

Appeal Process – Step-by-Step Guide

Step 1: Right to Appeal

- Either the Complainant or the subject of the complaint may appeal.
- Appeal must meet at least one of the following criteria:
 1. Procedural or administrative irregularity
 2. New evidence not reasonably available earlier
 3. Previously unknown circumstances relevant to the case

Step 2: Submitting an Appeal

- Submit the appeal in writing within 10 working days of the Complaints Panel's decision notification.
- Address the appeal to the Chief Executive and include:
 - Your name and contact details
 - Specific appeal grounds (must match Step 1)
 - Any supporting documentation or evidence

Step 3: Chief Executive's Review

- Upon receiving the appeal, the Chief Executive will:
 1. Assess validity under Step 1 criteria
 2. Acknowledge receipt in writing with outcome (valid or not)
 3. If valid, direct the Complaints Manager to convene an Appeals Panel

Step 4: Appeals Panel Formation

- 3 members of the College or Specialist Associates
- Appointed by the Chief Executive
- Must not be members of the DCC

Step 5: Appeal Consideration

- If the appeal is based on clear procedural error:
 - Panel may grant appeal on paper review alone

Appendix D

- Any original sanctions may be lifted
 - **Decision issued within 5 working days**
- If based on other grounds:
 - Panel meets within 42 days to review all evidence

Step 6: Appeal Hearing (if held)

- At the Panel's discretion, a hearing may be convened
- Both parties are:
 - Notified in writing at least 21 days prior
 - Entitled to attend, present oral submissions, and be accompanied by:
 - A friend, relative, or union rep
 - A lawyer only with prior written consent (request made at least 14 days before)
 - College may also have legal representation
- Evidence is presented by the Registrar or another Honorary Officer

Step 7: Panel Decision

- Made by simple majority
- Outcomes may include:
 1. Uphold original decision, dismissing the appeal
 2. Allow appeal (subject's favour), partially or fully
 - May lift or vary imposed sanctions
 3. Allow appeal (complainant's favour) and direct action:
 - Mentoring or training
 - Referral to external organisation (e.g. GMC)
 - Referral under internal College procedures

Step 8: Notification & Finality

- Appeals Panel decision is:
 - Sent to both parties within 10 working days
 - Final and binding