



## Appeals Policy

A clear distinction is drawn between:

- Appeals
- Complaints (relating to adverse incidents in an examination contrary to regulations which did not affect a candidate's result)
- Requests for consideration of extenuating circumstances beyond a candidate's control (family illness, transport issues etc)
- Requests for reasonable adjustments

UEMS Section and Board Vascular Surgery has a separate mechanism for each of these.

**The Principles of the appeals process are:**

1. To determine what happened
2. To determine what should have happened
3. To determine if any gap between 1) and 2) is sufficiently wide as to be due to maladministration
4. To determine if the candidate suffered an injustice as a result of this maladministration (i.e. if the pass/fail result would have been different)

If maladministration is demonstrated and the candidate failed, but should have passed, then the appeal will be upheld.

In all other cases the appeal will not be upheld.

1. Appeals will only be investigated if there is a reasonable chance of resolution **(1)**
2. Appeals relating to the academic judgement of the examiners will not be investigated
3. Appeals requesting reasonable adjustments to be made retrospectively will not be investigated, as these should have been requested prior to the examination. Exam regulations stress the importance of presenting to the exam fit and prepared **(2)**
4. Appeals relating to candidates whose exam performance was adversely affected by extenuating circumstances outside of their control (but not relating to a breach of regulations by UEMS Vascular) will not be investigated. Any such appeal will be addressed by the Chief Examiner under the exceptional/mitigating circumstances policy
5. Multiple appeals regarding the same examination diet will not be investigated and candidates are asked to confirm that their appeal contains all their grievance(s) from the outset

Appeals must be submitted within 30 working days of the result of the examination becoming available. Appeals must be submitted using the UEMS Section and Board Vascular Surgery Appeals Submission Form and submitted as an attachment by email. On receipt of the form the Secretariat will acknowledge receipt of the appeal by email within 7 working days.

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**(1)**

Where allegations are made which relate to different perceptions between examiner and candidate about events which are uncorroborated, it is unlikely that such a dispute could ever be resolved

**(2)**

Requests for reasonable adjustments can only be made prospectively. Retrospective requests relating to acquired illness/conditions current at the time of the examination but undiagnosed until after the examination will not routinely be accepted but will be considered on a case by case basis.



## SECTION AND BOARD OF VASCULAR SURGERY

Appeals will be considered on the basis of document evidence only. There are two possible stages to the appeals process: Stage 1 Office review and Stage 2 Full Appeal Panel

Candidates who wish to appeal will be required to submit the fee for both stages (€400) as a single payment in advance at the time of submission of the appeal. This fee is returned in full (€400) if the appeal is upheld at any stage. If the appeal is rejected at Stage 1, the fee for Stage 2 (€300) will be returned. If the determination at Stage 1 is that it is necessary to convene a full appeals panel (Stage 2) and the appeal is subsequently rejected, the entire fee will be retained by UEMS Vascular Section and Board of Vascular Surgery.

### **Stage 1 (fee €100) Office Review.**

This will be the initial stage of an appeals process. It will be conducted by the Secretariat. Evidence may be sought from the (Examination Chair/Officers) in response to the appeal. Office reviews will be initiated within 5 working days and completed within 60 working days of receipt of the appeal. Possible outcomes are:

1. No basis for appeal, rejected
2. Appeal upheld
3. Evidence that the candidate may have suffered an injustice, but insufficient evidence exists from the office review to make a determination, without a full appeals panel.

The Secretary, President and Chair of Examinations will be informed of the determination.

### **Stage 2 (fee €300) Full Appeals Panel**

A panel is convened comprising 3 ex presidents or 3 ex examiners of the UEMS Section and Board Vascular Surgery. The Secretariat will not participate in the decision.

The candidate will be asked if they wish to supply any additional supporting evidence within 20 working days of the outcome of Stage 1 process. The Chair of the FEBVS exams in conjunction with colleagues will be asked to prepare a report. Any named examiner or administrator cited by the candidate will also be asked to respond.

At the hearing the panel will review all the resulting documentation and make a determination. Possible outcomes are:

1. No basis for appeal, rejected
2. Appeal upheld

In both the Office Review and the Full Appeals Panel the basis for any determination will be that laid out above under **Principles of Appeals Process**, ie. what happened, what should have happened, is there a gap, if so did the candidate suffer an injustice?

The decision of the Appeals Process is final and further appeals will not be accepted for investigation.

Full Appeal Panels will be convened at the Ex-Co Committee meeting twice a year and the outcome will be made available within 10 working days of the Appeal Panel.

### **Confidentiality**

All information will be handled appropriately and following any relevant data protection requirements.

### **Responsibility**

Overall responsibility for this policy and its implementation lies with the UEMS Section and Board Vascular Surgery.