



## 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 6 weeks 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 2 weeks time.

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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.



Appeals will be considered on the basis of document evidence only.

Candidates who wish to appeal will be required to submit the fee of 500,00€ as payment at the time of submission of the appeal. This fee will only be returned if the appeal is upheld.

### **Office Review**

It will be conducted by the Examination Committee. Evidence may be sought from the (Examination Chair/Officers) in response to the appeal.

Office reviews will be initiated after the confirmation of the fee payment and completed within 4 weeks. Possible outcomes are:

- No basis for appeal, rejected
- Appeal upheld
- Evidence that the candidate may have suffered an injustice, but insufficient evidence exists from the office review to make a determination.

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

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.

### **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.