



# The Society of Apothecaries of London

## Examination Review & Appeal Procedure

Mod 6 29 Oct 15

### *APPENDIX B*

#### EXAMINATION REVIEW and APPEAL PROCEDURE

##### INTRODUCTION

##### 1. Definitions

- a. For the purpose of this document the term ‘man, he, him or his’ can apply to any person of either sex.
- b. The following definitions are used throughout.
  - i. **The Examination Panel** is the group of examiners who are actually present when an examination is held. They are responsible to the Examination Committee of the Diploma to which they are appointed examiners.
  - ii. **The Review Panel** is the group of examiners selected by the Convener of the Examination Committee to review the results of an examination.
  - iii. **The Examination Committee** is the body responsible for the examination and for the requirements that lead to the recommendation for the award of one of the Society’s diplomas.
  - iv. **The Examinations Board** of the Society is the body responsible to the Court of Assistants for all the Diplomas awarded by the Society. The authority is contained in the By-Laws and the Terms of Reference are contained in the Standing Orders.
  - v. **The Appeal Tribunal** is the group appointed by the Chairman of the Examinations Board to hear an Appeal.
  - vi. **The Court** is the Governing Body of the Worshipful Society of the Art and Mystery of Apothecaries of London.

2. Background. On 21 March 2005 the Examinations Committee resolved (Minute 11) that feedback to unsuccessful candidates on their examination performance be made available from the Examination Committees and Panels when requested. Prospective candidates for the examination are informed of this facility in the respective *Guide to the Diploma, including the Regulations and Syllabus*. The Guides also outline the paper review and appeal processes.

## **TIMINGS**

3. Requests for feedback, reviews and appeals must be made in writing and received by the Registrar within the timescales set out in the Regulations and Syllabus for the diploma in question.

## **ACADEMIC STANDARD**

4. The academic standard used by diploma examination committees is final.

## **PAPER REVIEW**

5. A request by a candidate for a review of a paper will follow a request for feedback (see relevant Guide to a diploma).
6. The candidate must state the part of the examination for which he seeks a Review. Only the part requested will be reviewed to ascertain whether or not a marking error has occurred.
7. On receipt of a Review request the Registrar informs the Convener of the relevant examination committee and the Chairman of the Examinations Board.
8. **The Review Panel**
  - a. Personnel. The Convener of the Examination Committee appoints two members of the Examination Committee (other than those directly involved in examining the candidate) and notifies the Registrar of the names of those appointed.
  - b. Process. Once the Review is complete, the Convener of the Examination Committee scrutinises the result with the Review Panel and reports the result to the Registrar and to the Chairman of the Examinations Board. The candidate is then informed of the outcome by the Registrar.
9. If the Paper Review results in a pass the appeal fee will be returned to the candidate.

## **APPEALS**

10. **Appeal to the Examinations Board**

An Appeal to the Society's Examinations' Board is open to a candidate if he is not satisfied with the decision of the Examination Panel or the Review Panel, and must be communicated to the Registrar.

11. For an appeal to be received by the Board the appellant must state under which of the following circumstances the appeal is being submitted:
  - a. Alleged failure of the Examination Panel to adhere to the examination process as outlined in the Regulation and Syllabus document or the Guidance to candidates;
  - b. Alleged failure to take into account significant contributory factors, for which the Society was responsible, which adversely affected the candidate's performance;
  
12. The following conditions apply:
  - a. The appeal must be received by the Registrar within 28 days of the date of the notification informing the candidate of the examination result or the Review;
  - b. The appellant must set out in writing the detailed grounds on which the appeal is made;
  - c. All the supporting evidence must accompany the appeal submission.
  
13. The Registrar notifies the Chairman of the Examinations Board who is responsible for appointing the Appeal Tribunal.
  
14. The appeal process may be of two sorts.
  - a. A document review – The **Written Evaluation**; or
  - b. An oral hearing and document review –The **Oral Hearing**.The appellant is required to select which option he wishes to use.

15. **The Written Evaluation**

a. *Personnel:*

- i. Chairman or Vice Chairman of the Examinations Board;
- ii. A member of the Board;
- iii. A member of the Diploma Examination Committee who has not been directly involved in the candidate's examination;
- iv. Others who may be co-opted for specific purposes.

b. *Process:*

- i. All documentation submitted by the appellant will be considered. Written evidence will be required from the Convener of the Examination Committee and

the examiners involved. Any contributory information, which can assist the Tribunal in resolving the Appeal, may also be sought.

- ii. The Registrar then informs the appellant as to the date by which a decision might be expected from the Appeal Tribunal.

*c. Outcome:*

- i. The Registrar communicates the outcome of the appeal in writing to the appellant within 10 days of being informed.
- ii. If the Written Evaluation Appeal results in a pass the appeal fee will be returned to the candidate.

16. **The Oral Hearing.**

*a. Personnel:*

- i. Chairman or Vice Chairman of the Examinations Board;
- ii. Two members of the Examinations Board;
- iii. Others who may be co-opted for specific purposes.

Please note: The names of those designated are to be communicated to the appellant at least 14 days in advance of the hearing date. The appellant must state in writing to the Registrar within 7 days of the date of the communication if he has a material objection to the presence of any of the members and say what that objection is. A substitute member can then be appointed to a new Panel, which will then hear the case. Should the composition of the panel be amended a second, six-week time frame (see below) applies from the date that the Registrar is notified of the appellant's objection(s).

- iv. The Registrar may be in attendance;
- v. The Examination Panel against which the complaint is directed may be represented (usually by the Convener or by a representative of the Convener who may be either a member of the Examination Committee or Panel);
- vi. The Society designates a note-taker.

*b. Process.*

- i. All written evidence must accompany the request for an appeal. Only in exceptional circumstances late evidence, but no later than 14 days before the hearing, may be accepted from the appellant.

- ii. The hearing will take place at a mutually convenient time but within six weeks of the lodging of the appeal with the Registrar or the notification of a request to convene a second tribunal panel.
- iii. The candidate is required to present his case in person and may be accompanied by a friend or adviser.
- iv. The examiners or the Convener of the Examination Committee (or his representative) may be required to attend.
- v. Once in session, the tribunal members will state their credentials to the appellant / accompanying person.
- vi. The oral hearing is scheduled for two hours. Afterwards, a further hour is set aside for the Appeal Tribunal members to discuss in private the information placed before them to reach a conclusion.

c. *Outcome.*

The outcome of the appeal will be sent to the candidate and the Convener (or representative) of the Examination Committee within ten working days.

17. If the Oral Hearing Appeal is upheld the fee will be returned to the appellant.

18. **Appeal to the Court of the Society**

If the appellant is dissatisfied with the decision of the Appeal Tribunal and wishes to make an appeal to the Court, this must be communicated in writing to the Clerk of the Society within 28 days of the date of the notification of the decision of the Appeal Tribunal.

19. For an appeal to be received by the Court, the appellant must state on which of the following grounds the appeal is made:

- a. The Appeal Tribunal failed to take into consideration pertinent information in reaching its decision;
- b. The decision of the Appeal Tribunal was deficient, set against the information presented to it;
- c. The conduct of the appeal was such that the conclusion was unsound.

20. All relevant supporting evidence must be provided to the Clerk at the time of notification of the appeal.

21. The Clerk then informs the Master of the Society and the Chairman of the Examinations Board/Appeal Tribunal.

22. The Clerk notifies the Private Court and presents the appeal to the next meeting of the Court.
23. The decision of the Court will be communicated to the appellant by the Clerk within 14 working days of the relevant Court meeting.
24. If the Appeal to the Court is upheld the fee will be returned to the appellant.

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