



Diploma in Primary & Urgent Care - Regulations for the Conduct of Appeals

College of Paramedics

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Diploma in Primary & Urgent Care

Regulations for the Conduct of Appeals

1. Introduction

- 1.1 The College of Paramedics herein known as the (College) Faculty Examination Assessment Committee (FEAC) will only accept requests for reviews or appeals in respect of the Applied Knowledge Test (AKT) and Objective Structured Clinical Examination (OSCE) components of the Diploma in Primary and Urgent Care exam. Appeals in respect of learning with academic programmes should be directed to the relevant institutions appeal committee.
- 1.2 Candidates may request an office review if they have reason to believe that there may have been an error in their result for an assessment.
- 1.3 Candidates who are not satisfied with the outcome of an office review have the right to appeal. An appeal will always involve a meeting of the appeals panel if there is judged to be a prima facie case.

2. Reviews

- 2.1 A candidate wishing to request an office review must complete the “Request for Review or Appeal of a Result Form” (see Appendix A) and send it to the Examination Manager within ten working days of publication of the result of the assessment to which the request relates. A separate request must be made for each component (AKT and OSCE).
- 2.2 Office reviews will be carried out by the Examination Manager or deputy and will involve a clerical check for errors in the assessment process, particularly in the calculation or collation of marks or grades.
- 2.3 The outcome of the review will be reported to the candidate within 28 days of receipt of the request. If the candidate is not satisfied with the outcome of a review, he/she may proceed to an appeal.

3. Appeals

- 3.1 An appeal will normally be preceded by an office review of a candidate’s result. The candidate should complete an “Request for Review or Appeal of a Result Form” (see Appendix A) and send it to the Examination Manager to be received within 28 days of receipt of the result of the assessment or of the outcome of the office review. Appeals will only be accepted from the candidate and not from a third party. Receipt of the appeal will be acknowledged within ten working days.
- 3.2 Appeals can only be made against a breach of regulations or procedures, on the grounds that there was an irregularity in any part of the assessment, or that there was evidence of prejudice or bias

on the part of the assessors. No appeal will be considered solely on the grounds that the candidate wishes to challenge the academic judgment of the assessors.

- 3.3 In the first instance appeals will be considered by either the Chief Examination Officer – Medical, or the Chief Examination Officer – Non Medical and the Examination Manager. The Chief Examination Officer and Examination Manager will decide if there is a prima facie case for an appeal. If so, an Appeal Panel will be convened by the Examination Manager as soon as is reasonably practical.
- 3.4 Information relating to appeals is confidential. Appeal Panel members must not communicate, publish or otherwise disclose any detail, written material or evidence relating to an appeal to any unauthorised person.

4. Composition of the Appeal Panel

- 4.1 The Appeal Panel will have three members, one of whom will be a College Examiner who was not involved in the original assessment of the appellant and who does not have any prior knowledge of the appellant. The other two members will be either the Chief Examination Officer – Medical, or the Chief Examination Officer – Non Medical (as appointed Chair), and the Examination Manager.

5. Preparation for the Appeal

- 5.1 The appellant will have already submitted an appeal and supporting evidence using the “Request for Review or Appeal of a Result Form” but the Examination Manager may require further information to be submitted.
- 5.2 Appeals will normally be considered on the basis of paper evidence only and oral hearings will not be held. However, the appeal committee may, or shall if so required by the appellant, hold an oral hearing. The appellant’s requirement for an oral hearing will be established if it is judged that there may be benefit to the appellant’s case.
- 5.3 Appellants will have the right to be accompanied at the hearing by a friend, colleague or a member of their professional body. Appellants should not be accompanied by a family member or legal representative. An appellant seeking to be accompanied should identify the person accompanying him or her and inform the Examination Manager at least five days in advance of the hearing.
- 5.4 The appellant and the members of the Appeal Panel will be supplied with all the papers to be considered by the Panel, and, may comment in advance to the Chair of the Panel on their factual accuracy only. Any papers to be considered by the Panel must therefore be with the Chair of the Panel at least ten working days before the meeting.
- 5.5 The Chair of the Appeal Panel will have the right to reject any of the papers submitted by either party on the basis that they are not relevant to the appeal, or, that they are so poorly presented that others involved in the appeal will have difficulty understanding them.
- 5.6 Where an appellant has requested an oral hearing and it has been agreed and they do not appear or are not represented, the Chair of the Appeal Panel may decide either not to hold the hearing or

to proceed with the hearing in the absence of the appellant. In either case, reasons for the decision will be supplied to the appellant.

- 5.7 Both the appellant and the Appeals Panel may call witnesses, normally up to a maximum of two each. The names and status of witnesses must be submitted to the Examination Manager at least seven days before the hearing. The Chair of the Appeal Panel will exercise discretion in relation to the admissibility of witnesses and may ask for a written statement to be submitted if a witness is not to be asked to appear in person.
- 5.8 The final set of papers for the appeal will be sent out to all participants at least five working days before the appeal takes place and should include details of all the participants and a copy of these Regulations.

6. Withdrawal of the Appeal

- 6.1 The Chair of the Appeal Panel may accept the withdrawal of an appeal at any time before a decision on the appeal is made, on receipt of written confirmation from the appellant.
- 6.2 The Chair of the Appeal Panel may treat an appeal as having been withdrawn if;
- the Panel has not reached a decision on the appeal; **and**,
 - in spite of making all reasonable efforts the Examination Manager has been unable to contact the appellant; **and**,
 - it has sent notice to the appellant's last known address that the appeal will be treated as withdrawn after 28 days if the appellant has not by then confirmed that s/he wishes the appeal to proceed.

7. Conduct of the Hearing (written and oral)

- 7.1 Hearings will be minuted. They will not normally be tape-recorded.
- 7.2 At the discretion of the Chair, hearings may be adjourned at the request of the appellant, or the Appeal Panel members whilst fresh evidence or legal advice is sought and considered.
- 7.3 In reaching a decision on whether to uphold or dismiss an appeal the Appeal Panel will act reasonably and objectively and observe the principles of natural justice. The panel will make its decision on the balance of reasonable probability.
- 7.4 The decision of the Appeal Panel shall be the decision of a majority.

8. Conduct of the Hearing (oral only)

- 8.1 Ordinarily there shall be no discussion of the appeal, except in relation to its administration, prior to the appearance of the appellant. Where it is necessary to discuss the appeal, this will only be to clarify fact in relation to the appeal and any such conversation will be noted by the parties involved and passed to the Chair.

8.2 Neither party should submit substantial new information during the hearing. At the discretion of the Chair small amounts of new information may be considered and in such cases the hearing may be adjourned to allow the information to be assimilated properly into the evidence.

8.3 Witnesses will be present only to give evidence and be examined on it.

8.4 The appeal hearing will normally proceed as follows:

- The Chair will introduce all those present; set out the grounds of the appeal, the procedure to be followed at the hearing and the possible outcomes; and remind all present of their duty to speak only the truth;
- The appellant or a representative, if present will present their case;
- If the appellant or a representative is not present the Chair will present the case;
- The designated officer will have the opportunity to question the appellant's witnesses and the appellant;
- The designated officer will present his/her case;
- The appellant will have the opportunity to question the designated officer's witnesses and the designated officer;
- Both parties will be invited to make final statements;
- The parties will be informed of the timing and method of notification of the panel's decision and then be asked to withdraw;
- The Panel will meet in private to reach its decision.

9. Outcome of the Appeal

9.1 The Appeal Panel may reach one of the following conclusions:

- That the appeal should be dismissed
- That the appeal should be upheld and either that:
 - (i) any mark originally awarded to the appellant should be corrected and, if the consequence of the correction requires it, the appellant be declared successful in the component; or,
 - (ii) the result of the component should be declared void and the appellant be allowed to re-sit without payment of a fee and/or,
 - (iii) some other form of redress be offered at the discretion of the Panel.

9.2 The Panel will give reasons for its decision in full and in writing.

9.3 Decisions will normally be communicated to the appellant within one month of the date of the Appeal Panel meeting. Once the Appeal Panel has communicated its decision to the appellant the College will not normally enter into any communication with the appellant regarding the outcome of the appeal.

Appendix 'A'

Review and Appeal of a Result Form

Before completing this form please refer to the Regulations for the Conduct of Appeals (above).

Name of appellant				
Candidate exam number				
Date of appeal				
Assessment component	AKT		OSCE	
Date of component exam			Review/Appeal delete as applicable	
<p>Reason for Review / Appeal</p> <p><i>Appeals cannot be made solely on the grounds that you wish to challenge the academic judgment of the assessors. A separate appeal must be lodged for each component.</i></p>				
Nature of supporting evidence submitted				
Signed by appellant				
Date received by Examination Manager				