



## ***Appeals Policy for the MMCFD Summative Assessment 2021***

### ***General rules***

Candidates who have failed one or more components of the MMCFD examination may ask for an office review or lodge an appeal in writing to the Honorary Secretary of the Malta College of Family Doctors within ten (10) running days from the official receipt of the result.

An office review is a request by the failing candidate for a clerical check for any errors that may have occurred during the calculation or collation of marks. This can occur in both the AKT and RCA components.

An appeal is defined as a formal request by a failing candidate to the MCFD to review its decision to fail a candidate in the RCA.

An appeal can be lodged solely for the following reasons:

- a. there was an irregularity in any part of the assessment
- b. there was evidence of prejudice or bias on the part of the examiner(s)

A request for feedback does not constitute an appeal. All failing candidates will receive detailed formative feedback automatically.

The academic judgement of the examiners is not open to appeal and therefore no candidate can appeal to challenge the examiners' judgement.

It is the duty of the candidates to be cognisant of the Rules and Regulations and of the Guidance on RCA submissions 2021 documents. No appeal based on ignorance of the Rules and Regulations will be admissible.

The AKT pass mark, as arrived at through the Angoff process, cannot be subject to an appeal.



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The appeal should be accompanied with a fee of €400. This should be attached to the appeal sent to the Hon. Secretary. Should the appeal be deemed to be justified, the appellant will be refunded €200.

An office review will be conducted free of charge.

An office review will be conducted by the Chairman of the Appeals Board.

An Appeals Board, consisting of 2 Senior Members and an external Professional will be set up to hear and determine the appeal. One of the members shall be appointed Chairman of the Appeals Board. This Board shall be constituted by the MCFD prior to the examination.

The Appeals Board will decide the relative appeal within twenty (20) running days, from the day of the Board's constitution.

The decision of the appointed Appeals Board will be final and binding.

Members of the Assessment Team are not to be approached by candidates or members of their families on assessment related issues after the publication of the results. Any communication needs to pass through the Honorary Secretary of the MCFD. Violation of this rule may lead to a result being changed to "Fail".

Candidates will not be placed at a disadvantage or suffer any discrimination as a result of making an appeal.

### ***Preparation for the Appeal***

It is the onus of the appellant to provide any evidence to the Appeals Board. The Chairman of the Appeals Board may ask for further evidence as deemed necessary.

The appellant may decide to ask for an oral hearing. In the absence of this the appeal will be based on paper evidence. An oral hearing may be carried out



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virtually if the circumstances so dictate. The decision to go virtual rests on the Chairman of the Appeals Board.

The appellant may be accompanied by a friend, colleague or a member of the MCFD. Family members or members of the legal profession are not allowed in the Appeal hearing.

The appellant must identify beforehand the individual, if any, who will be accompanying them and inform the MCFD five days before the Appeal hearing. Only one individual may accompany an appellant.

The Chairman of the Appeals Board shall have the authority to reject any evidence considered to be irrelevant to the Appeal.

An appellant that fails to appear for the Appeal hearing will have the case dismissed forthwith. No refund shall be forthcoming in this case.

Up to two witnesses may be called by both the appellant and the MCFD. The names of these witnesses should reach the Appeals Board at least five days before the Appeals hearing.

### ***Withdrawal of an Appeal***

An appellant has the right to withdraw an appeal. No refund will be issued.

### ***Conduct of the hearing***

Detailed minutes shall be held by one of the members of the Appeals Board.

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.

The decision of the majority on the Appeals Board is binding.



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The proceedings followed during the hearing shall be decided by the Chairman of the Appeals Board.

The decision of the Appeals Board shall be reached in private.

The Appeals Board cannot change the marks or pass/fail decision unless there has been an error in the results as originally communicated to the candidate.

The Appeals Board can offer one of the following conclusions:

- The appeal is dismissed
- The appeal is upheld and either
  - I. The appellant's mark is corrected and a failing candidate is declared to have passed the component.
  - II. The result of the component is void and the appellant is allowed a resit without payment of the fee