Joint Committee on Intercollegiate Examinations

Review and Appeals Procedure Regarding the Conduct of the Intercollegiate Specialty Examinations

1.) Examination Result – Section 2

Shortly after the examination each candidate would be sent the following:

- Formal letter from the Chairman of the Board confirming a candidate's result in Section 2 of the Intercollegiate Specialty Examination.
- Final Performance Report

2.) Appeals

a) Appeals may only be made to the Head of Operations **regarding the conduct of the examination**. No appeal can be made which relates solely to matters of academic assessment.

b) An appeal must be submitted, in writing, by the candidate, setting out in full the details of the case indicating the precise nature of the complaint, the time, the place, and if possible the names of the examiners concerned.

c) An appeal will only be deemed competent if received by the Head of Operations within 20 working days of the last day of the examination in question.

d) Any appeal must be accompanied by a cheque for £1500 (or such other fee as may be decided by the JCIE from time to time) to cover the operational costs of convening a Panel to consider the appeal.

e) On receipt of the appeal, the Head of Operations will acknowledge the letter and, in consultation with the Chairman of the Joint Committee on Intercollegiate Examinations (JCIE), the relevant Board Chairman and a Chairman of another Intercollegiate Specialty Board, consider the admissibility of the appeal to ensure that it properly relates to the conduct of an examination**.** Appropriate investigations will be made and reports will be requested from the examiner(s) concerned. If the appeal is considered inadmissible, then the Chairman of JCIE will inform the candidate forthwith giving reasons for the decision. If a candidate who has received a reply remains dissatisfied, he/she may submit a notice seeking continuation of the appeal to the Head of Operations setting out the grounds for dissatisfaction and requesting a review by the Appeals Panel. If the Appellant elects not to continue, his/her fee will be returned less an administration charge of not more than £200 (or such other proportion of the payment required under (d) above as the JCIE shall from time to time decide) with the response and no further steps taken.

f) If the Chairman of JCIE, the Board Chairman, the Chairman of another Intercollegiate Specialty Board and the Head of Operations consider that an appeal is in the nature of a request for supplementary guidance, then the appeal may be treated as such and, if possible, more detailed information will be sent to the candidate. The Appellant's fee will be returned less an administration charge of not more than £200 with the response and no further steps taken.

g) If the Chairman of JCIE, the Board Chairman, the Chairman of another Intercollegiate Specialty Board and the Head of Operations consider that an appeal is based on an error of fact, the appellant will be informed without delay and shall be asked whether he or she wishes to pursue with the appeal. If he/she does not wish to pursue then the appeal will be dismissed, and the fee will be returned.

h) If the Chairman of JCIE, the Board Chairman, the Chairman of another Intercollegiate Specialty Board and the Head of Operations consider that the appeal is admissible, either in whole or part, the case will be referred to a Panel, as set out below. The Panel will conduct a preliminary review of the case either by a specially convened meeting or by such other methods it may deem appropriate (e.g. correspondence, video-conferencing, etc). This review will give rise either to allowance of the appeal ***or*** to the calling of a hearing. In advance of any such hearing, the Appellant will be provided with details of reports presented to the preliminary review meeting. The result of the deliberations of the preliminary review meeting will be notified to the appellant as soon as practicably possible.

3.) Appeals Panel

The membership of an appeals Panel will be as follows:

- The Chairman of the Joint Committee on Intercollegiate Examinations
- The Board Chairman of the relevant Examination (unless he/she is an examiner concerned in which case another Board member will be appointed)
- A Board Chairman from another specialty
- Two members from the Panel of Examiners not involved with the appellants examination
- The Head of Operations or a nominated deputy will be present to minute the meeting but will not participate in the decision
- One independent member

The Head of Operations will notify the appellant of the names of the members of the Panel.

4.) Conduct of an Appeals Hearing

The appellant will be notified of the date for conduct of a hearing, receiving not less than 21 days notice. The appellant will be permitted to bring a friend or colleague to an appeals hearing. The identity of the friend or colleague must be declared in advance of the hearing. Neither the candidate nor the Appeals Panel will require legal representation, but if an Appellant elects to be legally represented then he/she must notify the Secretary, in writing, within 5 working days of receipt of notice of the date of a hearing in order that the Appeals Panel can be similarly represented. If the Appeals Panel is unable to arrange for its own legal representative to be available on the day scheduled for the hearing, it shall have the right to postpone the hearing to another mutually acceptable date.

The Panel shall proceed to hear the appeal at the notified time and place. If the appellant does not appear in person at that time and place, the appeal will be dismissed. The Panel shall have the power to determine its own procedures provided that this shall not give it the authority to vary the minimum period of

notice, to deny the opportunity for the appellant to be present in person and to be represented, or to deny opportunity for the appellant (or his/her representative), to present the case on which the appeal is brought, and/or to ask questions of any witnesses appearing at the hearing.

As a matter of course the Appeal Hearing will be recorded. The appellant will be provided with a copy of the proceedings in MP3 format. If the appellant does not want the Appeal Hearing to be recorded then the appellant must state in advance giving good reason why no such record should be taken.

At the conclusion of the hearing, the Panel shall record its findings and the reasons for its decision on the Appeal.

The Panel may make the following findings:

i) That the appeal is dismissed; no further appeal may be considered.

ii) That the appeal is justified but the circumstances were such that the final result would not have been affected.

iii) That the appeal is justified and the result of the appellant's examination shall be considered null & void and recorded as such on the examination register. He/she shall be allowed to sit the examination without payment of a further fee.

Under (i) the Appeal Fee will not be returned.
Under (ii) the appellant shall be permitted to re-sit* a future examination and 50% of the Appeal Fee will be allowed as credit against the relevant examination fee.
Under (iii) the appellant's Appeal Fee will be returned in full and he/she will be permitted to sit a future examination without payment of a further fee.

In announcing its findings the Panel shall give clear reasons for its decision. The Appellant will be notified in writing of the Panel's decision, and reasons therefor, with the minimum of delay, and within an absolute limit of seven working days after the date of the hearing.

The decision of an Appeals Hearing is final.

INTERCOLLEGIATE SPECIALTY BOARDS

*2012 Examination Regulations apply

ISB shared files/Appeals Procedures & Tribunals/Review & Appeals Procedures – December 2011