



ASSOCIATION OF HEALTH PROFESSIONS IN OPHTHALMOLOGY

APPEALS PROCEDURE: NOTES OF GUIDANCE FOR CANDIDATES

1.0 Personal Details

- 1.1 Please provide the following details when submitting an appeal. Failure to provide accurate details and all necessary supporting documentation may result in delays in processing your appeal.
- i. Name
 - ii. Candidate number
 - iii. Address for correspondence
- 1.2 A charge of £250.00 is made which will be refunded should the appeal be successful. AHPO respectfully asks all candidates to use this procedure only to raise legitimate concerns about Examinations or Assessments.

2.0 Grounds for Appeal

- 2.1 It is important that you read the possible grounds for appeal carefully and make sure that your appeal is based either of the two permissible grounds
- i. there is evidence of a procedural irregularity in the conduct or content of the Examination or Assessment (including administrative error) which has adversely affected the candidate's performance
 - ii. there appears to be evidence of prejudice or of bias on the part of one or more of the examiners

3.0 Information Required for the Appeal

- 3.1 Should any of these details be missing in the submission of the appeal it is likely that your case will be dismissed at the preliminary stage. If necessary, you should at least provide an explanation for the absence of any evidence
- i. The Examination / assessment result that you are appealing against
 - ii. Date of the Examination or Assessment
 - iii. Grounds for appeal
 - iv. The outcome sought
 - v. Details of circumstances you consider affected your performance or the consideration of your results
 - vi. Evidence to substantiate your claims for any exceptional circumstances (you should note that Medical Certificates alone are NOT accepted to support claims of illness - you will be expected to produce a letter from a medical practitioner outlining the circumstances)
 - vii. If you did not disclose these circumstances at an earlier stage, details of why you did not do so.

4.0 Points to consider in submitting an Appeal

- 4.1 The Appeal Procedure is intended to be an open and fair process. However, candidates must understand that it does have some restrictions and we ask you to pay close attention to the following information.

- 4.2 The appeal is not a process for questioning academic or professional judgement.
- 4.3 The appeal is not a complaints procedure and only evidence that clearly demonstrates that circumstances affected your performance or the consideration and processing of your results will be considered.
- 4.4 Only borderline fail candidates who are within minus one standard error of measurement of the final pass mark and are appealing on procedural grounds, are permitted to submit an appeal requesting their examination result be amended from a fail to a pass.
- 4.5 Candidates are advised that should an appeal be rejected there are no further opportunities to submit additional details. Please ensure that you include everything you wish to be considered as part of the appeal at the first instance.
- 4.6 There are many opportunities for you to make examiners, assessors and invigilators aware of any extraneous factors before or during an examination or assessment and before your results are considered.
 - i. Candidates presenting for an Examination or Assessment are deemed to be fit and healthy to do so. If you are not well enough to give a fair reflection of your skills and knowledge in the examination, *you should not attempt it*. If you do still attempt the Examination or Assessment you should be aware that illness alone may not be regarded as grounds for a successful appeal.
 - ii. Candidates who become unwell during the course of an Examination or Assessment should notify the Senior Invigilator immediately.
 - iii. If you have a special need at the time of the Examination or Assessment, please inform the Secretary of the Examinations Committee, examiners, assessors or Senior Invigilator, as they may be able to take these circumstances into account and prevent a problem arising.
 - iv. Should there be an irregularity in the conduct of the Examination or Assessment, please inform the Secretary of the Examinations Committee, examiners, assessors or Senior Invigilator so they may be able to take these circumstances into account and prevent a problem arising.
 - v. If at the end of an Examination or Assessment you consider there are circumstances that should be taken into account, please inform the Secretary of the Examinations Committee (within three working days).

5.0 Appeals Panel – stage two process

- 5.1 There is no absolute right to have a hearing as part of the appeal and AHPO will strike out any claim that, in its opinion, is outside the permitted grounds for appeal at the preliminary stage.
- 5.2 Should a hearing be granted this will be the opportunity for you to state your case and respond to the Appeal Panel's questions. The hearing will not, however, provide the forum for explaining the appeal procedure to you. Any queries regarding the workings of the appeal should be put separately to the Secretary of the Examinations Committee, who will act as Secretary to the Appeal Panel, in writing.
- 5.3 The Appeal Procedure is an internal administrative procedure and is not a legalistic procedure.
- 5.4 AHPO appreciates that it may not be practicable for some candidates, particularly those based overseas, to attend a hearing. In such circumstances AHPO may consider the use of suitable online video technology. Appeals may, however, be processed by correspondence alone and an Appeal Panel convened to consider any written statements submitted. Before dealing with any appeal by correspondence a candidate must confirm in writing that he/she will waive their right to a hearing. Candidates will be expected to pay all their own costs (travel etc) for attending any hearing.
- 5.5 Should you be invited to attend a hearing you may be accompanied by a friend, but your friend may not act as your advocate or take any part in the proceedings.

6.0 Decisions of the full Appeal Panel and AHPO Council

- 6.1 The decision of the Appeal Panel is dependent on the outcome of the appeal requested by the candidate as detailed in Regulation 2.1 (iii)
- 6.2 For appeals requested under Regulation 2.1 (iii), the Appeal Panel can only ask the AHPO Council to alter the initial result and in the event of an appeal being upheld by the Appeal Panel there is no guarantee that AHPO Council will change the original decision.
- 6.3 The authority to change any Examination result rests with AHPO Council alone. The Appeal Panel merely makes the decision that there is information in the appeal that warrants reconsideration.

7.0 Declaration

- 7.1 In submitting an appeal, we would expect you to undertake that the details you provide are true and complete and that you would be prepared to answer further questions in relation to any claims you make.
- 7.2 All details will be treated in a confidential manner and disclosed only to those individuals involved in the appeal process or cited by you as persons who can substantiate your claims. We will seek your permission should we need to disclose details to any other individual or party as part of the consideration of your appeal.
- 7.3 Please note that AHPO regards the submission of any false details as part of an appeal to be an act of cheating (in seeking to gain unfair consideration or an unfair advantage), and in such cases the matter would be subject to the **AHPO Examinations Misconduct Policy**.