

Examination appeals rules

Made by the Council of the Royal College of Veterinary Surgeons on 6 November 2014, to come into force on the date when the Supplemental Royal Charter of 2014 comes into operation

Citation

1. These rules may be cited as the Royal College of Veterinary Surgeons Examination Appeals Rules 2014.

Application

2. These rules apply to appeals against the result of any examination administered by the College or of any assessment carried out by the College for the purpose of any qualification or distinction awarded by the College.

Interpretation

3. In these rules:-
 - "appeals panel" means a panel of the Committee constituted to hear an appeal;
 - "College" means the Royal College of Veterinary Surgeons;
 - "Committee" means the Examination Appeals Committee;
 - "examination" includes an assessment;
 - "lay person" means a person who is not a veterinary surgeon or a registered veterinary nurse and has never been entitled to be registered as such;
 - "registrar" means the registrar of the College;
 - "the Council" means the Council of the College;

Lodging of an appeal

4. An appeal must be received by the registrar not later than 28 days after the appellant is notified of the result of the relevant examination and must set out the grounds of the appeal.

Scope of appeals

5. Appeals will only be entertained if they relate to the arrangements made for the examination or the conduct of any examiner or of any other person connected with the examination or with the making of arrangements for it. No appeal will be entertained in respect of any marks awarded, or other academic judgment made, by the examiners in the examination in question.
6. No appeal will be entertained in relation to any medical or compassionate factor affecting the candidate during the holding of the examination which should have been drawn to the attention of the examiners at the time, whether or not it was notified to the College at that time.

Composition of the Committee

7. The Committee will be appointed from time to time by or on behalf of the Council. It will include veterinary surgeons, registered veterinary nurses and lay persons. Two members of the Committee will be designated by or on behalf of the Council as its Chairman and Vice-Chairman.

Initial consideration of appeals

8. On receipt of an appeal the Chairman or Vice-Chairman of the Committee will consider it, together with the marks awarded, any contemporaneous comments of the examiners and any guidance notes which were made available to candidates or examiners, and either dismiss the appeal or refer it to the Committee for determination. Before deciding whether to dismiss the appeal or refer it to the Committee the Chairman or Vice-Chairman may consult no more than two other members of the Committee.
9. The Chairman or Vice-Chairman will only dismiss an appeal on one or more of the following grounds:
 - it relates to the marks awarded or other academic judgment made by the examiners;
 - it gives insufficient information to enable any judgment to be made;
 - it is frivolous, vexatious or relates to a minor irregularity in the conduct of the examination;
 - it relates to a medical or compassionate factor which could and should have been drawn to the attention of the examiners at the time of the examination;
 - it is not necessary for the Committee to determine the appeal because deficiencies in the conduct of the examination have been acknowledged and remedial action taken.
10. If the Chairman or Vice-Chairman dismisses an appeal for want of sufficient information to enable any judgment to be made, the appellant may renew the appeal by sending to the registrar further information as directed by the Chairman or Vice-Chairman. The renewed appeal will then be treated as a new appeal, even if the 28 day period for lodging an appeal has passed; but if the new appeal is again dismissed for want of sufficient information, the dismissal will be final.

11. If the Chairman or Vice-Chairman dismisses an appeal on any of the grounds mentioned, the appellant may nevertheless elect to have the appeal considered by the Committee. An appellant who so elects must pay a fee of £100, but this will be refunded if the appeal is upheld.

Appeals panels

12. The Committee will act through panels when dealing with appeals. An appeals panel will consist of between three and five members of the Committee chosen by the Chairman of the Committee and will include one person who is not a member of the Council or of the Veterinary Nurses' Council. Each panel will include and be chaired by either the Chairman or the Vice-Chairman of the Committee.
13. If the examination to which an appeal relates was one relevant to entry to the register of veterinary nurses, the appeals panel shall include a registered veterinary nurse. If the appeal relates to the award of a veterinary nursing qualification, the appeals panel will include a person who holds that qualification.
14. An appeals panel will not include a person who has been involved in the initial assessment of the appeal, had any involvement in the examination to which the appeal relates or has any personal connection with the appellant which might bring that person's independence or impartiality into question.

Procedure for consideration by appeals panel

15. The appellant will be provided with copies of any examiner's reports and of any other information, apart from legal advice, which is made available to the appeals panel and will be given a reasonable opportunity to comment and make any further representations before the panel considers the appeal.
16. An appeals panel may allow an appellant to make oral representations. An appellant who does so may be accompanied by a legal adviser or other friend or adviser, who may address the panel if the appellant wishes.
17. The proceedings of an appeals panel will take place in camera and will remain confidential after the conclusion of the appeal.
18. The Committee acting through an appeals panel will reach a decision by majority vote and give the appellant reasons for its decision.

Disposal of appeals following consideration by appeals panel

19. The Committee acting through an appeals panel may:-
 - direct that the appellant shall be allowed to re-sit the whole or part of the relevant examination or re-sit the examination under accelerated arrangements; or

- direct that the appellant shall be allowed to re-sit the whole or part of the relevant examination, and that such a re-sit shall not count as a re-sit for the purpose of any restriction on the number of times any one candidate may enter for the same examination or part of it; or
- refer the case back to the examiners concerned for re-consideration; or
- dismiss the appeal.

20. Whether or not the Committee acting through an appeals panel makes a direction as to the re-sitting of an examination, it may direct that the whole or part of the fee payable to the College in respect of a re-sit of an examination is to be waived.

21. The decision of the Committee will be conclusive for all purposes.

Independent review

22. Following the disposal of an appeal, if the appellant raises, in writing, concerns about the process by which it was handled and asks for an independent review, the registrar will appoint a suitable person from another professional body to review the way in which the appeal was dealt with and provide a written report. If the report supports the concerns raised by the appellant, the appeal will be reconsidered as if it were a new appeal.

Revocation of previous rules

23. The Royal College of Veterinary Surgeons Examination Appeals Rules made in 2009 are revoked.