



ROYAL COLLEGE OF  
PHYSICIANS AND  
SURGEONS OF GLASGOW



**The Royal College of Surgeons of Edinburgh  
The Royal College of Surgeons of England  
The Royal College of Physicians and Surgeons of Glasgow  
The Royal College of Surgeons in Ireland**

**Faculties of Dental Surgery/Dentistry**

**APPEAL REGULATIONS**

**JUNE 2013**

Secretariat of the Intercollegiate Specialty Fellowship Boards

at

The Examinations and Assessment Unit  
232 – 242 St Vincent Street, Glasgow, G2 5RJ  
(Tel No. 0141 221 6072 Fax No. 0141 241 6222)

<http://www.rcpsg.ac.uk>

# 1 INTRODUCTION

- 1.1 These Regulations apply to all candidates for the examinations of the Intercollegiate Specialty Fellowship Boards.
- 1.2 Candidates should note that, by entering to sit an examination, they are deemed to have understood and agreed to abide by all relevant regulations, including these Appeal Regulations.
- 1.3 Any dispute as to the interpretation of these Regulations shall be referred to the Chair of the Intercollegiate Specialty Fellowship Examinations Executive (the Lead Dean), whose decision in the matter shall be final.
- 1.4 These Regulations are to be used to investigate all examination appeals.
- 1.5 An 'appeal' is defined as a request for a review of a decision made by or on behalf of an Examining Board about a candidate's performance in an examination.
- 1.6 A candidate who has been unsuccessful in one of the Intercollegiate Specialty Fellowship Board examinations may have the right of appeal against the result in terms of the circumstances given below. Appeals are permitted only on the following grounds:
  - 1.6.1 **Procedural defects or irregularities** in the conduct of the examination, including administrative error, which could have adversely affected a candidate's performance or the outcome of the examination.
  - 1.6.2 **Exceptional personal circumstances**, such as illness or some other extenuating circumstance, which could have adversely affected a candidate's performance in the examination. Candidates are advised to submit details of any such circumstances as soon as possible, and no later than three working days after the examination, and not to wait until after they receive their results.
- 1.7 For the avoidance of doubt, a candidate does not have the right of appeal against the outcome of the examination in any other circumstances, including the following:
  - Lack of understanding or awareness of the Examination Regulations
  - Seeking to question the exercise of professional or academic judgement of the examiners.
- 1.8 Subject to 1.9 below, the outcome of an appeal submitted under these Regulations may only be determined as either:
  - 1.8.1 Rejected with no further action taken; or
  - 1.8.2 Upheld and the result of the examination (or relevant section) annulled.

- 1.9 Candidates should note that an appeal cannot lead to a fail result being changed into a pass result, unless it has been established that there was an arithmetical error in the result originally communicated to the candidate such that the candidate ought to have passed.

## **2 PROCEDURE**

- 2.1 A candidate must submit any appeal in writing to the Secretariat of the Intercollegiate Specialty Fellowship Boards within 30 days of dispatch of the formal result letter to which it relates. The candidate should include the grounds for appeal and enclose detailed supporting information.
- 2.2 Any appeal submitted after this period must include an explanation and evidence as to why it could not have been submitted sooner and will only be accepted at the sole discretion of the Secretariat.
- 2.3 The Secretariat will acknowledge receipt of the appeal documentation and will then investigate and collate all relevant information before referring it to the Chair of the Examination Board, or their nominated alternate, for initial consideration. The Chair may discuss the case, or direct the Secretariat to undertake further investigations, as he/she deems necessary.
- 2.4 If the Chair considers that the appeal is within the permitted grounds, the Chair will determine the outcome of the appeal in terms of Regulations 1.8 and 1.9 above. The Secretariat will notify the candidate of the outcome.
- 2.5 If the Chair considers that the appeal is outside the permitted grounds, the appeal will not be progressed further and the Secretariat will notify the candidate of this.
- 2.6 The Secretariat will advise the Specialty Fellowship Examinations Executive at their next meeting of the decision that has been made.
- 2.7 If the candidate is not satisfied with the outcome of any appeal considered under paragraph 2.4, but, for the avoidance of doubt, not 2.5, they may contact the Secretariat within 10 working days of the date of the notification letter to request that their case be reconsidered by an Intercollegiate Specialty Fellowship Examinations Appeal Panel. The candidate may provide additional information at this stage. All such requests will be reviewed in the first instance by the Chair of the Specialty Fellowship Examinations Executive (the Lead Dean), who will determine whether sufficient evidence exists for consideration by an Appeal Panel.
- 2.8 If the Lead Dean refers the appeal to an Appeal Panel, the candidate will be required to pay an appeal fee. This fee will be confirmed by the Examinations Executive and set at such a level as to recover the costs of convening the Appeal Panel to consider the appeal.
- 2.9 If the Lead Dean considers that sufficient evidence does not exist for consideration by an Appeal Panel, or that the appeal is outside the permitted grounds, the Secretariat will notify the candidate of this and confirm that the appeal procedure is at an end.

### **3 CONDUCT OF AN APPEAL PANEL**

- 3.1 A meeting of an Appeal Panel shall be convened at the discretion of the Lead Dean and established by the Secretariat. A member of the Secretariat, or an alternate, shall act as Secretary to the Panel.
- 3.2 The Appeal Panel shall meet as soon as reasonably practicable and shall comprise three individuals who will be Chairs of Intercollegiate Specialty Fellowship Boards other than the specialty from which the candidate comes, one of whom will chair the Appeal Panel. The Chair of the Examination Board concerned will be in attendance at the meeting and may give evidence, but will not participate in the Appeal Panel's deliberations.
- 3.3 The Chair of the Panel of Examiners of the relevant diet, if different from the Chair of the Examination Board, may be called to give evidence to the Appeal Panel.
- 3.4 The Secretary's role shall be to record the proceedings and deliberations of the Appeal Panel and advise on procedural or regulatory matters as required. He or she may not influence the decisions of the Appeal Panel in any way.
- 3.5 The candidate shall have the right to be present at the Appeal Panel meeting and to present their written or oral evidence to the Appeal Panel. Proceedings of the Appeal Panel shall not be invalidated by reason of the absence of the candidate.
- 3.6 The candidate has the right to be accompanied, but not represented, by a companion, who may **not** be a legally-qualified representative. The companion may advise and counsel the candidate, but may not cross-examine any other person present at the Appeal Panel meeting. If the candidate wishes to be accompanied by a companion, they must provide the Secretariat with the name, address and role of the nominated person not less than five working days before the Appeal Panel meeting.
- 3.7 The Secretariat shall inform the candidate of the scheduled date of the Appeal Panel meeting as soon as possible and not less than 15 working days before the date of the meeting. The Appeal Panel may convene at any of the four Royal Colleges of Surgeons in the UK or Ireland. The Secretariat will then arrange for a copy of each document that is to be presented to the Appeal Panel to be sent to the candidate not less than 10 working days before the meeting date set. Such documents shall include any statement(s) provided by the candidate, whose responsibility it is to ensure any such documents are received by the Secretary at least 12 working days before the meeting date set. Documents may not be presented to or referred to by the Appeal Panel, unless they have been circulated in this manner.

### **4 APPEAL PANEL PROCEDURE**

- 4.1 The Appeal Panel may, at its discretion, meet before the scheduled start of the meeting for preliminary discussions.
- 4.2 At the start of the Appeal Panel meeting all present shall introduce themselves. The Appeal Panel Chair shall then invite the candidate to present

their appeal and any documentary evidence in support of their case. The Appeal Panel may then question the candidate.

- 4.3 Before the Appeal Panel meeting is closed, the Chair shall give the candidate and/or their companion the opportunity to make a closing statement.
- 4.4 The Appeal Panel shall then consider the matter and reach a decision.
- 4.5 The Appeal Panel shall be empowered to make the following decisions:
  - 4.5.1 Appeal rejected with no further action to be taken; or
  - 4.5.2 Appeal upheld and result of the examination (or relevant section) annulled.
- 4.6 The Secretarial will notify the candidate of the outcome.
- 4.7 The decision of the Appeal Panel will be final. In the event that an appeal is upheld, the candidate will be entitled to a full refund of the appeal fee paid.

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