



Australasian College
for Emergency Medicine

Exceptional Circumstances and Special Consideration Policy: Examinations

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1. Purpose and Scope

This policy outlines the criteria and processes by which trainees subject to ACEM regulations and/or policies as pertain to College examinations 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:

- Trainees undertaking the FACEM Training Program.
- Trainees undertaking the Emergency Medicine Associateship Training Programs.
- Trainees undertaking the Pre-Hospital and Retrieval Medicine Associateship Training Program.
- Specialist International Medical Graduates (SIMGs) on a pathway to obtain ACEM Fellowship.

This policy is intended to cover circumstances that arise prior to, on the date of, or during an examination.

Individuals are strongly encouraged to apply and disclose circumstances that may impact their performance during an examination 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.

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

If individuals do not apply prospectively or within the timeframes prescribed by the College, it will be at the discretion of the Examinations Committee to determine whether to consider the application.

Other than applications accepted for consideration, the policy will not apply once a result/outcome for an examination has been determined and/or communicated to a trainee. 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 or to perform in any College examination(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 examination.

3. Exceptional Circumstances and Special Consideration

Applications for special consideration on the grounds of exceptional circumstances in relation to ACEM examinations will be considered on their merits and only when the individual has submitted an application in accordance with this policy.

Trainees who feel their examination preparation has been significantly impaired through sudden illness, injury, or personal circumstances should contact the College as soon as possible prior to the examination to seek advice. In some instances, it may be that the most appropriate action is for the trainee to defer an examination attempt and, if applicable, submit a special consideration application to extend a training due date to allow for a future sitting.

Trainees with longstanding conditions or circumstances that adversely impact their ability to prepare or sit an examination should sit an examination only when they feel fully prepared and apply for adjustment arrangements.

If a technical and/or procedural issue is encountered during an examination, the trainee must make the examiner/invigator immediately aware at the time of the issue(s). The outcome for a technical and/or procedural issue encountered during an examination is usually compensation or resolution during the course of the examination, where possible, such as additional time.

Where an incident and/or issue(s) occurs once the examination has commenced and performance has been impacted, and where compensation or resolution during the course of the examination is not possible, an application may be made for post-examination considerations. Applications for post-examination considerations must be submitted within 72 hours of the date of the examination. Applications submitted after 72 hours following the examination may be considered at the discretion of the Examinations Committee Chair, Censor-in-Chief or delegate.

Applications for special consideration for an examination made after the publication of results in that examination will only be accepted at the discretion of the Examinations Committee Chair, Censor-in-Chief and/or their delegate.

Where a trainee does not pass an examination, and can demonstrate to the satisfaction of the Examinations Committee, Council of Education (COE) or approved delegate:

- that the circumstances involved may be deemed 'exceptional', and
- that grounds exist for the trainee to be afforded special consideration on the basis of these circumstances,

the Examinations Committee, COE or approved delegate may agree that the trainee be granted special consideration with regard to the usual requirements of the regulation, policy and/or examination in question.

There is no obligation for the Examinations Committee/COE/approved delegate to grant special consideration and afford relief where it is considered that adequate relief has been previously granted or is not warranted in the entirety of the circumstances.

The trainee must demonstrate that the exceptional circumstances have;

- i) substantially disadvantaged them or adversely impacted their ability to perform in the examination(s), and
- ii) other measures, circumstances or allowances have not addressed the disadvantage caused by the exceptional circumstances.

Where special consideration is granted on the basis of exceptional circumstances, this will not excuse the trainee from meeting standards for performance in the examination which have been objectively set.

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. Reasonable Adjustments to Examination Arrangements

- (1) It may be possible for a trainee to undertake an examination with reasonable adjustments in place on the account of the following exceptional circumstances:
 - Diagnosis of neurodiversity made by a practitioner accredited to perform such assessments and make diagnoses.
 - Permanent or chronic impairment or disability.
 - Religious observance or cultural requirements, which do not permit participation in an examination at a particular time or on a particular day.
 - Pregnancy or nursing an infant at the time of sitting an examination.
- (2) Applications must be submitted to the College in writing as soon as possible before the application closing date of the examination.

Applications may be accepted after the application closing date where a trainee experiences acute circumstances that may arise after the closing date of an examination. Such applications must be submitted prior to the examination.

Applications must include the following:

- (a) The specific examination (type and date) for which adjustment arrangements are sought.
- (b) The nature of the adjustment arrangement(s) being sought (e.g., additional time or a scribe).
- (c) Supporting documentation (refer to section 5.2).

5. Application Process

- (1) A trainee who becomes aware of exceptional circumstances that may impact an examination may apply to the College for special consideration.
- (2) Applications for special consideration should be submitted by the trainee affected or, if this is not possible due to the nature of the circumstance(s) in question, by the trainee's nominee.
- (3) Applications must be made in writing on the prescribed form and be accompanied by:
 - (a) A letter from the trainee detailing the nature of the circumstances, specifying in what way(s) those circumstances are considered to be 'exceptional' and how the circumstances adversely affected their performance in the examination;
 - (b) Supporting documentation, as applicable (refer to section 5.2). Supporting documentation submitted after the application is submitted will only be considered at the discretion of the Examinations Committee Chair, Censor-in-Chief or delegate; 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.
 - Applications for examination adjustment arrangements must be made as soon as possible before the due date of the assessment or no later than the application closing date of the examination. Applications may be accepted after the application closing date where a trainee experiences acute circumstances that may arise after the closing date of an examination. Such applications should be submitted prior to the examination, as soon as the trainee becomes aware of the circumstances.
 - In all other circumstances:
 - Within 72 hours of the date on which the examination was conducted; or

- Prior to sitting the examination and as soon as possible after the trainee becomes aware that such exceptional circumstances exist, or within 72 hours of the examination, whichever is the earlier; or
- In relation to other circumstances or conditions that may otherwise adversely impact the trainee’s examination performance adequately, within 7 days of the trainee becoming aware of those circumstances or condition; or
- Within a period that the Examinations Committee Chair, Censor-in-Chief or approved delegate may, at its discretion, allow.

51 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 Examinations Committee Chair, Censor-in-Chief or 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.

52 Supporting Documentation

- (1) 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 examination(s). The College may refuse to accept unauthorised documents, copies or informal emails or correspondence, and may require original documentation or certified copies. The College reserves the right to contact third parties who provide supporting information for clarification and confirmation or for further information.

Exceptional Circumstance	Supporting Documentation
<p>Diagnosis of neurodiversity made by a practitioner accredited to perform such assessments and make diagnoses</p>	<p>Evidence of diagnosis (diagnosis may be from childhood, adolescence or adulthood), including diagnostic assessment(s) undertaken, diagnosis, date of diagnosis, and details of diagnosing health or allied health professional credentialled to undertake diagnostic assessments (psychiatrist, paediatrician, clinical neuropsychologist, speech pathologist, occupational therapist, clinical psychologist), including name, qualifications and address; and</p> <p>Contemporaneous evidence of ongoing treatment/management (dated within 3 years of application for reasonable adjustment to examination), including the following details:</p> <ul style="list-style-type: none"> — presenting symptoms; — treatment period and plan; — description of how the condition impacts the trainee’s day-to-day functioning and learning; — specific impacts in examination conditions; and — adjustments to examination arrangements relevant to the applicant.

<p>Permanent or chronic impairment or disability</p>	<p>A detailed medical certificate or letter from the current treating specialist:</p> <ul style="list-style-type: none"> – describing the nature of the impairment or disability; – the period of time the individual has suffered the impairment or disability; and – the nature and frequency of treatment the individual requires for the condition causing the impairment or disability. – If applicable, the nature and specific type of alternative arrangements required
<p>Religious observance or cultural requirements that do not permit participation in an assessment at a particular time or on a particular day</p>	<p>A statutory declaration from the individual signifying that they have sought, but have not been able to obtain, dispensation from their religious organisation to participate in the assessment on the day or at the time in question, or a statutory declaration from the individual outlining their cultural requirements.</p> <p>Note: The College may also seek advice from an authority in the particular religion prior to making a decision in relation to an application made on the grounds of religious observance.</p>
<p>Pregnancy or nursing an infant at the time of sitting an ACEM examination</p>	<p>In respect of pregnancy – a medical certificate or letter from the treating medical or midwife practitioner confirming the stage of pregnancy at the date of the examination and nature of adjustment sought</p> <p>In respect of nursing an infant – a declaration from the individual signifying that they are expecting to be breastfeeding an infant at the date of the examination</p>
<p>Medical grounds</p>	<p>A medical certificate, formal documentation or letter from the treating medical practitioner, including the following details:</p> <ul style="list-style-type: none"> – the date the practitioner consulted the individual, which should be prior to or on the date of the assessment or examination that is subject to the application; – the severity of the medical condition; and – the medical practitioner’s opinion on the impact of the condition on the individual meeting the assessment/ examination requirements that are subject of the application, including their performance in the assessment/examination. <p>Note: a treating medical practitioner supplying evidence should have a professional doctor-patient relationship with the individual and should not be a family member, friend, relative, supervisor, employer or colleague.</p>

Compassionate grounds	Supporting documentation that may include, but is not limited to, the following: <ul style="list-style-type: none"> – a bereavement notice and/or statutory declaration stating the relationship of the individual to the deceased – a notice from the treating medical practitioner where illness is involved – a copy of a police incident report – a statutory declaration stating the relevant circumstances.
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53 Consideration of Applications

- (1) Applications will be considered by the Chair of the Examinations Committee, a subgroup of the Examinations Committee convened for the purpose or the full membership of the entity, either as dictated by relevant College policy or as deemed necessary by the Examinations Committee Chair. In making a decision, factors such as the following will be taken into account:
 - (a) The extent to which the circumstances described in the application are considered to be exceptional in that they could reasonably be seen as having, to a substantial degree, adversely impacted the trainee's performance in the examination.
 - (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 described are considered to have been foreseeable and/or avoidable by the trainee.
 - (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 describing 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 is considered warranted. However, the decision of the nature of the relief to be given to the applicant will rest solely with the Examinations Committee.
- (4) Applications will be considered in as timely a manner as possible and trainees 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.

54 Possible Outcomes

- (1) The outcome of an application for special consideration in an ACEM examination may be any of the following:
 - The individual may be allowed to withdraw from the examination without penalty; or
 - The individual may be allowed a further attempt at the examination; or
 - The individual may be afforded reasonable adjustments to examinations arrangements, such as additional examination time, additional breaks during the examination, paper-based written examination to complete or permission to eat and/or drink during the examination; or
 - Other consideration granted as deemed appropriate; or
 - The application may be declined / no action may be taken.

- (2) The remarking of an examination is not an outcome available under special consideration provisions.

- (3) Where the decision relating to an application for special consideration results in an individual being granted an additional attempt at an examination, examination fees may apply.

Where an additional attempt at an examination is granted and the trainee does not require an extension of time in order to complete training and/or assessment requirements, the time limits available to complete their remaining training requirements may, upon a separate application at an appropriate time, be extended to enable the allowable attempt at the examination in question, to be made.

- (4) Applications made by trainees under this policy in relation to ACEM examinations will be retained in order for the material to be available in the event that the College and/or the trainee requires its use in relation to future matters. These may include matters pertaining to consideration for dismissal from training or where an application to request a further examination attempt(s), in addition to the maximum allowable attempts, is not granted.

6. 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.

7. Appendix

Appendix 1 – Exceptional Circumstances

8.1 Circumstances that would generally be regarded as exceptional	
Assessed and clinically diagnosed neurodiversity	<p>Including, but not limited to:</p> <ul style="list-style-type: none"> • Autism Spectrum Disorder (all levels) • Dyslexia • Attention Deficit Hyperactivity Disorder
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.

	<ul style="list-style-type: none"> • 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. • 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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