

THE ROYAL COLLEGE OF PSYCHIATRISTS

MRCPSYCH EXAMINATIONS

APPEALS PROCEDURE

(Updated March 2021)

Candidates who wish to make representations with regard to the conduct or result of their MRCPsych Examination must initially submit them to the Head of Examinations within **28 days** of the date of publication of the results of that examination. NB: The RCPsych will wait until this 28-day window has expired for all appeals to be received. They will then be reviewed at this point for submission to the appeal panel which will convene within 28 days of the closure of this window. Results of the appeal panel will then be communicated to the candidate within seven days of the end of this second 28-day period. Please note that should supporting evidence be requested of the candidate beyond that provided with the original appeal submission, the 28-day period in which the hearing is to be held will commence from the day on which this further supporting evidence is received. Further reference to this is made in section 2.3 below. Representations will be dealt with according to this policy.

Under no circumstances should candidates approach an examiner concerning the conduct or result of an examination. Candidates should also not make representations to possible members of an "Examinations Appeal Panel" or "Final Appeals Panel" except within the prescribed process, nor to those College members or staff involved in the analysis of the results. Any such approach is a breach of the appeals process and may lead to the appeal being dismissed.

Definitions

"Examinations Appeal Panel"	A panel of five comprising of the Chief Examiner as Chair, three members of the Examinations Sub-Committee and a Director of a College Department.
"Final Appeals Panel"	A panel of four comprising of: Three members of the College's Education and Training Committee (one of whom will be nominated as Chair by the College President) and one member of the College's Examinations Sub-Committee (who will not have been involved in the Candidate's initial appeal).
"Final Appeals Panel Hearing"	The hearing of the final appeal comprising of the Final Appeals Panel and the Candidate.
"Application"	An appeal submitted for consideration under these rules before acceptance.
"Candidate"	A trainee who has attempted the MRCPsych Examinations.
"Chief Examiner"	A senior Consultant Psychiatrist appointed by the Education and Training Committee who oversees the Examinations and chairs the Examinations Appeal Panel.
"Education and Training Committee"	The committee of the Royal College of Psychiatrists with responsibility for all matters regarding Examinations and Training.
"Examinations Sub-Committee"	A sub-committee of the Education and Training Committee, with specific responsibility for overseeing the running and conduct of the MRCPsych Examinations.
"Director of Professional Standards"	Director of Professional Standards Department at the Royal College of Psychiatrists.
"Head of Examinations "	The Head of Examinations is responsible for the operational delivery of the MRCPsych Examinations at the Royal College of Psychiatrists.
"Observer"	An experienced examiner/Lay Member who monitors all aspects of the MRCPsych Clinical Examinations to ensure that College standards are maintained.

GROUNDINGS FOR APPEAL

Preliminary Remarks

- 1.1 An appeal will only be permitted to proceed provided the Candidate has complied with all applicable procedures as set out in the prevailing Eligibility Criteria and Regulations for MRCPsych Examinations.
- 1.2 Mere disagreement with the examiners' marks/the exam result does not constitute a ground of appeal.
- 1.3 Candidates wishing to have their results checked for administrative errors should follow the re-marking procedure as set out in the MRCPsych Eligibility Criteria and Regulations. A request to have answer sheets re-marked does not constitute a ground of appeal. Requests for re-marking will be considered by the Deputy Chief Examiner in consultation with the Head of Examinations. Any administrative error found will be reported to the Chief Examiner and the results will be reviewed and ratified by the Examinations Sub-Committee and the Education and Training Committee. The Deputy Chief Examiner will inform the Candidate of the outcome of the re-marking and a consequent change to the Candidate's result (if any) as soon as reasonably possible.
- 1.4 Attention is drawn to the following provisions of the MRCPsych Eligibility Criteria and Regulations:
 - 1.4.1 Section 2 - General Information & Regulations, paragraph 5 of the MRCPsych Eligibility Criteria and Regulations. Being physically or mentally unfit at the time of the examination does not constitute a ground for appeal. In accordance with Section 2 paragraph 5a of the MRCPsych Eligibility Criteria and Regulations it is the responsibility of candidates to ensure that they are physically and mentally fit to undertake an examination. Candidates who are dissatisfied with a decision related to the Chief Invigilator's decision to withdraw a candidate from an examination as set out in paragraph 5c of that section of the Regulations can submit an appeal under this procedure.
 - 1.4.2 Section 2 - General Information & Regulations, paragraph 5(d). in relation to an online/remote examination –
 - 1.4.3 a disrupted or curtailed examination due to a candidate's IT equipment which is inadequate, faulty or does not meet the specified requirements as notified in advance of the examination or any data connectivity issue or other malfunctioning does not constitute a ground of appeal.

- 1.4.4 Noise, disruption or interference in the candidate's chosen location for an online examination does not constitute a ground of appeal.
- 1.4.5 Candidates should include all evidence relevant to the grounds of appeal pursuant to paragraph 1.6 below in their Notice of Appeal. Save in exceptional circumstances the College will not consider multiple or repeat appeals by candidates relating to the same examination.

Grounds for Appeal

- 1.5 One or more of the following shall constitute grounds for an appeal under the appeal procedure: -

- 1.5.1 There is evidence of administrative irregularity or procedural failure and there are reasonable grounds to believe that, were it not for that irregularity or failure, the examination result would have been different.

- 1.5.2 There were circumstances affecting the Candidate which were not known to the Examinations Sub-Committee at the time it determined the examination result and, had those circumstances been known to the Examinations Sub-Committee, it is likely that the examination result would have been different.

Should the matter a candidate wishes to raise not meet either of the above grounds for an appeal, they are welcome to submit a complaint. This can be addressed to the Head of Examinations at Examinations@rcpsych.ac.uk.

2. WRITTEN APPLICATION

- 2.1 The Application must be submitted to the Head of Examinations in writing by letter or by e-mail (faxes and any other form of electronic media are not acceptable) and include the following information:

- 2.1.1 The Candidate's name, address and contact telephone number.

- 2.1.2 The ground on which the appeal is made in accordance with paragraph 0 above.

- 2.1.3 Where relevant to the appeal, all supporting and relevant documentation covering the time the Candidate sat the exam the subject of the appeal.

- 2.2 The Royal College of Psychiatrists reserves the right to charge an administrative fee in respect of an appeal under section 1.5 to cover the expenses in connection

with that appeal. The amount will be determined from time to time by the College. The current fee for an appeal is £150. An application for an appeal will not be considered if payment has not been received. If the Candidate's appeal is successful, the administrative fee will be refunded in full.

- 2.3 The Head of Examinations may request in writing within **21 days** of receipt of the application for an appeal further information from the Candidate. The Candidate must supply such further information within **21 days** of the date on which the request for further information was sent by the Head of Examinations. In the event of it not being supplied within the **21-day** period the appeal will automatically stand dismissed.
- 2.4 Providing that the Applicant complies with the preceding provisions of paragraphs 2.1, 2.2 and 2.3 then, not later than **14 days** after the closure of the 28-day appeal submission window outlined on p.1 above, the Head of Examinations will send to the Candidate notice in writing that the application for the Appeal has been accepted.
- 2.5 If, having submitted a formal appeal, the Candidate chooses to re-sit and then passes the examination before the appeal has been determined, the attainment of the pass will be deemed to supersede the appeal which will then automatically be treated as having been terminated. In those circumstances, the fee payable in relation to the appeal will not be refunded. It is entirely a matter for each Candidate to decide whether to re-take an examination prior to exhaustion of the appeal process. It is possible that a decision on a pending appeal may not be made prior to the date of the re-sit. In addition, see the notes at the end of Sections 3 and 4 below.

3. **CONSIDERATION OF APPEALS**

- 3.1 All appeals will initially be reviewed by the Deputy Chief Examiner to ensure the application falls within one or more of the grounds for appeal. The Deputy Chief Examiner will inform the candidate if the application does not meet the criteria of this appeals procedure. Should the Candidate feel they have grounds on which they may refute the findings of this review, they may express this in writing to the Head of Examinations explicitly stating their grounds for refutation complemented by any supporting evidence not already submitted in the initial appeal. This refutation statement must be submitted no later than 14 days after the Candidate has been issued with the findings of the Deputy Chief Examiner's initial review. The case will then be referred to the RCPsych Dean. The Candidate will be informed of the Dean's decision within 14 days of the Head of Examinations having received the

Candidate's refutation statement. Should the Dean uphold the Deputy Chief Examiner's findings, this will then be final. Should the Dean sustain the Candidate's grounds for refutation, the case will be referred to the Examinations Appeals Panel in accordance with section 3.2 of the Appeals Procedure.

- 3.2 Subject to paragraph 3.1 above, grounds for appeal under paragraph 1.5.1 and 1.5.2 will be considered by the Examinations Appeals Panel who will review all documentation submitted by the Candidate, together with marksheets and comments from the Chief Invigilator and from the Observer if available and appropriate. The Head of Examinations will advise the Candidate of the Panel's decision in writing as soon as reasonably possible.
- 3.3 A report on the outcome of the Appeal will be presented to the Education and Training Committee by way of information. The Head of Examinations will provide a copy of the report on the outcome of the appeal to the Candidate at the time of notification of the outcome of the appeal or as soon as reasonably possible thereafter.

Candidates are advised to follow the normal application procedures should they wish to re-sit an examination. The College does not guarantee a decision will be made by the Examinations Appeals Panel or Final Appeals Panel prior to the date of the next possible examination attempt. A full refund of the re-sit examination fees will be issued if the Appeal or Final Appeal is successful.

4. **FINAL APPEAL**

- 4.1 Candidates who remain dissatisfied following consideration of their appeal under paragraph 3 above can, within **14 days** of receipt of the result of such consideration, lodge a Notice of Final Appeal by email (any other form of electronic media are not acceptable) with the Director of Professional Standards together with the appropriate fee as referred to in 4.9 below. A Notice of Final Appeal will not be considered if payment of the fee has not been received.
- 4.2 The Notice of Final Appeal must contain the information and documentation required under paragraph 2.1 and any further information requested under paragraph 2.3 (if any).
- 4.3 Failure by the Candidate to submit the Notice of Final Appeal to the Director of Professional Standards within the period referred to in paragraph 4.1 will render the Notice of Final Appeal invalid as a result of which the Final Appeal will stand dismissed.

- 4.4 The Director of Professional Standards shall convene a Final Appeals Panel and will endeavour to fix a date for the Final Appeals Panel hearing within 45 days (and in any event no more than 60 days) of receipt of the Notice of Final Appeal and inform the Candidate in writing of the date of the Final Appeals Panel Hearing.
- 4.5 The Final Appeals Panel will consider all written evidence submitted by the Candidate and by the Chief Examiner on behalf of the Examinations Appeals Panel. Not more than 14 days after the date of notification of the Final Appeals Panel Hearing, the Candidate may request in writing all written evidence submitted by the Chief Examiner on behalf of the Examinations Appeals Panel. The Director of Professional Standards will supply such documentation and other relevant documentation submitted to the Final Appeals Panel within 7 days of the date of the Candidate's written request or as soon as reasonably practicable following submission by the Chief Examiner or, as may be appropriate, make material available for inspection prior to the Hearing. In appropriate cases and from time to time the College reserves the right to vary this timetable. In such cases the Director of Professional Standards will inform the Candidate in writing.
- 4.6 The Candidate may attend the Final Appeals Panel hearing and present an oral submission. In addition, the Candidate may wish to bring a representative or friend to the Final Appeals Panel hearing. It is not normally envisaged that such representative will be a lawyer, and if the Candidate does intend to bring a lawyer representative at the Candidate's own expense, then he/she must obtain the College's prior written agreement. In the event that the Candidate is legally represented, the College reserves the right to have its own legal representation.
- 4.7 If it is not possible immediately to make a decision whether to uphold or reject the Appeal, the Final Appeals Panel may at its discretion adjourn the hearing and/or carry out further investigations. Once a decision has been made, the Final Appeals Panel will present its determination in writing to Director of Professional Standards who will send the determination to the Candidate forthwith.
- 4.8 A report on the outcome of the Final Appeal will be presented to the Education and Training Committee by way of information. A copy of the report on the outcome of the Final Appeal will be provided to the Candidate upon or following notification of the outcome of the Final Appeal.
- 4.9 The Royal College of Psychiatrists reserves the right to charge an administrative fee in respect of a Final Appeal under section 4 to cover the expenses of convening the Final Appeals Panel. The amount will be determined from time to time by the

College. The current fee for a Final Appeal is £1200. If the Candidate's Final Appeal is successful, the administrative fee will be refunded in full.

Candidates are advised to follow the normal application procedures should they wish to re-sit an examination. The College does not guarantee a decision will be made by the Examinations Appeals Panel or Final Appeals Panel prior to the date of the next examination attempt. A full refund will be issued of the re-sit examination fees if the Appeal or Final Appeal is successful. The College shall under no circumstances whatever be liable (whether in contract, tort (including negligence), breach of statutory duty, or otherwise) for any direct, indirect or consequential loss (including without limitation loss of earnings) suffered or incurred by the candidate resulting from or in connection with his or her failure to pass any part of the MRCPsych examination and/or the timing, process or outcome of an appeal. This Appeals Procedure forms part of the 'Eligibility Criteria and Regulations for the MRCPsych Written Papers and Clinical Assessment of Skills & Competencies (CASC)'.

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