



Royal College of
General Practitioners

MRCGP Examination Appeals Policy and Procedure

MRCGP Examination Appeals Policy and Procedure v3.0
August 2023

Revision History

Version	Date	Author	Comments
1.0	August 2016	Exams team	New policy
2.0	July 2022	Head of Examinations	Full review of policy. Including: <ul style="list-style-type: none">• Updated and wording refined to reflect the move from CSA to RCA• Wording of appeals updated to reflect the 3 stages of an appeal (previously Office Review, Appeal and Independent Review)• Stage 1 appeal for the RCA (previously Office Review) moved into the Stage 2 appeal process• Increase in Appeal fees/charges to reflect the increased costs in managing appeals.• Policy reformatted.
3.0	August 2023	Head of Examinations	<ul style="list-style-type: none">• Update of policy to reflect introduction of Simulated Consultation Assessment (SCA)• Stage 1 Review of Examination Result to apply to both SCA and AKT.

Review date August 2024 and then annually thereafter.

Relevant Policies, Templates and Forms

The following policies, procedures and guidance should be used or referred to when necessary alongside this policy. All policies and templates are available on the RCGP website.

Name	Version	Date
MRCGP Regulations for medical practitioners training for a CCT in General Practice	3.0	August 2023
MRCGP Request for review of examination result - Stage 1 (Form AP1)	2.0	August 2023
MRCGP Request for an appeal against a result - Stage 2 (Form AP2)	2.0	August 2023
MRCGP Request for an independent appeals panel - Stage 3 (Form AP3)	2.0	August 2023
MRCGP Feedback and Complaints Policy and Procedure	2.0	August 2023

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Introduction

1. This policy applies to all examination components of the MRCGP that are set and assessed by the RCGP:
 - Applied Knowledge Test (AKT)
 - Simulated Consultation Assessment (SCA)
 - Recorded Consultation Assessment (RCA)
2. Appeal requests in connection with WPBA should be directed to the relevant deanery.
3. The RCGP aims to ensure that examination results are fair, consistent, and based on valid judgements.
4. Trainees should note that by virtue of entering to sit an examination they are deemed to have understood and agreed to respect and abide by all relevant regulations.
5. This Appeals policy is intended to provide a formal means for reviewing or appealing a trainee's examination results. An appeal is distinct from a complaint, complaints are dealt with in accordance with the MRCGP Examination Complaints Policy, which can be found on our website. [Read the MRCGP Examination Complaints Policy on the RCGP website.](#)
6. It is recognised that it may be initially unclear whether a case constitutes an appeal or a complaint. RCGP reserves the right to reclassify appeals to complaints or vice versa. Such reclassification will always be done so that the matter can be considered in the most appropriate and fair way and in consultation with the trainee.
7. The purpose of this policy is to ensure that RCGP is consistent and fair when considering appeals, ensuring valid and reliable decisions are made taking into account all available evidence.
8. There are three stages of appeal dependent on the nature of the examination and the relevant decision:
 - **Stage 1** - Review of Examination Result
 - **Stage 2** - Appeal
 - **Stage 3** - Independent Appeal Review -only available following the outcome of the Stage 2 Appeal.
9. Fees for each Appeal stage are given in Appendix 2.

Stage 1 – Review of Examination Result

10. Stage 1 is a review of the examination result. This is applicable for both AKT and SCA. Applicants should note that the AKT is computer marked, and that errors found during recalculation are very rare.
11. A Stage 1 Review of Examination Result is an opportunity to question a result for an examination marked by the RCGP if it is believed that the calculation or collation of marks or grades has been inaccurate.
12. A request for a Stage 1 Review of Examination Result must be made **within 10 working days** of publication of the result of the examination to which the request for review relates.
13. Payment of the fee for each Stage 1 Review of Examination Result must be made at the time the Review is requested, by electronic bank transfer. If the outcome is a change of result the fee will be refunded. The request for Review will not be processed if cleared payment is not received.
14. Requests for a Stage 1 Review of Examination Result must be made using **Form AP1**. It should be sent to exams@rcgp.org.uk and will not be accepted by post.
15. A Stage 1 Review of Examination Result involves a check for errors in the examination process, including in the calculation or collation of marks and grades and correcting any errors that are identified. The Stage 1 Review of Examination Result will be overseen by the Head of Examinations.
16. Receipt of a request for a Stage 1 Review of Examination Result will be acknowledged within 10 working days.
17. The outcome of the Stage 1 Review of Examination Result will be reported to the trainee within 28 working days of the receipt of the request and payment of fees. There are three possible outcomes:
 - the examination result is confirmed, i.e. the original result stands
 - the examination result is upgraded
 - the examination result is downgraded.
18. If an examination result is changed, RCGP will amend its examination records, including those held on the e-portfolio, and will inform the trainee and the relevant deanery. If the examination result is confirmed or downgraded, the notification will include information on the Stage 2 Appeals process.

Stage 1 Review of Examination Result Timeline

Deadline for request for Review	10 working days after publication of the result of the examination to which the request for review relates.
Acknowledgement	10 working days after receipt of Review request and payment of fees.
Written Outcome	28 days from the date of Review request and payment of fees.

Stage 2 – Appeal

19. Stage 2 Appeals can be made by trainees who wish to appeal:
 - the outcome of a Stage 1 Review of Examination Result
 - the decision of the RCGP to fail a trainee in an examination of the MRCGP i.e. AKT or SCA/RCA
 - the decision of RCGP to disqualify a trainee and annul their examination outcome as a result of an examination misconduct investigation. It is not possible to appeal the actual findings of an examination misconduct investigation, however an appeal can be made against the decision to disqualify following the investigation.
20. For this section 'Appellant' refers to the trainee who requests the Stage 2 Appeal.
21. Examination checks on the calculation or aggregation of grades will have been completed as part of the Stage 1 Review of Examination Result.
22. A Stage 2 Appeal will only be deemed valid for consideration on the following grounds:
 - a procedural or logistical irregularity in any part of the examination which has adversely affected the Appellant's performance or the outcome of the examination; or
 - evidence of prejudice or bias on the part of the examiner(s) which has adversely affected the Appellant's performance.
23. Appeals based on or arising from the following grounds will be deemed invalid and not upheld:
 - the Appellant considers their efforts were undermarked
 - the Appellant failed the examination by a narrow margin
 - the Appellant seeks to challenge the academic judgement of the examiners
 - the Appellant's SCA examination was disrupted or curtailed due to inadequate IT equipment/data connectivity, interruption, or
 - the Appellant did not understand or was unaware of the MRCGP Examination Regulations.
24. An appeal will not normally be considered if its specific subject matter or closely related subject matter is currently being considered by the RCGP as part of an appeal process, by the GMC under fitness to practise procedures, or by a court, tribunal or similar.

Procedure

25. A request for a Stage 2 Appeal must be made:
 - within **10 working days** of the publication of the RCA result; or
 - within **28 working days** of receipt of the outcome of the Stage 1 Review of an Examination Result.
26. Requests for a Stage 2 Appeal must be made using **Form AP2**. Appellants will need to provide reasons why they believe grounds for appeal apply and include evidence to substantiate their claim. Form AP2 should be sent to exams@rcgp.org.uk, and will not be accepted by post.
27. Receipt of the request for a Stage 2 Appeal will be acknowledged within **10 working days**.
28. Payment of the fee for the Stage 2 Appeal must be made at the time the appeal is requested, by electronic bank transfer. The appeal will not be processed if cleared payment is not received.
 - If the appeal request is deemed to be not within the scope of this Appeals policy, an administrative fee will be retained, and the remainder of the fee will be refunded.
 - If the appeal is successful, the full fee will be refunded. If the Appellant has booked a resit for the same examination and the appeal results in an upgrade of the result to a pass, then the examination entry fee will also be refunded.
29. In the first instance the request for a Stage 2 Appeal will be considered by the Head of Examinations or a nominated deputy, who will collate and review all necessary evidence and decide if the appeal request is within the permitted grounds of this Appeal policy as set out at paragraph 22 above.
30. **Appeal is not within scope of the Appeal policy:**

If it is considered by the Head of Examinations that the appeal is frivolous, unsubstantiated, or outside of the permitted grounds, the Appellant will be notified of this within 10 working days and informed that the Appeals procedure is at an end. There can be no appeal of this decision. An administrative fee will apply, with the remaining fee refunded. This will be the end of the Appeal process, irrespective of whether there are further circumstances or evidence cited by the trainee.

31. **Appeal is within the scope of the Appeal policy:**

If the Head of Examinations considers that the grounds for the appeal are within the scope of this Appeals policy, then they may:

- arrange for an immediate remedy to be offered to the Appellant

or

- decide that the case needs wider consideration by an Appeals Panel. Examples of where an Appeals Panel may be convened include where there is:
 - clear evidence of potential procedural, logistical error or potential bias which has adversely affected the trainee's performance; or
 - clear evidence of potential procedural, logistical error or potential bias that needs wider discussion.



Appeal Panel

32. An Appeal Panel will be convened by the Head of Examinations as soon as is reasonably practical.
33. In reaching a decision on whether to uphold or dismiss a Stage 2 Appeal, the Appeal Panel will act reasonably and objectively, observing the principles of natural justice. The Appeal Panel will make its decision on the balance of probabilities.
34. The Appeal Panel will have at least three members constituted with one member from each of the following categories:
 - the Chair of the GP Specialty Advisory Committee or nominated deputy who will act as Chair
 - a member of the panel of examiners
 - a member of the Lay Advisor group.

No member of the Appeal Panel will have been involved in the examining of the trainee in the examination under appeal or have a close academic or personal relationship to the trainee.

The Appeal Panel will be conducted in accordance with the Examination Appeals Policy and Procedure. A copy of this document will be provided to Appellants as part of the papers for the Appeal Panel.

35. The decision of the Appeal Panel will normally be a unanimous decision. In exceptional circumstances a majority decision will be accepted.


Outcome of the Stage 2 Appeal

36. It should be noted that this policy does not allow for the amendment of marks or pass/fail decisions, unless it has been determined that there was an error in the collation, recording or reporting of marks meaning that had the procedural irregularity not occurred the Appellant would have passed the examination.
37. Examiners cannot accurately or numerically determine the effects of any procedural irregularity or extenuating circumstance on an individual's performance, and so the Panel will not revise the Appellant's result even if an appeal is upheld and the likely effects of the circumstances on their performance are judged to have been severe. Instead, the Panel may declare the result void and expunge that attempt from the Appellant's record or offer some other redress so that they can demonstrably achieve a passing score at a subsequent attempt.
38. 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:
 - any mark originally awarded to the Appellant that is deemed erroneous as a result of collation, recording, or reporting errors, should be corrected and, if the consequence of the correction requires it, the Appellant be declared successful in the component.
 - the result of the component should be declared void and the Appellant be allowed to re-sit without payment of a fee and/or
 - some other form of redress be offered at the discretion of the Panel.
39. The Appeal Panel will give reasons for its decision in full, in writing and will reserve the right to inform the Appellant's deanery of its deliberations. If the appeal is not upheld details will be included in the notification on the right to request a Stage 3 appeal.




Stage 2 Appeal Timeline

Deadline for Appeal application	10 working days after publication of the result of the examination to which the request for review relates, or 28 days from the outcome of a Stage 1 Review of Examination Result.
Acknowledgement	10 working days after receipt of Appeal application and payment of fees.
Written Outcome	45 days from the date of Appeal application and payment of fees.



Stage 3 Independent Appeal Review

40. A Stage 3 Independent Appeal Review is the final avenue of the appeal, and its decisions are final. It can only be made on the basis that the RCGP has not followed its own appeal policy and processes. Once the outcome is communicated to the Appellant, RCGP will not enter into any further correspondence regarding the appeal.
41. A request for a Stage 3 Independent Appeal Review must be made within 15 working days after the notification of the Stage 2 Appeal outcome. Requests for a Stage 3 Independent Appeal Review must be made using Form AP3. It should be sent to exams@rcgp.org.uk, and will not be accepted by post.
42. A Stage 3 Appeal Panel will be convened within 45 working days of request being received, with written outcome of the Stage 3 Appeal sent within 15 working days.
43. Payment of the fee for the Stage 3 Independent Appeal Review must be made at the time the Appeal is requested, and by electronic bank transfer. The request for Stage 3 Independent Appeal Review will not be processed if cleared payment is not received. If the Appeal is upheld, then the fee will be refunded.
44. The Appellant requesting a Stage 3 Independent Appeal Review should include on the AP3 form a clear explanation of:
 - the reasons why they consider that the RCGP has not followed the required appeal procedures, processes, and policies; and
 - their rationale for escalating to a Stage 3 Independent Appeal Panel.
45. If the AP3 form does not include the required information, it will be returned to the Appellant with details of what information is missing and specifying a date by which the response is required. The Appellant must respond fully within the deadline given or the Stage 3 Independent Appeal Panel will not take place and the appeal will be dismissed.
46. The Stage 3 Independent Appeal Review will be considered by at least 3 independent members, at least one of whom is external to and independent of RCGP.
47. The Stage 3 Independent Appeal Review will consider information provided by both parties solely for the purposes of establishing whether this Appeal Policy and procedures have been correctly followed. The Panel will review evidence from



the Stage 2 Appeal, and further evidence may be requested from the Appellant and RCGP, as required.

48. There are two possible outcomes of the Stage 3 Independent Appeal Review. The Independent Appeal Review can find either:
 - that the appeal policy and processes have been followed and confirm the decision of the Appeal Panel. The appeal will be rejected and RCGP will notify the Appellant; or
 - that any one or more of the Appeal policy or procedures have not been followed, and the appeal will be upheld. The Panel will recommend appropriate actions (including remitting the case to the Stage 2 Appeal process) to RCGP for consideration. RCGP will notify the Appellant.
49. RCGP will monitor outcomes of the Appeal process regularly. Where this monitoring identifies a failure in a part of the process, RCGP will review the relevant part of the process and take steps to mitigate against such a failure occurring again.

Stage 3 Independent Appeal Review Timeline


Deadline for application	15 working days after outcome of a Stage 2 Appeal.
Acknowledgement	10 working days after receipt of application and payment of fees.
Independent Appeal Panel convened	45 Working days from receipt of application and payment of fees.
Written Outcome	15 working days from Independent Appeals Panel.



Confidentiality

50. Trainee's privacy and confidentiality will be respected at all stages of the Appeals process. Trainees will not suffer any disadvantage or recrimination as a result of making an appeal in any current or future examinations.
51. By submitting an appeal, trainees must accept that limited disclosure of all, or part of their submission will be required to enable a fair and thorough investigation to take place.
52. Staff and Panel members who respond to, investigate, or adjudicate on an appeal will do so impartially. No individual will be permitted to act in any manner in an appeal which they have a material interest in, or which any actual or potential conflict of interest may arise.

Data Retention

53. All materials related to the appeal will be retained electronically for 12 months from the date of the Appellant's first email related to the appeal application, after this time they will be destroyed, unless RCGP wishes to retain them for internal reasons or for any further processes related to the appeal.
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How to pay for the appeal

54. Each Appeal stage requires a fee paid at the time of applying, and by electronic bank transfer as follows.
 - Stage 1 Review of an Examination Result Appeal
 - Stage 2 Appeal. An administrative fee will be payable if the request for the Appeal is rejected as not meeting the permitted grounds
 - Stage 3 Independent Appeal Review.
55. Details of fees for each appeal stage can be found in Appendix 2.
56. This fee should be paid by electronic bank transfer, no consideration of the appeal will be made until the fees have been received/cleared.
57. When making the bank transfer the trainee must:
 - state EXAM APPEALS as a payment reference
 - take a screenshot once the payment has been confirmed as being made
This must include the date payment was made, the amount and to whom it was made.

Once payment is made, the trainee should email the form and screenshot to exams@rcgp.org.uk

Appendix 1

Guidance for Stage 2 Appeal Panels

1. The Assistant Director for Examinations, or nominated deputy, will act as Secretary to the Appeal Panel and in that role will record the proceedings of the appeal and deliberations of the Appeal Panel. They may also advise on procedural or regulatory matters but may not influence the decisions of the Panel in any way. A decision by the Chair of the Appeal Panel on any procedural matter not clearly covered in the Appeals policy or this guidance will be final.
2. The RCGP will nominate a designated officer, normally the Chief Examiner, to report on the appeal from the RCGP perspective and give evidence about the conduct of the examination when questioned by the Panel or the Appellant.
3. The Appellant will have already submitted an appeal and supporting evidence using Form AP2. The Assistant Director of Examinations may require further information to be submitted.
4. A Stage 2 Appeal will normally be considered on the basis of paper evidence only and oral hearings will not normally be held. The RCGP would make any decision around whether an oral hearing should take place.
5. In some instances, a meeting between the Appeal Panel and the Appellant may be necessary. This meeting will normally be held remotely. Appellants will have the right to be accompanied at the hearing by one person: a friend, colleague, or a member of their professional body. This person may advise the Appellant, but may not make any statements to, or cross-examine any other person present at the hearing. An Appellant seeking to be accompanied should identify the person accompanying him or her and inform the RCGP at least 10 working days in advance of the hearing.
6. 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. Any papers to be considered by the Panel must therefore be with RCGP at least 15 working days before the meeting.
7. 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 are presented in such a manner that others involved in the appeal will have difficulty understanding them.

8. Where an Appellant does not appear, the Panel Chair 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.
9. RCGP may decide to call witnesses. 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.
10. The final set of papers for the Appeal will be sent out to all participants at least 5 working days before the appeal takes place and should include details of all the participants and a copy of the Appeals Policy.
11. The Appeal Panel will be minuted by the RCGP.
12. At the discretion of the Chair, hearings may be adjourned whilst fresh evidence or advice is sought and considered.
13. In reaching a decision on whether to uphold or dismiss an appeal the Panel will act reasonably and objectively, observing the principles of natural justice. The Panel will make its decision on the balance of probabilities.
14. The Appeal Panel will aim to reach a consensus decision wherever possible. In exceptional circumstances a majority decision will be accepted.
15. There shall be no discussion of the appeal, except in relation to its administration, prior to the appearance of the Appellant.
16. Neither party may submit substantial new information during the hearing. At the discretion of the Chair small amounts of new information may be considered.
17. 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
 - facilitate the discussion of the case
 - ask for a decision to be made; and
 - confirm the timing and method of notification of the Panel's decision.
18. The Appeal Panel will meet in private to reach its decision.

Appendix 2 Fees for Appeals

Stage 1 Review of an Examination Result	£70
Stage 2 Appeal	£900 An administrative fee of £200 will be payable if the request for the Appeal is rejected as not meeting the permitted grounds.
Stage 3 Independent Appeal Review	£1200