

## **22. DISCIPLINARY CODE FOR TRAINEES**

Discipline is considered an important aspect of training, and the trainees must adhere to the guidelines approved by the Board of Management, the Senate and the Council of the University of Colombo. Acts of indiscipline will be dealt with under the provisions of the Disciplinary Code of the PGIM. All trainees are also subject to the guidelines of local statutory bodies such as the SLMC, the employer and that of foreign organizations/statutory bodies during overseas training.

This Disciplinary Code approved by the Board of Management of the PGIM is applicable to all PGIM trainees who are registered for courses of study / training programmes, and examinations.

### **22.1 Types of Inadequacies/Offences**

#### **22.1.1 Minor:**

- a. Poor attendance
- b. Insubordination
- c. Poor interpersonal relationships
- d. Poor quality documentation
- e. Poor attitudes
- f. Poor skills
- g. Inability to achieve set standards within the specified time period as indicated in the approved assessment forms/appraisal forms/guidelines/prospectuses.

#### **22.1.2 Major:**

- a. Professional incompetence
  - Repetition of minor inadequacies/offences despite a “letter of warning”
  - Three adverse assessments during the local training period
  - Two adverse assessments during the overseas training period
  - Unsatisfactory performance during an extended period of either local or foreign training
  - Evidence of seriously deficient or incompetent performance or skills
- b. Professional misconduct
  - Gross neglect of patients or poor standards of medical care
  - Abuse of professional privileges
  - Making degrading comments on professional colleagues
  - Derogatory professional conduct/ Acting in a manner to bring the PGIM into disrepute
  - Examination irregularities
  - Divulging confidential information
  - Dishonesty/ misappropriation of funds
  - Personal abuse of alcohol and other drugs

- Indecent or violent behavior
- Criminal offences

## **22.2 The PGIM will entertain written complaints being made by the following persons**

- Local trainers
- Foreign trainers
- Any consultant from the hospital to which the trainee is posted for training
- Administrator of a hospital to which the trainee is posted for training
- Patients who have been under the care of the trainee, or their relatives
- Any other persons/authorities acceptable to the Board of Study/Board of Management

## **22.3 Procedure for the Inquiry**

When a complaint is received, the under mentioned procedure shall be followed to determine whether the PGIM should take disciplinary action against a trainee.

On receipt of complaint(s), allegation(s) or poor progress report(s), the Chairperson of the relevant Board of Study and the Director/PGIM should examine such complaints/allegations/poor progress reports, if necessary in the presence of the trainee, and decide whether it is necessary to proceed further. At this meeting the Chairperson/Board of Study and the Director may counsel and advice the trainee and settle the matter. However, if a decision is made to proceed further with the complaints/allegations/poor progress reports, the documents should be referred to the Board of Study concerned.

### **22.3.1 The Process to be Followed by the Board of Study**

The Board of Study shall examine the complaints/ allegations//poor progress reports, and decide on one of the following, or any other suitable steps:

Disregard the complaints/allegations/poor progress reports.

Appoint a three member committee from among members of the Board of Study for a fact finding process. Following this fact finding process if there is *prima facie* evidence against the trainee, the Board of Study could:

- a. Request the Director to issue a Letter of Warning. The Director/PGIM, on the recommendation of the Board of Study concerned, shall issue such letter of warning.
- OR
- b. Refer the matter to the Board of Management recommending an inquiry.

The Board of Study shall, at this stage, recommend to the Director PGIM whether the trainee should be allowed to continue his training or whether training should be suspended until the inquiry is completed.

### **22.3.2 The Process to be Followed by the Board of Management**

The Board of Management shall appoint Committees of Inquiry as given below.

#### **(a) Preliminary Inquiry:**

- Chairman of another Board of Study
- One member from the Board of Study concerned
- A trainer from a different specialty.

**Recommended disciplinary action to be instituted by the BOM following the preliminary inquiry**

If there is no prima facie evidence against the trainee, the complaint will be dismissed.

If there is prima facie evidence against the trainee, a Formal Inquiry shall be instituted.

**(b) Formal Inquiry:**

The Board of Management shall appoint a committee consisting of the following members to conduct a Formal Inquiry.

- Dean of a Medical Faculty
- A member of the Board of Management from among the members appointed by the UGC
- A person who is not a member of the Board of Management, who is competent in conducting formal inquiries

**22.4 Recommended Disciplinary Action to be Instituted by the Board of Management following the formal inquiry**

If there is no evidence of wrong doing on the part of the trainee, the complaint shall be dismissed.

If there is evidence of wrong doing, the following actions can be recommended:

- (a) Letter of Reprimand to be sent by the Director/PGIM on the recommendation of the BOM
- (b) Extension of the Training Period with loss of seniority. This should be decided by the Board of Management in consultation with the Board of Study, based on the report of the Formal Inquiry.

*Local Training*

- This shall initially be in the same unit, disregarding the training period already completed, provided the trainer is willing to accommodate the trainee in his/her unit for the extended period of training.
- If the trainer is not willing to accommodate the trainee, the Board of Study in Consultation with the Board of Management shall appoint the trainee to another unit for the extended period of training, at their discretion.
- If the training is still found to be unsatisfactory the Board of Management/Board of Study shall appoint the trainee to another training unit. The period of training hitherto undergone shall be disregarded.

*Overseas Training*

- If recalled before overseas training could be completed:  
The trainee shall be required to continue the training locally, for a period

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equivalent to twice the period of prescribed overseas training in the capacity of a Senior Registrar under two different trainers for the said period.

- If overseas training has been completed, but found to be unsatisfactory:  
The trainee shall be required to undergo the prescribed period of overseas training locally in the capacity of a Senior Registrar under a trainer for the said period.

In either instance,

- The option of finding a new training post overseas would be given to the trainee.
  - This overseas training post should be approved by the Board of Study.
  - The cost involved in such overseas training shall be borne by the trainee.
  - The period of training that was previously completed but was found to be unsatisfactory would be disregarded.
- (c) Termination of trainee status and/or withholding Board Certification. Action shall be taken to terminate trainee status and/or withhold Board Certification of the trainee on account of:
- Major inadequacies/offences listed in 22.1.2 above.
  - Serious major physical or mental disability which in the opinion of the Board of Study would prevent the trainee from continuing the training programme.
  - Non-completion of training and examinations within the stipulated period as indicated in the Prospectus/Regulations/Guidelines.
  - Serious examination offences and misconduct as listed in the University of Colombo Regulations and By-Laws.

A letter conveying the decision of the BOM shall be issued by the Director/PGIM to the trainee.

### 22.5 Informing the SLMC and the employer

A decision taken by the Board of Management under Section 22.4 (c) shall be conveyed to the Sri Lanka Medical Council and the employer concerned for necessary action.

### 22.6 Issue of letters of good standing or recommendations

Disciplinary action decided upon shall be taken into consideration by the Director/PGIM when issuing letters of good standing or letters of recommendation.

Action shall be taken to terminate trainee status in instances where the Sri Lanka Medical Council has struck off the name of the trainee concerned from the Medical Register for a criminal offence.

The Board of Management notes that this document is a compilation of guidelines, rules and regulations which are already contained in the prospectuses and other documents of the PGIM and University. These stipulations have been in practice for many years in the PGIM and are not a new set of rules, and are applicable to all PGIM trainees who are currently registered with the PGIM