MRCP(UK)

Candidate Code of Conduct and Misconduct Regulations

Document History

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A. MRCP(UK) Candidate Code of Conduct

1. Candidates (including applicants) for all MRCP(UK) and Specialty Certificate Examinations (SCEs) are expected to behave in a professional manner throughout their interactions with MRCP(UK), and to conduct themselves appropriately for a Member of the Royal Colleges of Physicians of the UK. This includes behaviour during the examination, and in all their contact with examiners, invigilators, and MRCP(UK) or college staff before, during, and after the examination. By submitting an application for an MRCP(UK) examination, candidates are confirming that they have understood and will abide by the code of conduct and all other relevant regulations.

2. This Code of Conduct has been developed to provide a framework against which allegations of misconduct will be judged. In the event of any allegation of misconduct MRCP(UK) will undertake an investigation governed by the principles outlined below (from paragraph 12 onwards). This code applies to all examinations from April 2024.

3. General standard of behaviour

3.1 MRCP(UK) acts to maintain the safety and security of all individuals associated with its examinations.

Candidates are expected to behave in a professional manner, befitting a member of one of the Royal Colleges, in all activities associated with the examination. Adherence to the principles and values within the General Medical Council (GMC)'s *Good Medical Practice* is expected at all times.

MRCP(UK) expects all candidates to treat everyone they encounter during their MRCP(UK) experience with dignity and respect.

3.2 This code applies equally to behaviour of candidates and applicants when:

3.2.1 dealing directly with personnel involved in the examinations (in person, on the telephone, in correspondence) and

3.2.2 publishing or posting comments on websites and social media.

3.3 Candidates have a right of withdrawal from an examination right up to the start. Candidates taking an examination are certifying that they are fit to do so, and cannot appeal on the basis of any illness, or other exceptional circumstances, of which they were aware before the examination started. Candidates should be aware of the impact their own health may have on others and should not sit examinations if doing so would endanger patients, other candidates, examiners, or examination centre staff. Candidates who become ill during the examination should let invigilators or examiners know as soon as possible, so assistance can be provided, and a record of the incident can be made.

4. Interacting with MRCP(UK)

4.1 Candidates are expected to act with respect for those running the examination at all times. MRCP(UK) examiners, invigilators, and staff have the right to undertake their role without fear of abuse or harassment. Physical or verbal abuse, or the threat of such abuse, will be regarded as a form of misconduct, and investigated accordingly.

4.1.1 Candidates should not attempt to harass or bully MRCP(UK) officers or staff.

4.1.2 Harassment includes any unwanted conduct affecting the dignity of MRCP(UK) officers or staff, which is demeaning and unacceptable to the individual.

4.1.3 Bullying may include offensive, intimidating, malicious or insulting behaviour intended to undermine, humiliate, denigrate, or injure the recipient.
4.1.4 Failure to comply with written or verbal instructions of MRCP(UK) and its staff, including the examination regulations, may also be considered as misconduct.
4.1.5 Examples of inappropriate behaviour include, but are not confined to: shouting, threats of harm (either to self or staff), inappropriate written communications, email and telephone conversations, and physical contact.
4.1.6 Candidates should not post anything on MRCP(UK), the Colleges', or any other institution's social media channels that could be interpreted as impugning the reputation of MRCP(UK), its staff, or the Colleges and their officers. Candidates should follow the GMC's guidance on using social media.

5. Interacting with other candidates

5.1 MRCP(UK) strives to ensure that the examination experience is as calm and pleasant as possible for everyone.

5.1.1 Candidates are expected to act with respect for fellow candidates.
5.1.2 Candidates must ensure that their behaviour is not disruptive and does not affect other candidates attempting the examination at the same time.
5.1.3 Examples of inappropriate behaviour may include, but are not restricted to, threats, unwanted advances, questioning the fairness of another candidate's success in getting a space or passing the examination.

6. Interacting with patients

6.1 Candidates for the clinical examination will be required to interact with real and simulated patients.

6.1.1 Candidates should always be aware of patient comfort and safety during this interaction.
6.1.2 Candidates should obtain verbal consent from patients or surrogate patients prior to examining them, and should cease their examination if requested to by the patient or examiner.
6.1.3 The dignity and modesty of all patients must be respected at all times.
6.1.4 Candidates are reminded to maintain strict confidentiality and must not divulge the identity or details of patients used in the examination.
6.1.5 Candidates should observe the appropriate hygiene protocols, specifically regarding hand washing and any other infection control measures in place at the centre.

7. Academic misconduct

7.1 Candidates sitting MRCP(UK) or Specialty Certificate Examinations are expected to follow the standards of conduct outlined in paragraphs 4.6 and 4.7 of the MRCP(UK) Regulations and paragraph 3 of the SCE regulations. Any breach of these standards will be investigated in accordance with the procedure outlined below from paragraph 12.

7.2 MRCP(UK) regards any attempt to cheat with the utmost seriousness. Academic misconduct includes, but is not restricted to:

(a) the introduction into any examination of any materials, or audio or communication devices (including mobile phones and 'smart' watches), other than those specifically permitted for the examination.

(b) any attempt to remove materials or content from an examination other than those specifically permitted, except by a person with authority to do so.
(c) the use of any recording equipment (including all photographic, video and audio recording equipment).
(d) any attempt to release content from any examination to a third party/commercial organisation.
(e) any attempt to communicate with another candidate.
(f) any attempt to gain access to, read or copy the work of another candidate.
(g) any attempt to gain or pass on information about the contents of the examination (written or clinical) in advance of the date of the examination.
(h) impersonation or attempted impersonation of a candidate.
(i) bribery (of another candidate, examination official, actual or simulated patient).
(j) failure to abide by the reasonable instructions of an invigilator or other examination official or breaching of Examination Regulations.
(k) falsification or alteration of any application or results document or qualification.
(l) falsely claiming to have passed any examination or to hold the MRCP(UK) Diploma.
(m) any other form of cheating or conduct likely to give an unfair advantage to the candidate or others.
(n) unsubstantiated allegations of bias against MRCP(UK) staff or examiners.
(o) aiding or abetting any of the above.

7.3 If a candidate has any concern about the conduct of a fellow candidate this should be brought to the attention of the examination organisers as soon as is practicable.

7.4 Candidates sitting written examinations in physical venues may only leave the examination hall temporarily (e.g., to visit the bathroom) with the permission of invigilators and will be accompanied. Candidates sitting online should inform the proctor that they are taking a break but do not need to wait for permission to leave their examination environment. Candidates should note that extended periods of time away from their desk during any such breaks will be recorded by invigilators and may be subject to further investigation.

7.5 Candidates should not share information about examination content after the examination on online revision sites, e.g., recall of question topics. If candidates think they have seen examination material anywhere prior to sitting, they should report this to MRCP(UK) as soon as possible.

MRCP(UK) reserves the right to classify any behaviour not included in the list above as misconduct if required. Misconduct considered to potentially constitute a criminal offence will be referred to the police.

8. Copyright and use of materials

The Federation of Royal Colleges of Physicians of the UK assumes the copyright of all materials prepared for any part of the MRCP(UK) examination (in conjunction with the relevant Specialist Societies for the Specialty Certificate Examinations). Candidates must not discuss, publish or in any other way attempt to share any material which they have encountered in the MRCP(UK) examinations. The Colleges reserve the right to initiate civil action and/or criminal prosecution if theft of intellectual property is suspected.

9. GMC (or equivalent) reporting

Candidates should promptly inform the MRCP(UK) if any limitations on practice are placed on them by the GMC (or the equivalent regulatory body in the country in which they practice). Failure to do so will be regarded as misconduct and will be reported to the appropriate regulatory authority (the GMC for UK candidates).

MRCP(UK) will refer candidates to the GMC (or equivalent national regulator) in the event that their conduct raises concerns about their probity or ability to practise at the expected level.

10. Appeals and complaints

MRCP(UK) receives appeals against examination results from candidates, and complaints about the conduct of the examinations. MRCP(UK) is committed to investigating any such cases in a fair and transparent manner in line with the MRCP(UK) Examination Appeals Regulations and MRCP(UK) Examination Complaint Procedure. Appeal submissions will be shared with other parties for comment or review. Candidates should therefore ensure that all communications are professional in tone.

It is occasionally necessary to approach candidates for comment on appeals and complaints, and candidates are expected to respond to any such approaches in an open and timely manner.

11. Anomaly reporting

MRCP(UK) will conduct an investigation if presented with evidence that examination security has been breached or that candidate's results are not an accurate reflection of their performance. The procedure for investigation is outlined in paragraph 21 below.

B. Misconduct Investigation Procedure

MRCP(UK) conducts its examinations according to assessment best practice principles and treats all the candidates in its examinations equally and fairly. In return, MRCP(UK) expects and requires a very high degree of professionalism from its candidates. It expects candidates to be honest. Any attempt by a candidate to gain an unfair advantage over others will be treated most severely and can have serious consequences for their career.

12.1 The processes outlined in the paragraphs below apply to all candidates for examinations run by MRCP(UK) on behalf of the Federation of the Royal Colleges of Physicians of the United Kingdom from April 2024. For the purposes of this procedure, applicants for any examination that has not yet been attempted are also regarded as candidates.

12.2 This procedure does not apply to anyone employed by or acting in any official capacity on behalf of the Colleges, including invigilators, examiners, or examination centre staff (unless they are also a candidate for the examinations).

12.3 The Misconduct Procedure will be implemented where there is reason to believe that the behaviour of a candidate falls below the expected standards set out in paragraphs 3-6 above; where regulations, procedures, or policies have been broken; or where evidence is provided of suspected academic misconduct, as defined in paragraph 7.

12.4 The Medical Director for Assessment and Head of Assessment Governance and Policy are responsible for overseeing any investigation. They may delegate duties to any MRCP(UK) officer or member of MRCP(UK) staff respectively as appropriate.

12.5 Where a candidate is suspected of misconduct their examination results will be withheld until the procedures for investigation as detailed below are complete. Candidates will be advised of the misconduct process when they are informed that their results are being withheld.

12.6 Whilst an investigation is underway candidates may apply to sit any part of any examination for which they are eligible, in accordance with the relevant regulations. MRCP(UK) reserves the right to refuse an application from a candidate under investigation or prevent them from sitting an examination for which they have already applied, on the basis that allowing them to sit is deemed to be a potential risk to patient or staff safety.

12.7 Depending on the outcome of the investigation, results may be amended or annulled. MRCP(UK) and the Colleges reserve the right to conduct retrospective investigations. This may lead to results being amended or annulled after they have been confirmed, and to withdraw membership status after it has been awarded.

12.8 MRCP(UK) will endeavour to ensure that investigations will be completed as quickly and efficiently as possible and candidates will be kept informed of progress. However, candidates should note that misconduct investigations can be complex, and it may not be possible to give an exact date for completion, particularly if it is necessary to convene a hearing panel.

12.9 Where it is necessary to change the timescales outlined below to expedite the process, this will only be done with the consent of the candidate.

12.10 MRCP(UK) recognises that allegations of misconduct can be stressful and distressing for candidates. To ensure that they receive appropriate support during the process, MRCP(UK) may contact proposers, and for UK candidates, Responsible Officers, to inform them about the investigations. Information will be given to candidates about organisations that can provide support or assistance.

12.11 In pursuit of protecting the examinations, the candidates who sit them, and staff and patient safety, MRCP(UK) acknowledges that the process of investigation and false allegations can have an impact on candidates' reputation and career. For this reason, MRCP(UK) will maintain the candidate's anonymity as far as is possible during any investigation.

12.12 Should the allegation against the candidate be upheld, the details of the case will be referred to the relevant regulatory body (the General Medical Council in the UK) and, where possible, the individual(s) responsible for overseeing their training (the Responsible Officer for those in the UK).

13. Definitions

13.1 Guidance of what MRCP(UK) considers to constitute misconduct is outlined above in paragraph 7. More broadly, MRCP(UK) splits the type of misconduct it investigates into two categories:

(a) Minor or inadvertent breaches of the regulations considered unlikely to have been deliberately undertaken by a candidate to obtain an unfair advantage. These will be recorded in Chief Invigilator, online proctor, or Chair of Examiners' reports, and will be investigated. Candidates found to have committed such breaches are likely to receive a letter reminding them of their responsibilities to

abide by the regulations. If the evidence collected suggests that a candidate was attempting to obtain an unfair advantage, then the case will be investigated in accordance with the procedure outlined below and they may be subject to more severe penalties.

(b) Deliberate actions that raise doubts about a candidate's probity or ability to practise. It includes but is not restricted to:

- Attempts to gain an unfair advantage in the examination (academic misconduct)
- Abuse, threats, or other unprofessional behaviour directed at MRCP(UK) staff, invigilators, patients, other candidates, and examiners.

14. Reporting Procedures

14.1 Suspected misconduct may be reported to MRCP(UK) by examiners, invigilators or proctors, examination staff, candidates, patients, simulated patients, and any other person who becomes aware of suspected misconduct.

14.2 In addition to direct reporting, MRCP(UK) also uses computer software to detect possible collusion, by automatically reviewing all candidates' answers after every examination to identify correlations in response patterns between pairs of candidates beyond what could be expected to occur by chance. This software is known by the generic term 'Anomaly Monitoring System' (AMS). MRCP(UK) recognises that such software does not always make immediately apparent which of the two candidates has copied from the other, or whether collusion was taking place. For this reason, MRCP(UK) will always require corroboration from another source or require a candidate to be included in a second AMS report from another examination, before continuing an investigation under these Regulations. If a candidate is identified in a second AMS report from a subsequent examination, they will be automatically referred to a misconduct hearing panel.

14.3 Anonymous reports of misconduct will be acted upon only if there is supporting evidence. In such cases invigilators and any other relevant officials may be informed of the allegation and asked to comment. Candidates should note that vexatious or malicious allegations of misconduct against other candidates can in themselves be considered as an act of misconduct and will be investigated accordingly.

14.4 Reporting Procedure for Academic Misconduct in Multiple Choice Examinations

In-centre CBT examinations

14.4.1 Where an invigilator suspects a candidate of infringing examination rules, he/she shall:

(a) Confiscate any unauthorised material in the possession of the candidate.

(b) Complete a Misconduct Incident Reporting Form, detailing the nature of the alleged misconduct and the time it was discovered. Wherever possible an invigilator should invite another invigilator to act as witness to the suspected infringement and then countersign the form to confirm this.

(c) Allow the candidate(s) to continue the examination. Ejection from the examination hall should only take place in the event of a candidate's conduct causing disruption to other candidates.

(d) Inform the candidate(s) at the end of the examination, that a written report of the incident will be submitted to the Policy Team.

(e) Return the Misconduct Incident Reporting Form detailing the alleged incident and any confiscated materials to the Policy Team within five working days of the examination.

Online examinations

14.4.2 Where a proctor suspects that a candidate has infringed examination regulations, they will make a note of this, and it will be reported to MRCP(UK) after the examination. Proctors may also speak to candidates to remind them of the need to adhere to the regulations. Repeated serious breaches of the regulations, e.g., attempts to copy examination content, may result in the matter being immediately referred to MRCP(UK) and the candidate prevented from continuing with the examination.

14.4.3 Candidates must on request surrender to the invigilator any materials or aids (e.g., notes or other unauthorised pieces of paper) that are reasonably believed by the invigilator not to be permitted. The invigilator can, on request, issue a brief receipt for such articles. The invigilator must include all such materials with his/her report, which may be copied or retained by MRCP(UK). If for any reason it is not possible for the invigilator to retain the unauthorised material (e.g., a mobile phone) then they should take a photograph of this item and send this to MRCP(UK) Central Office. Failure by the candidate to cooperate with such a request will be regarded as an act of misconduct.

14.4.4 Candidates sitting Specialty Certificate Examinations should note that CCTV is routinely used for security purposes in third party examination centres and if the footage is stored it will be utilised by MRCP(UK) in misconduct investigations.

14.4.5 The examination software used in the online delivery of MRCP(UK) Part 1 and Part 2 Written examinations, and in the Computer Based Testing format used for Specialty Certificate Examinations, records all keystroke and clickstream data, and this may be analysed as part of any misconduct investigation.

14.4.6 If there are grounds to suspect misconduct at any stage in the post-examination process, this should be reported to the MRCP(UK) Policy Team as soon as possible.

14.5 Reporting Procedure for Academic Misconduct in Clinical Examinations

Possible forms of misconduct in the MRCP(UK) Part 2 Clinical Examination (PACES) and the procedure to be followed if misconduct is suspected are outlined below.

14.5.1 *Candidate attempting to acquire information about the content of the examination in advance of it commencing.*

If there are grounds to suspect or it has been alleged that a candidate has attempted to acquire information about the content of the examination, the Chair of Examiners must notify MRCP(UK) Central Office immediately, who shall consult with the Medical Director for Assessment (or a nominated deputy) and determine what action is necessary to safeguard the integrity of the examination.

If it is not possible to contact MRCP(UK) Central Office before the examination starts, the Chair of Examiners should try to establish the facts of the case and will be responsible for determining what action is necessary to safeguard the integrity of the examination.

In both cases, the examination will normally go ahead as scheduled, and any necessary action will be taken after the event when the full facts have been established. The Chair of Examiners should record the details of any incident in the Centre Incident Form and return this to the MRCP(UK) Policy Team within three working days of the examination.

14.5.2 *Candidates acting contrary to the regulations*
If an examiner considers that a candidate is contravening the regulations at any point during the examination, they should alert the Chair of Examiners as soon as possible. If the candidate's conduct is likely to endanger, distress or disrupt patients, surrogates or any other individual(s), the examination may be temporarily suspended by the Chair of Examiners. The candidate must be informed at the end of the examination that a report of the incident will be sent to the MRCP(UK) Policy Team. The Chair of Examiners should record the details of any incident in the Centre Incident Form and return this to the MRCP(UK) Policy Team within three working days of the examination.

14.5.3 *Misconduct after the examination*
Where misconduct is suspected after the examination, including where an examiner or other representative of MRCP(UK) Central Office has grounds to suspect that a candidate has attempted to pass on information about the content of an examination to another candidate or other third party, he/she must notify MRCP(UK) Central Office immediately. The details of the incident should be recorded by the Chair of Examiners in the Centre Incident Form. A written report of the incident shall be submitted to the MRCP(UK) Policy Team within three working days of the examination. If there are grounds to suspect misconduct at any stage in the post-examination process, this should be reported to the MRCP(UK) Policy Team as soon as possible.

14.6 All other instances of misconduct
The person(s) identifying the misconduct shall prepare a written report on the alleged incident and send it with any supporting evidence to the MRCP(UK) Policy Team within three working days of it being identified.

15. Procedures for investigation

15.1 A member of MRCP(UK) Central Office staff will be appointed as investigating officer. The staff member will not be the person making the allegation. The investigating officer shall review all reports of alleged cases of misconduct, and, after consulting with MRCP(UK) officers and other members of staff where necessary, shall determine whether there is sufficient evidence of a prima facie case to be answered. The investigating officer will be the main point of contact with the candidate at this stage.

15.2 Within 10 working days of receiving a report of suspected misconduct, the investigating officer will inform the candidate in writing that an allegation has been made about them and provide them with a copy of these Regulations. The candidate will be informed that their examination results will be withheld pending the outcome of the investigation. If it is considered that sufficient evidence exists at this stage to make a formal allegation of misconduct, this will be communicated to the candidate.

On completion of the investigation, usually no later than 10 working days after initially contacting the candidate, the investigating officer will inform the candidate of the detail of the allegation. The candidate shall be asked to comment on the allegation and invited to admit or deny the allegation. Candidates are expected to cooperate fully at all stages of the misconduct investigation.

15.3 The candidate shall provide their response in writing to the allegations within 10 working days from the date of the investigating officer's letter. If no response is received within 10 days, then it will be assumed that the candidate has denied the allegation, and the process will move to the next stage.

16. Completion of Investigation

16.1 Where a candidate admits in writing to the allegations, full details of the case shall be passed to the MRCP(UK) regulatory sub-group for a final outcome to be agreed. The sub-group consists of:

- The Chair (appointed to the role as an MRCP(UK) officer).
- Clinical representatives with experience of examining board membership or PACES examining.
- Representatives from the examining board for the relevant examination.

The investigating officer will also provide a recommendation for an appropriate penalty based upon established guidelines and precedent. The candidate shall have the opportunity to present a written statement that will be taken into account; they must provide this within ten working days of admitting to the allegation. Candidates who admit allegations of misconduct cannot appeal against any penalties imposed.

16.2 Where a candidate denies the allegations (in whole or in part) the investigating officer will convene a Misconduct Hearing Panel is as soon as possible (usually within 12 weeks of the investigation concluding) to formally consider the case. If a candidate does not engage with the process (e.g., by not responding to requests for comment), MRCP(UK) reserves the right to move directly to the stage outlined in paragraph 16.1 without convening a hearing panel.

16.3 Candidates can still admit the allegation in writing at any stage during the organisation of the Misconduct Hearing Panel. If the candidate does this, the procedure outlined in paragraph 16.1 will be followed, although the initial denial of the allegation will be taken into account by those considering the matter. Candidates who have committed misconduct should note that promptly admitting guilt, taking responsibility, and expressing contrition for their actions is viewed by MRCP(UK) as an important and appropriate step, and that this will be kept in mind whenever any penalty is being determined.

16.4 Decisions will be reached on cases as soon as possible, and candidates should normally have received notification of the action to be taken in regard to their case within five working days of a decision being made. In exceptional circumstances a decision may be deferred until the next scheduled meeting of the relevant board of examiners, but candidates will be informed of this and then be notified of the action to be taken in regard to their case within five working days of the examining board meeting.

The timescale for the investigative process is outlined below:

Stage	**Time period**	**Who is responsible?**
Initial report		
Candidate informed that allegation of misconduct has been made and that results will be withheld	Within **10** working days of receiving report of misconduct	MRCP(UK) Policy Team (investigating officer)
After investigation completed, candidate informed of detail of allegation	Within **10** working days of initially contacting candidate	MRCP(UK) Policy Team (investigating officer)
Response to formal allegation of misconduct	Within **10** working days or receiving allegation	Candidate
Response to formal allegation of misconduct (follow up)	Within **5** working days of receiving reminder	Candidate

(If no response is received from the candidate MRCP(UK) will decide whether the matter will be referred to a misconduct hearing panel or addressed under the procedure outlined in paragraph 16.1)		
If candidate admits allegation		
Details of allegation and any statement provided by candidate submitted to MRCP(UK) Regulatory sub-group for decision	Decision communicated within **5** working days of being made	MRCP(UK) Policy Team (investigating officer)

17. Establishment of a Misconduct Hearing Panel

17.1 A Misconduct Hearing Panel shall be convened if a candidate denies an allegation in whole or in part. The panel will be conducted virtually unless otherwise indicated; candidates can request an in-person hearing.

17.2 Proceedings of the Panel shall not be invalidated by reason of the absence of the candidate, provided that the procedure detailed below has been observed.

17.3 The purpose of the Panel is to examine the facts of a case, and the strength and veracity of the evidence being presented. The Panel fulfils two main roles:

- To determine on the balance of probabilities (rather than beyond reasonable doubt) whether the allegation of misconduct has been proven to the satisfaction of the majority of the Panel.
- Where an allegation is proven, it is to determine an appropriate penalty based upon established guidelines and precedent.

17.4 The process for arranging the Misconduct Hearing Panel and the timescale for each stage is as follows:

Stage	**Time period**	**Who is responsible?**
Candidate informed of date of hearing panel	As soon as possible, but at least **6 weeks** before date of panel	MRCP(UK) Policy Team (investigating officer)
Let MRCP(UK) know if they are being accompanied by a Friend who is a legal professional	**20** working days before panel	Candidate
Provide MRCP(UK) with any documents to be submitted to panel and list of witnesses they wish to call at the hearing	**20** working days before panel	Candidate
Documents being considered by panel sent to candidate	**15** working days before panel	MRCP(UK) Policy Team (panel secretary)
Documents sent to panel members	**10** working days before panel	MRCP(UK) Policy Team (panel secretary)

17.5 The Misconduct Hearing Panel shall be constituted by the members of the MRCP(UK) Regulatory Sub-group or their nominee (who must hold a similar role within MRCP(UK)) with at least one member from each of the following categories, or their nominee:

(a) Chair of MRCP(UK) Regulatory Sub-group or a nominee (who will act as Chair of the Hearing Panel)
(b) The Chair or Medical Secretary of the relevant Examining Board
(c) Senior MRCP(UK) staff member (in non-academic misconduct cases)
(d) A member of another of the Colleges' Boards of Examiners
(e) A Lay Representative from an MRCP(UK) or College board or committee (an individual not directly employed by or acting in any official capacity on behalf of the MRCP(UK) Central Office. It may include individuals already acting as Lay Representatives on other Central Office or College committees.)

17.6 The candidate has the right to be present at the Panel subject to the procedures detailed in paragraph 18 and following, and to present written or oral evidence to the Panel. Such evidence may include references attesting to previous good character (a maximum of three), although candidates are advised to keep in mind that those approached to supply such references may then subsequently expect the candidate to provide them with details of the outcome of the Hearing.

17.7 Misconduct Hearing Panel Roles:

Role	**Taken on by**	**Responsibilities**
Investigating officer	Member of MRCP(UK) Central Office staff, delegated by Head of Assessment Governance and Policy; usually a member of the Policy Team.	• Conducting investigation into alleged misconduct including compiling evidence and collating documents. • Communicating with candidate about progress of investigation and establishment of hearing panel if required.
Presenting officer	Member of MRCP(UK) Central Office staff, delegated by investigating officer; usually a member of the Policy Team.	• Presenting MRCP(UK)'s case to hearing panel, including questioning witnesses. • Cannot attend panel deliberations.
Panel secretary	Member of MRCP(UK) Central Office staff, delegated by Head of Assessment Quality; usually a member of the Policy Team.	• Contact with candidate about arrangements for hearing panel. • Records evidence presented by presenting officer and candidate, deliberations of panel, and outcome of panel. • Can advise the panel on regulatory matters but cannot contribute to their decision. • Communication of panel's decision to candidate.
Panel Members		
(a) Chair	Chair of the Regulatory Sub-group or their nominee.	• Chairs the panel and facilitates discussion.

			• Can ask presenting officer, candidate, and witnesses questions.
(b)	Representative(s) of relevant Examining Board	Chair, Medical Secretary or nominated member from the Examining Board for the examination in which the alleged misconduct took place.	• Represents the Examining Board and contributes to discussion. • Can ask presenting officer, candidate, and witnesses questions.
(c)	Representative(s) of another Examining Board	Officer or member of another MRCP(UK) Examining Board or Committee.	• Represents the other Examining Boards and contributes to discussion. • Can ask presenting officer, candidate, and witnesses questions.
(d)	Senior MRCP(UK) staff member	Senior MRCP(UK) manager, nominated by Head of Assessment Quality. Only in cases of non-academic misconduct, i.e., breach of Candidate Code of Conduct.	• Represents MRCP(UK) and contributes to discussion. • Can ask presenting officer, candidate, and witnesses questions.
(e)	Lay representative	Lay (i.e., non-medical) member of one of MRCP(UK)'s Boards and Committees (or another board or committee from one of the Colleges).	• Represents the interests of patients and the public. • Can ask presenting officer, candidate, and witnesses questions.
Friend		Accompanies the candidate to the panel. They can be a legal professional, but MRCP(UK) must be informed of this in advance.	• Can advise the candidate during the panel. • Cannot contribute to discussions or ask questions of anyone else present.
Witnesses		Can be called by MRCP(UK) or the candidate to provide support for their case.	• Can only give evidence that has been distributed in advance. • Can respond to questions asked by the presenting officer, candidate or panel. • Cannot contribute to discussions or ask questions of anyone else present. • Will be asked to leave after giving their evidence.
Legal adviser		Can be called by MRCP(UK) to give advice to the panel if required.	• Can advise panel during deliberations. • Cannot ask questions of candidate, presenting officer or witnesses.

Observers	MRCP(UK) staff or external observers.	• Observing proceedings. • Cannot contribute to proceedings in any way.

Panel members and candidates will be informed in advance of all people who will be present.

17.8 No confirmation of whether the candidate has passed or failed the examination in question shall be provided to the members of the Panel.

18. Misconduct Hearing Panel Procedure

18.1 All proceedings will be strictly confidential.

18.2 Prior to the start of the Hearing the Panel may engage in preliminary deliberations. The Secretary shall be present to keep a record of proceedings.

18.3 The candidate, their friend, any witnesses, and the presenting officer will be invited into the room, and all present shall introduce themselves. The Chair shall ask the presenting officer to outline the allegations and then ask the candidate whether they admit or deny misconduct. If, at this stage, the candidate decides to admit to the allegations in full, the Panel has the authority to proceed immediately to consideration of the penalty to be imposed as detailed in paragraphs 18.8 – 18.12 and 20.

18.4 In all cases other than those covered by 18.3 above, the Chair shall then invite the presenting officer to present his/her documentary material and call witnesses. The Chair shall then invite the candidate to question the presenting officer and his/her witnesses, after which members of the Panel may do the same. Witnesses and friends cannot contribute to the Panel proceedings in any other way. Witnesses will be asked to leave after giving their evidence.

18.5 The Chair shall then invite the candidate to present their documentary material and call witnesses in support of their case. The presenting officer may then question the candidate and his/her witnesses, after which members of the Panel may do the same. Witnesses will be asked to leave after giving their evidence.

18.6 The validity of proceedings shall not be affected by the unwillingness or inability of any party to reply to questions or to appear before the Panel. Where the Panel concludes that an individual is unwilling to reply to a question, it may make reasonable inferences from that refusal.

18.7 The Hearing Panel may, at its discretion and at any time, interrupt proceedings to ask questions, or to instruct the room to be vacated for private deliberations. Neither the presenting officer, the candidate, their friend, nor any witnesses are entitled to be present at such times, although the Secretary shall be present and keep a record of proceedings.

18.8 Before they are dismissed, the Chair shall give the presenting officer and the candidate the opportunity to make a closing statement. Before leaving, the candidate shall be reminded that he/she will be notified of the outcome within five working days.

18.9 The Chair shall commence final deliberations by reminding the Panel of its role and purpose as detailed in 18.3. The Secretary shall be present but may not attempt to guide or influence the discussions or decisions of the Panel in any way.

18.10 The decisions of individual Panel members shall always be treated as confidential.

18.11 Previous behaviour, exceptional or mitigating circumstances shall not be considered by the Panel when determining whether an allegation has been proven but may be referred to when an appropriate penalty is being discussed.

18.12 The decision of the panel does not need to be unanimous. Where the panel is composed of an odd number of members, a majority decision is permissible. In the event of an even split where the panel is composed of an even number of members (e.g., for academic misconduct cases), the Chair of the panel will make the final decision.

18.13 Following the meeting the Secretary shall prepare a written report summarising the proceedings, deliberations, decisions of the Panel and their reasoning, and any penalties to be imposed (including where the decision is that no misconduct has been committed). This shall be sent to the candidate within five working days of the Hearing, and a copy presented to the next meeting of the relevant Examining Board.

19. Appeals procedure

19.1 Appeals against the decision of an Examining Board or Misconduct Hearing Panel must be received in writing by the Head of Assessment Quality no later than **10 working days** after the date of the email which notified the candidate of the decision. Appeals must be based on the either or both of the grounds outlined in paragraph 19.2. Candidates cannot appeal because they disagree with the panel's decision.

19.2 An Appeals Hearing Panel shall only be convened on the following grounds:
(a) Where there is evidence of administrative or procedural irregularity in the establishment or conduct of the Misconduct Hearing Panel
(b) Where there is new evidence of extenuating circumstances that could not reasonably have been presented before.
The Head of Assessment Governance and Policy (or their nominee) will conduct an initial review of the submission from the candidate to determine whether either of the above criteria have been met. If they determine that this is the case, the process outlined below will be followed. If the criteria have not been met, the candidate will be informed that the misconduct proceedings are at an end and the penalties communicated to them will be imposed.

19.3 An independent adjudicator, usually an MRCP(UK) lay representative with no prior knowledge of, or involvement in the investigation but with a good understanding of the Regulations, will review the appeal and determine whether there is sufficient evidence for an Appeals Hearing Panel to be convened based on the grounds set out in 19.2. The decision of the independent adjudicator will be communicated to the candidate within **10 working days** of it being made. If it is concluded that there are no grounds for establishing an Appeals Hearing Panel, then the penalties decided by the Panel will be implemented, and the misconduct process is at an end. MRCP(UK) will not enter into any further correspondence with the candidate about the misconduct case after this.

19.4 The establishment and conduct of an Appeals Hearing Panel will follow the same procedure as set out in these Regulations for a Misconduct Hearing Panel, except that no member of the Panel or the Secretary may have been previously involved with the case.

19.5 The Appeals Hearing Panel will be advised that a Misconduct Hearing Panel has taken place but will not be informed of the outcome.

19.6 The role of the Appeals Hearing Panel will be to hear afresh the evidence presented to the Misconduct Hearing Panel. They may also hear and take into account fresh evidence presented by either side as long as it is circulated in accordance with the provisions of paragraph 17.4.

19.7 The Appeals Hearing Panel shall have the power to confirm, reverse or amend the original decision of the Misconduct Hearing Panel.

20. Guidelines for penalties

20.1 No candidate whose misconduct has been proven shall be permanently barred from entry to any future College examinations.

20.2 Where an allegation of misconduct is sustained, the Misconduct Hearing Panel will decide the appropriate penalty. In making these decisions, all involved are expected to have regard to established precedent. These are guidelines for normal circumstances and not binding, and do not preclude the relevant authority from determining a lesser or more severe penalty to be appropriate should the circumstances warrant this. However, in all cases the responsible authority shall consider:
(a) The risks to patient safety/staff welfare of the candidate's actions
(b) The need to preserve the integrity of the examination
(c) Natural justice and consistency with previous penalties
(d) Evidence of contrition and an understanding of the gravity of the offence.

20.3 Summary of Standard Penalties
(a) No further action
(b) Details of the case passed to the relevant regulatory body (i.e., the General Medical Council in the UK) and the individual responsible for overseeing their training (where possible)
(c) A written warning
(d) Results for an examination or part of an examination under investigation, and in severe cases any previous attempts, annulled/withheld
(e) Candidate barred from entry for a specified period
(f) Any combination of any of the above, apart from (a).

21. Anomalous results investigation

MRCP(UK) treats its responsibility to protect patient safety with utmost seriousness. Integral to this is ensuring that the public can have full confidence that its qualifications reflect the highest standards of UK clinical medicine. A series of reviews and checks are conducted after each examination to confirm the accuracy of results but also identify possible anomalies in candidate performance.

MRCP(UK) will withhold candidates' results and conduct an investigation (in accordance with the procedure outlined below), if it is presented, during results processing, with:

- sufficient evidence that the security of any part of the examination has been compromised (e.g., that any candidate or group of candidates has gained access, or been exposed, to examination content before sitting the examination).

- statistical evidence, based on expert psychometric analysis, which suggests an unusual pattern of performance which is sufficient to cast doubt upon the reliability of the

candidate's results (e.g., an unusual variation in performance between two examination papers or from previous attempts).

- any other evidence that suggests that the results for any individual candidate or group of candidates are anomalous (i.e., do not conform to expected patterns of performance).

The procedure for investigation is as follows:

21.1 Evidence that an anomaly has been identified during results processing should be presented to the MRCP(UK) Policy Team as soon as possible, who will decide whether it is necessary to conduct an investigation.

21.2 Candidates whose results are to be withheld will be informed of this decision ahead of the published date for the release of results for the relevant examination. Candidates will be given the opportunity to comment on the anomaly at this stage, and any statement provided will be included in any report compiled on the issue.

21.3 If at any stage during the investigation MRCP(UK) is presented with evidence that the anomaly has occurred as a result of candidate misconduct, then the investigation will be conducted under the MRCP(UK) misconduct regulations. Candidates will be informed of any decision of this nature.

21.4 Investigations will be led by the MRCP(UK) Policy Team and will involve the MRCP(UK) Regulatory Sub-Group, representatives of the relevant examining board, the MRCP(UK) Research Unit, and MRCP(UK)'s Educational Advisers (independent psychometric experts who work with MRCP(UK)). The investigation will be based on statistical analysis of relevant results and the review of any supporting documentary evidence. It will not require immediate meetings with candidates.

21.5 MRCP(UK) recognises that it is important for results to be released quickly and will endeavour to complete the investigation as quickly as possible (usually within 30 working days of starting). Candidates will be kept informed if the process is likely to take longer.

21.6 Following review of the evidence, the MRCP(UK) Policy Team will prepare a report for the Medical Director. Based on this report, the Medical Director will consult with the MRCP(UK) Regulatory Sub-Group (working with psychometric advisers if required) and recommend one of the following options:

- That there is insufficient evidence of an anomaly occurring and that candidate(s)' results (including their overall score) will be allowed to stand. In these circumstances results will be released to candidates as soon as possible.
- That the evidence collected strongly suggests that an anomaly has occurred. Candidate(s)' results for their original attempt will be annulled and they will be required to re-sit the relevant part of the examination.

MRCP(UK) may on occasion be presented with evidence to suggest that the integrity of an examination has been compromised to the extent that the results of the entire cohort of candidates cannot be considered to be an accurate reflection of their performance. In such instances, MRCP(UK) will recommend that the entire examination be declared null and void and that all candidates from the diet would be required to re-sit.

21.7 The Medical Director will make their recommendation to the MRCP(UK) Management and Policy Board, who will make a decision about the action to be taken. This decision will be

communicated to the candidate(s) within five working days and will include a full report indicating why this decision has been made. Any decision to re-run an entire diet of an examination would be taken in consultation with the General Medical Council in their role as the regulator and would be conducted in accordance with their published procedure for dealing with adverse events in examinations.

21.8 If it is decided that candidates are required to re-sit any part of the MRCP(UK) Diploma, they will not be charged an additional fee. Where possible, candidates will be accommodated at the next available diet of the examination. If it is determined that a candidate's results should be annulled, their educational supervisor, Training Programme Director, and Responsible Officer (or local equivalents) will be informed.

21.9 Candidates can appeal against this decision, within ten working days of being informed. Appeals cannot be based on the fact that a candidate does not agree with the decision: an irregularity in the investigative process must be identified or additional evidence that was not considered during the investigation must be provided. The Head of Assessment Governance and Policy (or their nominee) will conduct an initial review of the submission from the candidate to determine whether either of the above criteria have been met. If they determine that this is the case, the process outlined below will be followed. If the criteria have not been met, the candidate will be informed that the investigations are at an end and the decision communicated to them will be implemented.

21.10 Appeals will be considered by a Federation lay representative, a member of one of MRCP(UK)'s Boards and Committees, and an independent psychometric adviser. Their decision will be final and will be communicated to candidates within five working days of it being made.