

Statutory Examination Appeals Rules 2025

Made by the Council of the Royal College of Veterinary Surgeons on 13 March 2025 under Articles 5(c) and 9 of the Supplemental Royal Charter of 2015

Citations

1. These rules may be cited as the Royal College of Veterinary Surgeons Statutory Examination Appeals Rules 2025.

Application

2. These rules apply to appeals against the result of any component of the Statutory Examination administered by the Royal College of Veterinary Surgeons (RCVS) under section 6(2) of the Veterinary Surgeons Act 1966 and the Veterinary Surgeons (Examination of Commonwealth and Foreign Candidates) Regulations Order of Council 2024.

Interpretation

3. In these rules:
 - "Act" means the Veterinary Surgeons Act 1966;
 - "appeal fee" means the amount of £200 payable not later than 7 days after an appellant is notified that their appeal has been referred to an appeal panel;
 - "appeal panel" means a panel of the Committee constituted to hear an appeal;
 - "appellant" means a candidate in the Statutory Examination lodging an appeal under these rules;
 - "candidate" means a person required by the Council under section 6(2) of the Act to sit the statutory examination;
 - "College" means the Royal College of Veterinary Surgeons;
 - "Committee" means the Examination Appeals Committee;
 - "Council" means the Council of the College;
 - "examiners" means the examiners appointed by the Council;
 - "lay person" means a person who is not a veterinary surgeon or a registered veterinary nurse and has never been entitled to be registered as such;

- “reconsideration fee” means the amount of £200 payable not later than 7 days after an appellant is notified that their appeal has been dismissed after initial consideration;
- “registrar” means the Registrar of the College or the Assistant Registrar acting on their behalf;
- “statutory examination” means the examination to be held for the purpose of section 6(2) of the Act and includes both the written and practical components and any resits.

Scope of appeals

4. Appeals will only be entertained if they relate to one or more of the following grounds:
 - procedural defects or irregularities in the arrangements made for the statutory examination or conduct of the statutory examination that are within the College’s control (i.e. administrative error) which could have adversely affected a candidate’s performance or the outcome of the statutory examination;
 - the conduct of any examiner or any other person connected with the statutory examination or the making of arrangements for it;
 - failure to make reasonable adjustments as requested by a candidate in accordance with the Statutory Membership Examination Guidance.
5. No appeal will be entertained in respect of any candidate’s lack of understanding or awareness of the Statutory Membership Examination Guidance.
6. No appeal will be entertained in respect of any marks awarded, or other academic or professional judgement made, by the examiners in the statutory examination component in question.
7. No appeal will be entertained in relation to any medical or compassionate factor affecting the candidate during the holding of the statutory examination which should have been drawn to the attention of the examiners at the time.

Lodging of an appeal

8. An appeal must be made in writing and be received by the registrar not later than 28 days after the date the appellant is notified of the result of the statutory examination component and/or resit and must set out the grounds of the appeal and enclose detailed supporting information.
9. The registrar will acknowledge receipt of the appeal. Any appeals received after 28 days after the date the appellant is notified of the result of the statutory examination component and/or resit will not be lodged.

Initial consideration of appeals

10. On receipt of an appeal that has been lodged, the Chair or Vice-Chair of the Committee will consider it, together with the marks awarded, any contemporaneous comments of the examiners (or others involved in the implementation of the examination) any guidance notes which were made available to candidates or examiners, and either dismiss the appeal or refer it to an appeal

panel for determination. Before deciding whether to dismiss the appeal or refer it to an appeal panel the Chair or Vice-Chair may consult with no more than two other members of the Committee.

11. An appeal will be dismissed after initial consideration if one or more of the following grounds apply:
 - it gives insufficient information to enable any judgement to be made;
 - it relates to the marks awarded or other academic judgment made by the examiners;
 - it is frivolous, vexatious or relates to a minor irregularity in the conduct of the examination;
 - it relates to a medical or compassionate factor which could and should have been drawn to the attention of the examiners or College staff responsible for implementing the exam at the time of the examination, by means of completing reasonable adjustment or mitigating circumstances forms in accordance with the Statutory Membership Examination Guidance;
 - it is not necessary for the Committee to determine the appeal because deficiencies in the conduct of the examination have been acknowledged, and remedial action taken.
12. If an appeal is dismissed for want of sufficient information to enable any judgement to be made, the appellant may renew the appeal by sending to the registrar further information as directed by the Chair or Vice-Chair not later than 7 days after the date the appellant is notified of the dismissal. The renewed appeal will then be treated as a new appeal and given initial consideration, even if the 28-day period for lodging an appeal has passed; but if the new appeal is again dismissed for want of sufficient information or because further information was not supplied within 7 days, the dismissal will be final.
13. If an appeal is dismissed on any of the remaining grounds mentioned, the appellant may nevertheless elect to have the appeal determined by an appeal panel. An appellant who so elects must pay a reconsideration fee of £200 not later than 7 days after the date the appellant is notified of the dismissal, but this will be refunded if any ground of appeal is upheld. If payment is not received by the College within 7 days after the date the appellant is notified of the dismissal, the dismissal will be final. Upon receipt by the College of the reconsideration fee within 7 days after the date the appellant is notified of the dismissal, the appeal will be referred for consideration by an appeal panel.
14. If after initial consideration the Chair or Vice-Chair of the Committee refers an appeal for consideration by an appeal panel; or after an appellant has elected to have their appeal determined by an appeal panel having been dismissed after initial consideration and payment of the reconsideration fee, the candidate must pay an appeal fee of £200 not later than 7 days after the date the appellant is notified of the referral, but this will be refunded if any ground of appeal is upheld. If payment is not received by the College within 7 days after the date the appellant is notified of the referral, the appeal will be dismissed, and the dismissal will be final. For the avoidance of doubt, an appellant seeking reconsideration of their appeal following dismissal after initial consideration will be required to pay both the reconsideration and appeal fees, but these will be refunded if any ground of appeal is upheld.

Composition of the Committee

15. The Committee will be appointed from time to time by or on behalf of the Council. It will include veterinary surgeons, registered veterinary nurses and lay persons. Two members of the Committee will be designated by or on behalf of the Council as its Chair and Vice-Chair. The registrar will be Secretary to the Committee.

Appeal panels

16. The Committee will act through panels when dealing with appeals after initial consideration. An appeal panel will consist of between three and five members of the Committee chosen by the registrar and will include one person who is not a member of the Council or the Veterinary Nurses' Council and at least one person who is a veterinary surgeon. Each appeal panel will include and be chaired by either the Chair or Vice-Chair of the Committee, whichever did not carry out the initial consideration of the appeal.
17. The registrar will attend each appeal panel as Secretary and to provide legal advice and members of College staff unconnected with the statutory examination may also attend to take notes.
18. An appeal panel will not include any person who has been involved in the initial consideration of the appeal, had any involvement in the statutory examination to which the appeal relates or has any personal connection with the appellant which might bring that person's independence or impartiality into question.

Procedure for consideration by appeal panel

19. The appellant will be provided with copies of any examiner's reports, and of any other information, apart from legal advice and information which may undermine the integrity of the statutory examination in relation to other candidates, which is made available to the appeal panel and will be given a reasonable opportunity to comment and make any further representations in writing before the appeal panel determines the appeal.
20. At its discretion, an appeal panel may have preliminary discussions before any appeal is considered.
21. At the start of a meeting by an appeal panel, all present will introduce themselves. Appeal panel members will identify themselves and they will confirm:
 - they have not been involved in the initial consideration of the appeal;
 - they have not any involvement in the statutory examination to which the appeal relates;
 - they do not have any personal connection with the appellant which might bring that person's independence or impartiality into question.
22. The chair of the appeal panel shall then present and summarise the documentary evidence provided by the appellant in support of their case. Any further documentary evidence supplied by the College or any third parties involved will then also be considered.

23. The appeal panel may then allow an appellant to make oral representations. An appellant who does so may be accompanied by a legal adviser, representative or other friend or adviser, who may address the panel if the appellant wishes.
24. The appeal panel will then consider the matter in the absence of the appellant and reach a decision.
25. The proceedings of an appeal panel will take place in private and will remain confidential after the conclusion of the appeal.
26. The appeal panel will reach a decision by majority vote and give the appellant reasons for its decision on each of the grounds raised. In the event of a tied vote, the chair will have the casting vote.

Disposal of appeals following consideration by appeal panel

27. An appeal panel may:
 - allow the appeal on one or more grounds and direct that the appellant shall be allowed to re-sit the whole or part of the statutory examination at the next available attempt, and that such a re-sit shall not count as a re-sit for the purpose of any restriction on the number of times any one candidate may enter for the statutory examination or part of it; or
 - allow the appeal on one or more grounds and refer the case back to the examiners concerned for re-consideration; or
 - dismiss the appeal on all grounds.
28. In the event that an appeal is upheld on any ground and the appeal panel makes a direction as to the re-sitting of an examination, it may direct that the whole or part of the fee payable to the College in respect of a re-sit of an examination is to be waived.
29. In the event that an appeal is upheld on any ground, the appellant will be entitled to a full refund of the appeal fee paid.
30. The decision of the appeal panel will be final.

Revocation of previous rules

31. The Royal College of Veterinary Surgeons Examination Appeals Rules made in 2014 as applicable to the statutory examination are revoked.