a court ordered subpoena to attend a court, tribunal or hearing, and where that requirement to attend is specified in supporting documentation.
- 3) Where the scheduling of an assessment significantly impacts the applicant's ability to practice their religion or culture.
- 4) Permanent and/or chronic impairment or disability, defined as a permanent or long-standing condition that may limit the participation or performance of the applicant undertaking the assessment.

### **3.3. Circumstances not considered grounds for special consideration**

Circumstances which may not constitute adequate grounds for special consideration include, but are not limited to:

- Requests for assessment conditions that are not compatible with the ordinary working requirements of a practitioner.
- Stress or anxiety which would ordinarily be associated with preparation for or performance in examinations or other forms of assessment, including where the application refers to the result of travel arrangements made by the applicant.
- Attempting an assessment with inadequate preparation, in the absence of factors that may be considered exceptional by their nature.
- Stress or anxiety resulting from relationship difficulties other than that associated with the complete breakdown of a marriage, de facto relationship or equivalent.
- Minor illnesses or medical conditions.
- Pre-existing illness or medical condition affecting the individual, immediate family member, partner or close relative which is not regarded as acute and substantive.

- Excessive work commitments, including specific rostering arrangements and those outside the applicable training program.
- Work-related anxiety and stress such as may be met during normal medical practice including adverse outcomes, medico-legal issues.
- The inability of the applicant to organise their time effectively to meet administrative requirements/ deadlines, including the completion of the training time and assessment requirements of a College training program within the specified timeframe.
- Ignorance of relevant published regulations and/or policies.
- Computer-related or other similar technological failure.
- Loss or theft of books or notes or similar materials.
- Decisions to undertake optional personal commitments.
- Personal or lifestyle choices where appropriate allowance or consideration has already been made.
- Circumstances where alternative arrangements were available (e.g., withdrawals, deferral, or other special arrangements) and application was not made for such arrangements.
- Difficulties with the English language, such as having English as a second language.

## 4. Special consideration applications

### 4.1 Application submission requirements

Applications must be made by the individual affected by the exceptional circumstances using the special consideration application form with the required supporting evidence (as detailed in section 4.1.2) attached.

Wherever possible, applications for special consideration should be made prospectively, and as soon as exceptional circumstances that may adversely affect an applicant's performance are known. As a general guide:

- Applications for special consideration on the grounds of permanent and/or chronic impairment or disability, or where the assessment prevents the applicant practising their religion or culture, must be submitted as soon as possible once the circumstances are known and by the due date specified in the associated regulation or by-law;
- Applications for special consideration on medical or compassionate grounds must be made as promptly as the circumstances permit; and
- If the applicant presents for assessment and encounters exceptional circumstances (as defined in section 2.2), they must notify the nominated College staff member as soon as possible before or during the assessment.

Applications cannot be made retrospectively if an applicant undertakes an assessment with knowledge of the exceptional circumstances. **Applications will not be accepted after the assessment has occurred.**

Where an application has not been made in accordance with this policy, those exceptional circumstances will not constitute grounds for reconsideration, review, or appeal under the College's Reconsideration, Review and Appeal of Decisions Policy and Procedure (**Regulation 30**).

Applicants who believe that their circumstances have the potential to impact their performance should consider deferring the assessment or attendance at the workshop. Applicants who wish to defer to the next examination opportunity should submit a special consideration application to determine remaining opportunities. Applicants who have already applied to sit an examination can choose to withdraw from the examination in accordance with the timelines indicated in the relevant regulation/by-law.

#### **4.1.2 Supporting evidence requirements**

##### *Medical grounds*

Applications for special consideration on medical grounds must be accompanied by a medical certificate, formal documentation or letter from the treating practitioner which must detail all of the following:

- The date(s) on which the applicant sought medical treatment or advice (which should be prior to or on the date of the assessment or workshop that is the subject of the application);
- The severity of the medical condition;
- A description of the medical condition;
- The time frame of the medical condition;
- The treating medical practitioner's professional opinion about the effect the medical problem has had on the applicant's ability to perform in the assessment.

In the case of a serious medical condition, the opinion of an appropriate specialist practitioner may be required.

The treating medical practitioner supplying the evidence should have a professional doctor-patient relationship with the applicant and should not be a family member, friend, relative, supervisor, employer, or colleague.

##### *Compassionate Grounds*

Applications for special circumstances on compassionate grounds must be accompanied by relevant supporting documentation. This documentation may include, but is not limited to:

- A bereavement notice and statutory declaration stating the applicant's relationship to deceased;
- A notice from the treating practitioner where illness of a close relative is involved;
- A copy of police incident report;
- A statutory declaration stating the relevant circumstances.

##### *Grounds of permanent and/or chronic impairment or disability*

The College will endeavour to provide the optimal examination environment for candidates with a disability. Individuals applying for the use of specialised equipment, aids, or special assessment conditions because of a disability should contact the College in writing at the time of registration for the assessment or by the due date specified in the associated regulation or by-law to permit appropriate arrangements to be made.

Applications for special circumstances on permanent and/or chronic impairment or disability grounds must be accompanied by relevant and current supporting documentation. This documentation must include:

- A description of the medical problem or disability;

- The period of time the applicant has suffered from the medical problem or disability;
- The treating medical practitioner's professional opinion about the effect of the medical problem or disability on the applicant's ability to perform in the assessment;
- Specific requirements for the types of assistance necessary for the applicant to undertake the assessment.

The treating medical practitioner supplying the evidence should have a professional doctor-patient relationship with the applicant and should not be a family member, friend, relative, supervisor, employer, or colleague.

The applicant may also be asked to undertake an assessment by an independent assessor chosen by the College. The independent assessor will be asked to provide a report with the opinion on the need of the type of reasonable assistance requested by the applicant. The cost for the provision of such a report shall be borne by the applicant.

#### *Religious observance*

The applicant should provide a statutory declaration which confirms that they have sought, but have not been able to obtain dispensation, on reasonable grounds, from their religious organisation to participate in the assessment on the day or at the time in question.

#### *Pregnancy or nursing an infant*

In respect of pregnancy, the applicant must provide a medical certificate or letter from the treating practitioner confirming the applicant's stage of pregnancy at the date of the examination and the nature of the adjustment sought. In respect of nursing an infant, the applicant must provide a statutory declaration confirming that they are expecting to be breastfeeding an infant at the date of the assessment or workshop.

#### *Legal commitments and/or Emergency service commitments*

The applicant should provide supporting documentation which evidences the requirement to attend.

#### *Other reasonable grounds*

The applicant should provide as much supporting documentation as possible, including by way of statutory declaration where appropriate, in support of their application.

## **4.2. Late Applications**

Applications made outside the required timeframe, or where the original application was made within the required timeframe but was not made on the prescribed form, may still be considered by the College, however, those applications will only be accepted if the College is satisfied that it was not possible for the application to have been made by the required date or on the prescribed form.

## **4.3. Application review**

Where an application is made under this policy, notification of assessment results for the applicant will be delayed until the application is processed.

Applications will be reviewed by the relevant examination chair or Director of Professional Affairs against the requirements outlined in this policy and the completeness of the applicant's supporting evidence. Decision makers will follow the principles of procedural fairness when reviewing the application. Applicants will be advised if they need to provide any further evidence and should respond as soon as possible and no later than five business days after receiving such a request.



When reviewing applications, the College will consider the following factors:

- The need to maintain the integrity of the assessment process for all candidates.
- The extent to which the circumstances cited in the application are exceptional in that they could reasonably be seen as preventing the applicant from meeting the requirement(s) in question, or as having adversely impacted on their performance in the assessment or workshop.
- Any impact on the viability of the event, other doctors and fellows, the provision of health services and additional costs.
- The degree to which the special circumstances claimed in the application are supported by the documentation provided.
- The relief, if any, previously granted by a College entity in relation to the applicant's exceptional circumstances that are the subject of this application.
- No decision about an individual applicant can be used as a precedent for another application.

Although every effort is made to handle requests sensitively, by making an application the applicant agrees that the information included in the application can be provided to those making decisions regarding the special consideration request.

Applications made under this policy and their outcome will be retained by the College under relevant policy and/or legislation until it is considered that the information will no longer be required for reference by the applicant or the College.

#### **4.4. Application outcome**

Applicants will be notified in writing of the outcome of their application approximately six weeks after the College considers the application.

The outcome of an application for special consideration may include one or more of the following:

- The applicant may be allowed to withdraw from the assessment without financial or academic penalty, and/or;
- The applicant may be allowed a further attempt at the assessment without affecting the number of attempts available to them under relevant College regulations/by-laws, and/or;
- Other consideration be given as deemed appropriate, or;
- The application may be declined/no action may be taken.

If the applicant is granted an additional assessment attempt, the application outcome will include a recommendation regarding whether fees will be charged for that attempt.

If an additional assessment attempt is granted which does not require an automatic extension of time to complete requirements, applicants can submit a separate application to extend the available time limits.

The remarking of an assessment is not an outcome available under the special consideration provisions.

If the reviewer determines that there are insufficient grounds for special consideration (see section 2.3. for examples), the application lacks supporting evidence, or does not comply with policy requirements, the College is not obliged to consider the application, or any further information provided.

Special consideration is not on-going and is only applicable to a single assessment, examination or workshop. A new application and supporting documentation must be made for each subsequent special consideration request unless the requirement is waived by the College in writing.

## **5. Reconsideration, review and appeals**

Decisions made in relation to applications for special consideration under this policy are subject to the College's Reconsideration, Review and Appeal of Decisions Policy and Procedure (**Regulation 30**). However, where an application has not been made under this policy within the timelines required under this policy, the failure to make an application within time may not be the subject of a reconsideration, review or appeal.

## **6. Wellbeing support**

The College [Doctors' Health and Wellbeing](#) webpage provides resources and support services for fellows, trainees and SIMG's to assist them with respect to their wellbeing.

### **Related documents:**

- Special consideration application form
- [Regulation 30 – Reconsideration, Review and Appeal processes](#)

## Change control register

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1	L Wilson V Laursen K Elliott J Whittington M Besterwitch	ANZCA Council	Feb 24	Created	