MRCP(UK)

Examination Appeals Regulations

Document History

Version	Author	Date	Comments
1.0	MRCP(UK) Policy Team	May 2024	Replaces existing document
2.0	MRCP(UK) Policy Team	June 2025	Updates previous version

MRCP(UK) Appeals Regulations & Procedure

1. These regulations apply to all candidates for examinations run by MRCP(UK) on behalf of the Federation of Royal Colleges of Physicians of the UK. MRCP(UK) regulations are intended to ensure fairness in the assessment of all candidates. A candidate who has attempted an MRCP(UK) or Specialty Certificate Examination (SCE) has the right to appeal against the outcome of the examination. This will be investigated in accordance with the procedure outlined below.

2. Grounds for Appeal

2.1 These regulations will be used to investigate all academic and examination appeals. An 'appeal' is defined as a request for review of a decision made by or on behalf of an Examining Board about the performance in an examination of a candidate or group of candidates.

2.2 Appeals will only be considered if they are based on procedural error or exceptional circumstances:

- Procedural error is an irregularity in the conduct of the examination (including administrative error) which had the potential to adversely affect the candidate's performance, for which evidence must be provided. Candidates who believe their examination performance was affected by procedural irregularity should inform organisers or invigilators at the centre and contact MRCP(UK) about this as soon as possible after the examination and not wait until after they receive their results.

- Exceptional circumstances are defined as illness or any other extenuating circumstance (for which clear documentary evidence must be provided) which adversely affected a candidate's performance in the examination. Candidates are advised to submit details of any such circumstances as soon as possible (i.e., within three working days) of the examination and not wait until after they receive their results. The Regulations make clear that there is the right of withdrawal from any examination up to its start due to exceptional circumstances. Candidates who sit the examination are deemed to be certifying themselves fit and healthy to do so. MRCP(UK) will not accept appeals from candidates who were aware of exceptional or extenuating circumstances before the examination and subsequently chose to sit.

2.3 Appeals will not be accepted on any other grounds, for example that a candidate:

- Consider their efforts were under-marked.
- Failed the examination by a narrow margin.
- Did not understand or was unaware of the Examination Regulations.
- Seeks to question the exercise of professional or academic judgement (including disagreeing with the marks awarded or the reasons provided by an examiner to support their decisions).

2.4 MRCP(UK) reserves the right to decide whether a case submitted by a candidate constitutes an appeal or complaint and to reclassify them as such at any stage in proceedings; this will be done to support the consideration of the matter in the most appropriate way.

3. Procedure

3.1 Candidates should submit appeals using the form on the MRCP(UK) website within 30 days of receiving their results, and include supporting documentary evidence (where relevant). It will assist a candidate's appeal if MRCP(UK) is notified of procedural errors or extenuating circumstances before

the release of results. The decision to accept appeals submitted after this period is at the discretion of MRCP(UK).

3.2 The appeals procedure is normally expected to take no more than 90 days from the date of the appeal being received by MRCP(UK). Candidates will be kept informed if the process is likely to take longer than this for any reason.

3.3 A fee of £165 (payable via the MRCP(UK) website) must be submitted with the candidate's appeal submission. The fee will be refunded if the appeal is successful.

3.4 Candidates have the opportunity to raise matters of legitimate concern through these regulations without risk of disadvantage or criticism. Therefore, candidate anonymity will be maintained as far as is possible during any investigation.

3.5 On receipt of an appeal, the MRCP(UK) Policy Team will conduct an initial investigation to ascertain whether an appeal is considered to have grounds, as defined in paragraphs 2.1 to 2.4. Candidates should note that due to the nature of MRCP(UK) examinations it is not possible to conduct any review of their performance. As part of the investigation for PACES appeals marks will be checked to ensure that they have been recorded correctly; in the unlikely event that any errors are identified at this stage they will be corrected, and the candidate's appeal fee will be refunded.

3.6 If the initial investigation concludes that the appeal does not have grounds under paragraphs 2.2 and 2.3, it will be rejected, and the candidate will be informed. If it is considered that the appeal is vexatious or malicious, or that the appellant has used false information, the appeal procedure will also be at an end but in this instance the appellant may be liable for action under the Academic Misconduct Regulations.

3.7 If the appeal is considered to have grounds, it will be referred to the relevant MRCP(UK) examining board for review.

4. Consideration by the MRCP(UK) Examining Board and Regulatory Sub-Group

4.1 If the MRCP(UK) Policy Team concludes that there is a prima facie case for appeal they will refer the case on to the relevant MRCP(UK) or Specialty Certificate examining board for consideration. Appeals will be considered by the officers and senior members of the board on behalf of the examining board. A representative of the MRCP(UK) Regulatory Sub-Group will also contribute to the review of candidate appeals. The sub-group consists of:

- The Chair (appointed to the role as an MRCP(UK) officer) or their nominee from the regulatory sub-group.
- Clinical representatives with experience of examining board membership or PACES examining.

No individual reviewing the appeal will have examined or have any current or previous connection to the appellant. In such circumstances, a deputy will be nominated to replace them.

4.2 The examining board's initial review of an appeal will be conducted electronically.

4.3 The examining board will review the evidence collected by the MRCP(UK) Policy Team during their initial investigation and can ask for further investigation to be conducted as necessary.

4.4 Examining board and Regulatory Sub-Group members will review appeals independently and provide a recommendation on the proposed outcome together with a justification. The decision of

the examining board about the outcome of any appeal will be by majority. This will be confirmed by the chair of the examining board or Associate Medical Director, taking into account the advice received from other board members involved in reviewing the appeal.

4.5 The members of the examining board and Regulatory Sub-Group conducting the review can recommend that the appeal is submitted for consideration to the next full meeting of the examining board.

4.6 The following outcomes can be awarded by the regulatory sub-group:

- That the appeal is not upheld. This will be the end of the appeals process.
- The appeal should be upheld and one of the following remedies should be awarded to the candidate:
    - That their examination fee (and the fee for processing the appeal) should be refunded and the attempt is expunged from their record.
    - That they are awarded a condoned pass (and the appeal fee is refunded), if the examining board and sub-group is satisfied that there is sufficient evidence to determine that there is every reasonable expectation that the candidate would have passed the examination under normal circumstances. The award of a condoned pass is rare; any decision to do so is at the discretion of the examining board and it is not a standard response, even if the criteria outlined below is met.
        - In written examinations, a candidate's result must be within the Standard Error of Measurement (SEM) of the pass mark, or if they have been unable to complete the examination, performing at a clear passing standard (e.g., above the SEM of the pass mark) in the part of the examination they did complete. Candidates must have successfully completed at least 50% of the examination, and their results for that portion must be available in order for them to be eligible for consideration for a condoned pass.
        - In clinical examinations, examiners cannot accurately or numerically determine the effects of any procedural irregularity or extenuating circumstance on a candidate's performance. Therefore, it is not normal practice to revise a candidate's result even if an appeal is upheld and the likely effects of the circumstances on a candidate's performance are judged to be severe.
- That the appeal is referred to an appeal panel, the procedure for which is outlined below.

4.6 The examining board's decision and the reasons for this will be communicated to the candidate within ten working days of it being confirmed.

4.7 If the candidate is not satisfied with the outcome of any appeal, they must contact the Policy Team within 10 working days of being notified of it to request that their case be reconsidered by the Medical Director. Candidates whose appeals have been upheld cannot ask for the decision to be reviewed if they are not satisfied with the remedy offered by the examining board. Candidates whose appeal has not been upheld cannot ask for the appeal to be reviewed simply because they do not agree with the decision. In correspondence with the Policy Team, they must either:

- Demonstrate that the process outlined in the appeals regulations has not been followed.

- Provide additional evidence that was not considered by the Examining Board when they initially reviewed the appeal.

This will be reviewed in the first instance by the Head of Assessment Quality (or their nominee), who will decide whether the above grounds have been met and the appeal should be referred to the Medical Director.

4.8 The Medical Director will review the evidence provided to the examining board and consider whether the decision reached by the group was reasonable. They can either uphold the original decision, suggest an alternative remedy, or refer the matter to an appeal hearing panel, which will be convened using the procedure outlined below. The Medical Director's decision will be final.

5. Conduct of an Appeal Hearing Panel

5.1 The panel will be organised by the MRCP(UK) Policy Team, which will nominate a secretary. Panel hearings will take place soon as possible after this has been recommended by the Medical Director.

5.2 The panel will be constituted as below:

- Medical Director for Assessment or Associate Medical Director for Clinical or Written Examinations (Chair)
- Chair of the Regulatory Sub-Group (or their nominee)
- Representative of relevant examining board
- Member of another MRCP(UK) or SCE examining board or committee
- Lay representative.

No member of the panel will have been previously involved with any academic assessment of the candidate.

5.3 The candidate shall have the right to be present at all proceedings of the panel subject to the procedures detailed below, and to present written or oral evidence to the panel. The candidate's absence will not invalidate the proceedings of the panel.

5.4 The candidate has the right to be accompanied at the Hearing by a friend. The friend may advise and counsel the candidate, but may not make any statements to, or cross-examine, any other person present at the Hearing. If the candidate wishes to be accompanied by a friend, they must provide the Secretary to the Appeal Hearing Panel with the name, address and roles of the nominated person, and the reasons for their involvement, not less than five working days before the hearing.

5.5 The Secretary shall inform the candidate of the scheduled date of the Appeal Hearing Panel as soon as possible and not less than 15 working days before the date of the Hearing. The Secretary will then arrange for a copy of each document that is to be presented to the Panel to be sent to the candidate not less than 10 working days before the date set for the Hearing. Such documents shall include any statement(s) provided by the candidate, whose responsibility it is to ensure any such documents and list of witnesses they intend to call in support of their appeal are received by the Secretary at least 12 working days before the date set for the Hearing. No documents or witnesses may be presented to or referred to the Panel, unless details have been circulated in this manner, except with the consent of both the Panel and the candidate. All documents will also be circulated in advance to members of the Panel so that they may familiarise themselves with the details of the case before the date of the Hearing.

5.6 Appeal hearing panel procedure

5.6.1 The panel may, at its discretion, meet before the scheduled start of the hearing for preliminary discussions.

5.6.2 The secretary will record the proceedings and deliberations of the panel and advise on procedural or regulatory matters. They cannot influence the decisions of the panel in any way.

5.6.3 At the start of the hearing panel all present shall introduce themselves. The Chair shall then invite the candidate to present their appeal, documentary evidence and call any witnesses in support of their case. The panel may then question the candidate and his/her witnesses.

5.6.4 The panel may, at its discretion and at any time, interrupt proceedings to ask questions.

5.6.5 Before the appellant is dismissed, the Chair shall give them the opportunity to make a closing statement. Before leaving, the candidate shall be reminded that they will be notified of the outcome within five working days.

5.6.6 The panel shall then consider the matter, whether there are sufficient grounds and evidence for the appeal to be upheld, and what, if any, remedy should be offered to the candidate (as outlined in paragraph 4.4). Decisions shall be made on a majority basis. The comments and decisions of individual panel members shall always be treated as confidential.

5.6.7 Following the meeting the secretary shall prepare a written report summarising the proceedings and the decisions of the panel. 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 for its information and action, if appropriate. The candidate shall be reminded that the decision of the panel is final, and that the appeals procedure is at an end.