1. PURPOSE AND SCOPE
This policy governs the awarding of the Foundation for Surgery Louis Waller Medico-Legal Scholarship. It covers the application and selection criteria as well as the duration, value, frequency and conditions of the scholarship.

2. KEYWORDS
Scholarship, Louis, Waller, Medico-Legal, Foundation for Surgery

3. BODY OF POLICY
3.1. Background
The Foundation for Surgery Louis Waller Medico-Legal Scholarship was established to honour Professor Louis Waller’s contributions to the Monash University Faculty of Law and medico-legal issues over more than 35 years. The scholarship was awarded for the first time in 2003. It is intended to promote and support research into the legal issues faced by surgeons.

3.2. Eligibility Criteria
Applications for the Scholarship are open to law graduates, Fellows and surgical trainees of the College undertaking or intending to undertake doctoral research on the topic of medico-legal risks and related law. Lay applicants must be sponsored by a Fellow of the College.

Applicants to surgical training are also eligible to apply for a scholarship in anticipation of their acceptance into the SET Program. They must be accepted into the SET Program by 1 August in the year prior to the commencement of the scholarship in order to take up the award.

All scholarships, fellowships and grants are conditional upon the applicant being a permanent resident or citizen of Australia or New Zealand, or an international medical graduate accepted into the College as a trainee.

Applicants are eligible for a maximum of four years of RACS Research scholarship funding. This can be made up of multiple College research scholarships and does not have to be taken consecutively.

3.3. Selection Criteria
The scholarship recipient will be chosen on the basis of his/her written application, Curriculum Vitae, supporting references and subsequent interview, if applicable.

Research scholarship applicants will be short-listed for interview based upon the candidate’s academic record, postgraduate training, research experience, publication history, the experience of the supervisor and reputation of the institution where the research is to be undertaken. These criteria will be assessed from information provided in the application, supporting references and accompanying Curriculum Vitae. The Chair of the Medico-Legal Section will be involved in the assessment of applications.

Short listed applicants will be interviewed by a panel comprised of the Chair of the Board of Surgical Research and two other Board members. Assessment will be based upon the candidate’s understanding of the research project as evidenced by their explanation of the project and ability to address questions from the panel. The candidate will also be assessed on their initiative in attempting to source other funding.
3.4. Value of the Scholarship

The scholarship consists of a stipend plus departmental maintenance. Prospective applicants should refer to the College website www.surgeons.org for information on the current value of the scholarship.

3.5. Duration of the Scholarship

This scholarship can be offered for a maximum of three and a half years. Continuation each year is dependent upon satisfactory progress.

3.6. Frequency of the Scholarship

The scholarship may be awarded annually, subject to the income being sufficient and providing there is a worthy applicant.

3.7. Conditions of the Scholarship

3.7.1. Research Program

The following conditions are based on information supplied at the point of application on which scholars’ applications were assessed and approved. Any changes from those originally approved by the College will require the College’s prior consent. To obtain this consent, scholars are required to complete an amendment form available from the College.

a) Scholars must be enrolled in doctoral research into the topic of medico-legal risk and the law, as approved by the College for the duration of their award.

b) Scholars must undertake the research study as approved by the College for the award.

c) The completion of Referee Form Two, Section A of the Application Form by the proposed supervisor is considered certification that he/she is willing to accept the role of supervisor of the named research study.

d) Preference will be given to scholars who will undertake the research study at an approved institute in Australia or New Zealand. However, consideration will be given to scholars who wish to undertake all or a proportion of their research in an overseas institution. In these cases scholars must submit a strong justification in their application and supply the names of two supervisors. One intended supervisor of their research must be situated in an approved institute in Australia or New Zealand. Written approval from the intended Head of Department where the research is planned to be conducted overseas is also required.

3.7.2. Financial Arrangements

In Australia and New Zealand scholars may engage in professional work for additional remuneration for up to an average of 10% of each working week, provided that:

a) The work carried out under this entitlement is related to the broad area of his/her research activities;

b) The additional work is undertaken with the permission of the scholar’s supervisor and employing institution.
work, teaching and consulting are all categories of work for which permission could be sought;

c) In regard to 3.7.2 a)-b) above the scholar must refer to his/her financial or taxation advisor to ascertain the taxability of the stipend. General information about whether scholarships/fellowships are exempt from income tax is available on the College website. Please go to www.surgeons.org/scholarships/ and proceed to the FAQ section.

d) The scholarship will be paid to an Administering Institution on behalf of the scholar. Payment of the annual value of the award will be made in one instalment prior to 1 March in the given year. The control of the expenditure will be governed by the normal policies and procedures of the Administering Institution.

e) Award funds will only be paid on receipt of a valid tax invoice provided by the Administering Institution. Payment will only be made if the requirements outlined in points 3.7.4, 3.7.5 and 3.7.13 of these conditions are satisfied.

f) Where applicable, scholars are required to procure 25% of the value of their award from their research department (of both stipend and departmental maintenance). This condition will be waived if the scholar receives additional research funding to the value of, or greater than, 25% of the value of their award. (Additional funding would have to include a salary component to offset the research department’s responsibility for paying 25% of the scholar’s stipend).

3.7.3. Additional Scholarships/Fellowships/Awards

a) A College scholar may hold additional awards simultaneously with the College award being adjusted to cover the short fall between the College award and the additional award.

b) A scholar must notify the College immediately on receipt of an award other than the College award.

c) Scholars may not hold two College awards simultaneously.

d) In the event that an additional award is received, any overpayment of the eligible College award, given the adjustment, will be reimbursed by the scholar.

3.7.4. Reporting

a) The payment of the award is conditional upon the recipient providing the College with two reports, in the requested format, on research undertaken. This first will be requested in June for submission by a specified date in July, and the second report of publishable quality will be requested during December for submission by a specified date in January. If the above mentioned reports are not received the recipient will be ineligible for any further financial assistance from the College and may be required, at the discretion of the College, to refund the award.
b) Scholars should aim to publish the results of their research, whenever possible, in the ANZ Journal of Surgery. As a minimum, scholars are required to at least present a review article to the Journal.

c) Scholars are required to present their research at the annual meeting of the Surgical Research Society of Australasia, at least once, during the scholarship period or within 12 months after the end of the scholarship period.

d) Scholars must prepare and publish an article in Surgical News on the completion of their award.

e) Scholars are required to complete two Scholarship Evaluation Surveys. The first will be requested upon completion of the award. The second will be requested five years after completion of the award.

3.7.5. Ethics Approval

The College must receive documentary evidence where applicable of ethical approval from the Ethics Committee of the Institution concerned to approve that the project conforms to the general principles set out in the NH&MRC “Statement on Human Experimentation” and/or the “Australian Code of Practice for the Care and Use of Animals for Scientific Purposes”.

3.7.6. Timing of Award

The commencement date for awards is 1 February each year.

3.7.7. Part-time Research

Foundation for Surgery Scholarships and Surgeon Scientist Scholarships are available on a part-time basis. Part-time is defined as half the usual research hours worked by a research scholar Part–time scholarships are restricted to scholarship recipients wishing to undertake research only. Scholarships will not be offered on this basis for scholars to concurrently undertake research and clinical loads. Refer to the Part-time Research Scholarships policy for further details.

3.7.8. Renewal of the Scholarship

Awards are renewable for up to three years in duration. Renewal is subject to satisfactory progress as determined by the Board of Surgical Research. The College will only finance up to three years of the PhD. Scholars who have completed a portion of their PhD prior to receiving the award may be funded for the remaining duration of their three year PhD.

Scholars who seek support beyond one year are strongly advised also to apply for similar scholarships awarded by external bodies.

3.7.9. Acknowledgements

The RACS Foundation for Surgery is to be acknowledged in any relevant correspondence, public announcement, advertising, publication or other material relating to the award. The Foundation logo must be included in all presentations relating to the award, including those made at the ASC.

Recipients are required to speak at Foundation dinners when invited.
3.7.10. Publications and Patents
The College must be notified of any publications as soon as practicable after acceptance by the journal, or patents arising from the award together with the results of any research that is to be commercially developed.

3.7.11. Privacy
The College takes reasonable steps to protect the information it holds from misuse or loss and from unauthorized access, modification or disclosure. The scholar has the right to access his or her personal information and to have it corrected if inaccurate, incomplete or out of date.

3.7.12. Termination of the Scholarship
The College may, at its discretion, for what is considered grave cause, suspend the tenure of an award for such time as is thought fit, or deprive a scholar of his/her Award. From the date of either of these decisions, the entitlement to stipend and other allowances shall cease.

Upon termination, monies already paid, and not duly expended, shall be refunded to the Foundation for Surgery.

3.7.13. Acceptance of Offer
The scholar, their Head of Department and a representative of the Administering Institution must sign the Acceptance Form as acknowledgement of the above conditions and approved research and return it to the College prior to commencement of the award.

3.8. Access to policy
This policy may be accessed by the general public, College and staff.

3.9. Communication
Scholarship recipients will be notified of the policy or any changes to the policy that impact them by email. Other stakeholders are encouraged to check the College website on a regular basis to keep up to date with policy changes.

3.10. Administering Committee
The Scholarship is administered by the Board of Surgical Research.

4. ASSOCIATED DOCUMENTS
PRC: Research Scholarships - General
Scholarship Process Map
FRM: College Research Scholarships, Fellowships and Grants Application

Approver
CEO
Authoriser
Council