

Portfolio:	Education	Ref. No.	ETA-SET-026
Team:	Surgical Training		
Title:	SET Misconduct		

1. PURPOSE AND SCOPE

Fellows of RACS abide by a Code of Conduct. Trainees and International Medical Graduates (IMGs) on a pathway to Fellowship are also expected to conduct themselves with honesty and integrity and in accordance with the Code of Conduct. This policy defines the circumstances that may be regarded as misconduct by a Trainee, and how allegations of misconduct are managed.

Council of RACS has approved a set of principles that apply to all trainees in the SET program. Individual specialty training programs are responsible for formulating and publishing detailed training regulations for their program that comply with the principles of this policy and provide transparency of process to trainees. Individual specialties may add their own specific regulations but the principles of RACS policy stand.

2. KEYWORDS

Surgical Education and Training, SET, Misconduct, Serious Misconduct, Penalties, Code of Conduct

3. MISCONDUCT

3.1. Conduct that is misconduct includes but is not limited to –

- 3.1.1. theft
- 3.1.2. assault
- 3.1.3. fraud
- 3.1.4. cheating
- 3.1.5. intoxication and/or substance abuse at a SET program event (including surgical rotations)
- 3.1.6. a breach of RACS's Code of Conduct or Policies;
- 3.1.7. disobedience of a lawful and reasonable instruction given by a supervisor
- 3.1.8. repetition of acts of misconduct for which the trainee has been counselled
- 3.1.9. abuse of or threatening an employee, student or member of the public
- 3.1.10. bullying or harassment (including sexual harassment);
- 3.1.11. abandonment of training post;
- 3.1.12. falsification of training records, patient documentation or patient treatment;
- 3.1.13. malicious damage to RACS or Society property or reputation;
- 3.1.14. repeated refusal to carry out a lawful or reasonable instruction that is consistent with the trainee's contract of employment and training agreement.

3.2. Allegations of misconduct will be investigated by the Specialty training boards in accordance with the process specified in the training regulations.

3.3. The process will include notification, a process for an initial investigation, detailed investigation if warranted, and penalties for substantiated misconduct.

3.4. Such allegations of misconduct will be investigated promptly, thoroughly and objectively and will provide natural justice/procedural fairness to the trainee.

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- 3.5. Where there is a finding of misconduct the RACS CEO will be informed to determine whether a mandatory notification is required to medical registration authorities.

4. ASSOCIATED DOCUMENTS

Policies

Dismissal from Surgical Training
 Medical Registration Authority policies on notifiable conduct

Other

Natural Justice and Procedural Fairness – Guidelines for Committees and Decision Makers
 Specialty Training Board regulations

Approver Education Board
Authoriser Council