



Australasian College
for Emergency Medicine

Exceptional Circumstances and Special Consideration Policy

V11.1 TA79

Document Review

Timeframe for review:	Every five years, or earlier if required
Document authorisation:	Council of Education
Document implementation:	Executive Director, Education & Training
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Revision History

Version	Date	Pages revised / Brief Explanation of Revision
v1	Sep-2011	Approved by Council.
v2	Nov-2012	Special consideration on grounds of religious observance inserted.
v2-1	Mar-2014	Consequential changes as per governance review – ‘Board of Education’ to ‘Council of Education’.
v3	Dec-2015	The policy has been renamed (formerly the <i>Policy on Special Consideration</i>) and extensively amended throughout.
v4	Mar-2016	Revisions to clarify matters associated with Workplace-based Assessments through the insertion of new section 6, with consequential renumbering of sections that follow.
v5	Mar-2018	Revisions to clarify matters associated with decisions regarding examination results and the insertion of new section 7, with consequential renumbering of sections that follow.
v6	Jun-2018	Revisions to clarify relief not necessarily granted where exceptional circumstances are considered to exist.
v7	Aug-2018	Revisions to clarify matters associated with pregnancy and nursing an infant at the time of sitting an ACEM examination.
v8	Feb-2021	Revisions to clarify bodies (including individuals) who may consider applications, as well as the retention of applications and outcomes for future use in related matters.
v9	Feb-2022	Revisions to reflect Introduction of revised FACEM Training Program from 2022 Training Year (Regulation G)
v10	July-2023	Significant revisions throughout to clarify exceptional circumstances and relief that may be afforded for specific assessments/requirements.
v11	October-2024	Removal of examinations and significant revisions to exceptional circumstances information and definitions.
v11.1	April-2025	Amendments throughout to reflect changes to training program titles and membership categories, EMAD to AEMTP.

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1. Purpose and Scope

This policy outlines the criteria and processes by which those individuals subject to ACEM regulations and/or policies may apply for variation to the requirements on the grounds of exceptional circumstances that may justify special consideration. The application of this policy applies to a range of groups and College activities, including:

- Trainees undertaking the FACEM Training Program.
- Trainees undertaking either the Associateship in Foundational Emergency Medicine (FEMTP), Intermediate Emergency Medicine (IEMTP) or Advanced Emergency Medicine (AEMTP) Training Programs.
- Trainees undertaking the Associateship of Pre-Hospital and Retrieval Medicine (PHRMTP) Training Program.
- Specialist International Medical Graduates (SIMGs) being assessed for comparability to an ACEM-trained specialist emergency physician, or suitability for an Area of Need position, or undertaking training, assessment or supervision requirements as part of a pathway to obtain ACEM Fellowship.
- Fellows and other College members required to undertake a Continuing Professional Development (CPD) program for the purposes of recertification.

The policy is intended to cover circumstances that arise prior to (including on the date on which any assessment may be due to be submitted or conducted) or during an assessment and which are known to the individual prior to the completion of the assessment and a result/outcome for that assessment being determined and/or communicated to them.

Individuals are encouraged to apply and disclose circumstances that may impact their assessments as soon as possible to ensure appropriate and timely planning and support are put in place. Any information disclosed to the College will be managed in the strictest confidence (refer section 6.3 (2))

It is generally expected that the individuals apply prospectively for special consideration where any exceptional circumstances that may adversely affect their performance in an assessment are known.

If individuals do not apply prospectively or within the timeframes prescribed by the College, it will be at the discretion of the relevant College entity to determine whether to consider the application (refer section 6.1)

Other than applications accepted for consideration under section 6.1, the policy will not apply once a result/outcome for an assessment has been determined and/or communicated to an individual. In such circumstances, refer to the College document, Reconsideration, Review and Appeals Policy (COR355).

2. Terminology

Exceptional Circumstances

Means circumstances that are not ordinarily encountered or anticipated, which are beyond the control of the individual concerned and which are of such severity or gravity that they may impact adversely on the individual's capacity to complete a College requirement or to perform in any College assessment(s).

Special Consideration

Means the consideration of circumstances pertaining to an individual in order to enable variation from the requirements normally expected in relation to a College requirement or assessment.

3. Exceptional Circumstances

The Australasian College for Emergency Medicine (ACEM) recognises that individual circumstances may be exceptional and exceptions or adjustments may be needed to accommodate these. For the purpose of this policy, ACEM defines exceptional circumstances as an event that is not ordinarily encountered and is beyond the applicant's control. The circumstances have substantially affected the applicant's ability to perform as expected during an assessment or meet requirements as directed by the college Regulations or Policies.

When assessing an application requesting special consideration, the governing body will consider the following when reviewing the application:

- the extent to which the circumstances detailed in the application are considered to be exceptional.
- The reasonability that the circumstances could be seen as preventing the applicant from meeting the prescribed requirement by the relevant Regulation or Policy.
- The extent to which the applicant's circumstances are foreseeable and/or avoidable.
- The degree to which the claims of the application are supported through documentation.

ACEM reserves the right to deny an application requesting exceptional circumstances if the college believes the application to be disingenuous or does not meet the criteria listed in Appendix 1.

4. Assessment Arrangements (not pertaining to examinations)

- (1) It may be possible for a trainee to undertake an assessment where reasonable adjustment arrangements are made on account of the exceptional circumstances including, but not limited to:
 - Diagnosis of neurodiversity made by a practitioner accredited to perform such assessments and make diagnoses.
 - Permanent or chronic impairment or disability.
 - Religious observance and/or cultural requirements, which do not permit participation in an assessment at a particular time or on a particular day.
 - Pregnancy or nursing an infant at the time of undertaking the assessment.
- (2) Trainees wishing to apply for reasonable adjustments to examination arrangements must refer to the *Exceptional Circumstances and Special Consideration: Examinations Policy* and associated processes.
- (3) Applications must be submitted to the College in writing as soon as possible but not later than the date the assessment is completed.

Applications may be accepted when a candidate experiences acute circumstances that arise just prior to and during the time the assessment is completed. Such applications should be submitted as soon as the candidate becomes aware of the circumstances.

Applications must include the following:

- (a) The particulars of the assessment for which adjustment arrangements are sought.
- (b) The nature of the adjustment arrangement(s) being sought.
- (c) Supporting documentation (refer to section 7.2).

5. Workplace-Based Assessment(s)

- (1) The College recognises that there are occasions where non-submission of a completed Workplace-based Assessment(s) is beyond the control of a trainee.
- (2) Where an application for special consideration on the grounds of exceptional circumstance relates to non-submission of a completed Workplace-based Assessment(s) and where non-submission of that Workplace-based Assessment(s) was beyond the control of the trainee, the date of the requirement or event shall be the date and time at which the trainee is notified that a required Workplace-based Assessment(s) was not received by the College.

The trainee should, where possible, make other arrangements to complete the requirement(s) before submitting an application for special consideration.

Individuals should apply prospectively for special consideration where any exceptional circumstances that may adversely affect the assessment process are known.

6. Application Process

- (1) An individual who becomes aware of exceptional circumstances in accordance with this policy that may impact their training and/or completion of a requirement may apply to the College for the granting of special consideration.
- (2) Applications for special consideration should be submitted by the individual affected or, if this is not possible due to the nature of the event(s) in question, by the individual's nominee.
- (3) Applications must be made in writing on the prescribed form and be accompanied by:
 - (a) A letter from the affected individual detailing the nature of the circumstances and specifying in what way(s) those circumstances are considered to be 'exceptional' and how the circumstances hampered the individual's capacity to meet the requirement(s) to which the application relates;
 - (b) Supporting documentation, as applicable (refer to Section 7.2). Supporting documentation submitted subsequent to the submission of an application will only be considered at the discretion of the College; and
 - (c) Payment of the prescribed fee (upon invoice by the College).
- (4) Special consideration may be refused where application has been made outside the timeframes stipulated in this policy:
 - Within 72 hours of the individual becoming aware that exceptional circumstances exist, or within 72 hours of the date of the requirement or event, whichever is the earlier; or
 - In relation to that which may adversely affect or impact training and the ability of the trainee to perform adequately, within 7 days of the individual becoming aware of those circumstances or condition; or
 - Within such other period which the Council of Education (or approved delegate) may, at its sole discretion, allow.

6.1 Late Applications

- (1) 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 submitted, but may only be accepted if the relevant College entity/approved delegate is satisfied that it was not possible for the application to have been made by the required date or on the prescribed form and/or the circumstances are considered to be significant to warrant acceptance of the application.

- (2) Late applications must include an outline of the reason(s) why the application was not submitted within the required timeframe, as well as all other documentation and information stipulated in this policy, any other relevant regulations/policies and on the prescribed application form.

62 Supporting Documentation

Where relevant, applicants may be required to provide documentation to support their application for special consideration. At any time, ACEM reserves the right to request further information to assist with their decision and may contact third parties who provide supporting information for clarification and confirmation or for further information.

Supporting documentation, in English or certified English translation, may only be accepted from appropriate professionals (e.g., doctors, lawyers and police), provided that the person issuing or signing the document is NOT a relative or other family member of the individual or a candidate in the same assessment(s).

Documentation that may be required to support an application for special consideration includes:

- If the application is based on medical/psychological grounds, a medical certificate or formal letter from the treating practitioner indicating the nature and severity of the physical or psychological condition, the date(s) on which the applicant was consulted/treated, and the duration of the illness/condition.
- In the case of applications based on compassionate grounds due to the death or serious illness/incapacity of an immediate family member, partner or close relative, a bereavement notice and statutory declaration stating the individual's relationship to that person or a notice from that person's treating practitioner (as applicable).
- In the case of a violent crime or similar incident, a copy of the police report.

63 Consideration of Applications

- (1) Applications will be considered by the Chair of the relevant College entity, a subgroup of the entity convened for the purpose or the full membership of the entity, either as dictated by relevant College policy or as deemed necessary by the relevant Chair. In making a decision, factors such as the following will be taken into account:
 - (a) The extent to which the circumstances cited in the application are considered to be exceptional in that they could reasonably be seen as having, to a substantial degree, hampered the individual from meeting the requirement(s) in question, or as having adversely impacted on their performance in the assessment.
 - (b) What might reasonably be expected to occur in the workplace and the impact of the event, on the provision of health services.
 - (c) The extent to which the circumstances cited are considered to have been foreseeable and/or avoidable by the individual.
 - (d) The degree to which the exceptional circumstances are supported by the documentation provided in the application.
 - (e) The relief, if any, previously granted by the College in relation to the exceptional circumstances that are the subject of the application.
 - (f) Previous College decisions in relation to other applications citing similar grounds.
- (2) As far as is possible, applications for special consideration will be regarded in the strictest confidence and with utmost sensitivity. Where necessary, the Chair of the entity considering the application and supporting documentation may inform other members of the general nature of the matter relating to the application in order to enable a decision to be made.

- (3) As part of an application under this policy, an applicant may seek a specific form of relief should their circumstances be considered 'exceptional' and some relief warranted. However, the decision of the nature of the relief to be afforded to the applicant will rest solely with the relevant College entity considering the matter.
- (4) Applications will be considered in as timely a manner as possible and individuals notified in writing of the decision in relation to their application as soon as is practicable.
- (5) 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.

7. Reconsideration, Review and Appeal

Decisions made in relation to applications for special consideration under this policy are subject to the College Reconsideration, Review and Appeals Policy (COR355). However, where an application has not been made under this policy within the timeframes required under this policy, that issue (failure to make application within time) may not be the subject of RRA.

8. Appendix

Appendix 1 – Exceptional Circumstances

8.1 Circumstances that would generally be regarded as exceptional	
Medical	<ul style="list-style-type: none"> • Permanent and/or chronic illness, impairment or disability, including significant complications of pregnancy • Acute medical conditions or serious injury • Significant stress resulting from extreme hardship or trauma (e.g. victim of violent crime, bullying, or discrimination). • Disability impacting the applicant's ability to perform during an assessment (physical or psychological).
Compassionate Grounds	<ul style="list-style-type: none"> • Bereavement or serious illness of an immediate family member, partner, close relative, or those who have had a significant relationship with the individual. • The recent birth or adoption of a child. • Domestic violence impacting the applicant or an immediate family member or close relative. • A catastrophic event or significant damage or loss to personal home or effects caused by the effect of nature or natural causes (e.g. flooding, bush fires, cyclone, earthquake).
Religious or Cultural Grounds	<ul style="list-style-type: none"> • Where the scheduling of a College assessment significantly impacts the person's ability to practice their religion or culture.
8.2 Circumstances would generally not be considered as exceptional	
ACEM would not normally recognise the following circumstances as grounds for applying for special consideration:	<ul style="list-style-type: none"> • Stress or anxiety, which would ordinarily be associated with preparation for or performance in examinations or other forms of assessment, including travel arrangements associated with the assessment. • Knowingly 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.

	<ul style="list-style-type: none"> • Work-related anxiety and stress, such as may be met in the usual course of general medical practice, including adverse outcomes, medico-legal issues. • Excessive educational commitments outside the applicable training program (i.e. FACEM, FEMTP, IEMTP, AEMTP, PHRMTP or SIMG pathway), including, but not limited to, the concurrent undertaking of educational activities, such as another specialist training program. • The inability to organise time and plan effectively in order to meet administrative requirements/deadlines, including the completion of the training time and assessment requirements of a college training program within the specified timeframes. • Ignorance of relevant College 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 commitments of a personal nature. • Personal or lifestyle choices where appropriate allowance or consideration has already been made. • Circumstances where other options were available (e.g. withdrawal, deferral or adjustments to examination arrangements, etc.) and application was not made for such arrangements.
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