

Division:	Fellowship Engagement	Ref. No.	REG-3009
Department:	Fellowship Services		
Title:	Termination and Readmission to Fellowship		

1. PURPOSE AND SCOPE

This policy complements the provisions of the Royal Australasian College of Surgeons (RACS) Constitution in relation to termination and readmission to Fellowship of the Royal Australasian College of Surgeons and further regulates those matters. This policy is approved as a regulation of RACS.

2. KEYWORDS

Termination, resignation, readmission, constitution.

3. BODY OF POLICY

3.1. Automatic Termination of Fellowship (membership)

3.1.1. Resignation

Resignation of Fellowship automatically terminates Fellowship pursuant to clause 3.1.1 (a) of the College's Constitution.

Fellows wishing to resign must do so in writing, addressing their correspondence to the President, RACS.

Fellows who choose to resign their Fellowship receive confirmation of their termination in writing by President, RACS. The correspondence states the effective date of termination and draws to their attention the consequences of termination of Fellowship contained in clause 3.4 of the Constitution.

3.1.2. Death

The death of a Fellow results in automatic termination of Fellowship pursuant to clause 3.1.1(b) of the Constitution. The death of a Fellow is acknowledged and recorded in accordance with the **Retired and Deceased Fellows Policy**.

3.1.3. Removal from a register of medical practitioners by a medical registration authority for disciplinary reasons

Removal, whether permanently or by way of suspension, from a register of medical practitioners by a medical registration authority for disciplinary reasons results in automatic termination of Fellowship pursuant to clause 3.1.1 (c) of the Constitution. In the case of removal due to suspension, where the suspension is subsequently lifted, readmission to Fellowship may be applied for (see 3.4)

3.1.4 Unpaid subscriptions

If a Fellow's subscription is unpaid for a period of 6 calendar months after it becomes due, the Fellow's Fellowship terminates automatically pursuant to clause 4.2 of the Constitution.

An overview of the annual subscription fee is available at: <http://www.surgeons.org/my-page/my-account/subscriptions-fees/> and payment is due on 1 January each year.

During the 6 months period that the subscription fee remains unpaid the Finance Department will issue reminders in accordance with the Credit Management Policy.

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3.1.5 In cases of automatic termination of Fellowship, RACS has no discretion in the matter. Lack of a current address for contact purposes does not affect automatic termination.

3.2. Termination of Fellowship (membership) by resolution of Council

Any of the following may be grounds for termination of Fellowship by RACS Council pursuant to clause 3.2 of the College Constitution. Council may receive recommendations to terminate fellowship from, among others, any Board of RACS or directly from the Professional Conduct Committee (PCC).

3.2.1. Ceasing to be eligible for admission to membership of the College;

Clause 2.2 of the Constitution sets out the eligibility requirements for admission to Fellowship.

3.2.2. Refusal or neglect to comply with the provisions of this Constitution or any applicable Regulation;

3.2.3. Refusal or neglect to comply with the provisions of the College's Code of Conduct

a. Breach of the Code of Conduct

Complaints about Fellows may come from other Fellows, other doctors, hospital employees, organisations or the community and will be addressed in accordance with the Complaints Policy.

b. Breach of the Code of Conduct (CPD related)

RACS requires all Fellows to comply with the Continuing Professional Development (CPD) program as outlined in Section 5 of the Code of Conduct. Failure to comply will be a breach of the Code of Conduct. Similarly, Fellows selected for verification of their CPD activities must comply with this request. Failure to do so will also be regarded as a breach. Any Fellow experiencing issues meeting compliance with their CPD should contact the Professional Standards department.

3.2.4. Engages in conduct which in the opinion of the Council is unbecoming of Fellows or is prejudicial to the interests of RACS

RACS Council in its absolute discretion may terminate the Fellowship of an individual who is deemed to have engaged in conduct which is, among other things, contrary, derogatory to or inconsistent with the principles, ethics, dignity, standards or purposes of RACS.

3.2.5. Name removed from the register of an Authority for any reason or is suspended from practice by an Authority;

The Fellowship of a Fellow who has his or her name removed from the register of an Authority for disciplinary reasons is automatically terminated (refer clause 3.1.3 above).

3.2.6. Becomes a person whose estate or person is liable to be dealt with in any way under the law relating to mental health or disability;

3.2.7. Has any condition or restriction imposed on his or her right to practise by an Authority;

3.2.8. Found guilty by a Court of an indictable offence

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3.2.9. Fails to pay any debt due to RACS for a period of 6 months after the due date for payment.

However, where the debt is a subscription, clause 3.1.4 above applies and Fellowship is terminated automatically.

3.3. Consequences of Termination of Fellowship (membership)

Pursuant to clause 3.4 of the Constitution, any Fellow whose Fellowship of the College terminates for any reason in accordance with the College Constitution:

- a. shall cease to be entitled to any of the rights and privileges of membership;
- b. may be required to return his or her Fellowship Certificate(s) to RACS within 14 days of receiving notice of the termination of Fellowship; and
- c. must not represent that he or she is a Fellow of RACS or use the post-nominal "FRACS" or other post-nominal or nomenclature of RACS which may be applicable.

The Council shall inform the relevant registration board or authority of any Fellow who shall cease to be a Fellow of the College and the reasons for the cessation of Fellowship.

The Council may in its absolute discretion give notice or publish to the public generally or to any professional body or organisation within existing RACS publications and newsletters the fact that any such person has ceased to be a Fellow of RACS.

3.4. Readmission to Fellowship (membership) - conditions

Readmission to Fellowship is carefully considered and depending on the reason for termination, a number of mandatory conditions must be met for readmission to be approved. Fellows wishing to apply for readmission must do so in writing and address their correspondence to the President, and managed by the EDSA.

3.4.1. Conditions that all persons must meet to be readmitted to Fellowship

A person who seeks readmission to Fellowship is required to:

- a. Be a registered medical practitioner;
- b. Complete the RACS Operating with Respect eLearning module within the 12 months prior to applying for Readmission to Fellowship; and
- c. Show evidence of ongoing participation in continuing professional development activities that are at least equivalent to those required of Fellows; and

Note: For CPD - Such activities may include participation in a recognised CPD Program of another Medical College or organisation, or completion of activities within a personal CPD learning plan.

Fulfilment of either requirement must have occurred in the year immediately prior to application for readmission. If the applicant has

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participated in an equivalent program with another Medical College or organisation that is deemed to be equivalent to that of RACS, the Professional Standards department will request the individual provide evidence of satisfactory participation. If the applicant has not participated in another recognised CPD Program, they will be required to input their activities into CPD Online for the relevant year.

The applicant will also be required to provide verification of all of the activities claimed.

- d. Make payment of all College subscription arrears and interest, if required, as well as payment for the current year College subscription (unless Council resolves to the contrary in the case of termination due to a suspension in accordance with clause 3.1.2 of the Constitution); and
- e. Make payment of the Fellowship Readmission fee.

3.4.2. **Readmission following termination due to removal or suspension from a register by a medical registration authority**

In addition to the conditions in clause 3.4.1 above, a person who has had his or her Fellowship terminated as the result of removal or suspension from a register of a medical registration authority must indicate agreement to practise within any limitations placed on medical practice by the authority before readmission.

Further, if the membership of a Fellow is terminated because the Fellow is suspended from practice, the Fellow may be readmitted to membership by resolution of the Council. This may be with or without the payment of a further Fellowship fee if the suspension is lifted and subject to any conditions imposed by Council.

3.4.3. **Readmission following termination for a breach of the College Code of Conduct**

In addition to the conditions in clause 3.4.1 above, a person who has had his or her Fellowship terminated as a result of breaching the Code of Conduct must:

- a. Provide a statement in satisfactory form stating their intention to abide by the College's Code of Conduct and also how they intend to ensure that a subsequent breach will not occur in the future;
- b. Provide a statement in satisfactory form as to their contrition concerning their breach of the Code of Conduct;
- c. Sign the Fellowship Deed of Undertaking, reaffirming commitment to the College's Code of Conduct

3.5. **Notification of Readmission**

Confirmation of readmission by Council will be confirmed in writing by the EDSA, upon resolution by Council. The correspondence will acknowledge any conditions or restrictions imposed by the medical registration authority or by RACS in order to maintain Fellowship.

4. **ASSOCIATED DOCUMENTS**

College Constitution

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REGULATION

ROYAL AUSTRALASIAN COLLEGE OF SURGEONS

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Privacy of Personal Information Policy

Sanctions Policy

Retired and Deceased Fellows Policy

Complaints Policy

Professional Conduct Committee Terms of Reference

Approver: Professional Development and Standards Board**Authoriser:** Council

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