



# Royal College of Physicians Assessment Unit

## Additional examination policies and procedures

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This document covers all examinations administered solely by the Royal College of Physicians (RCP) Assessment Unit. These are as follows:

- > The Diploma in Geriatric Medicine (DGM)
- > The Diploma in Tropical Medicine and Hygiene (DTM&H)
- > The Physician Associate National Certification Examination
- > The Physician Associate National Recertification Examination

The following policies and procedures for the examinations listed above are included:

- > [Code of conduct for examination applicants and candidates](#)
- > [Examination appeals regulations](#)
- > [Examination complaints procedure](#)
- > [Misconduct regulations](#)
- > [Reasonable adjustment policy](#)

Candidates requiring the regulations, policies and procedures for the MRCP(UK) PACES examination should visit the [MRCP\(UK\) website](#).

## Code of conduct for examination applicants and candidates

Candidates (including applicants) for examinations are expected to behave in a professional manner throughout their dealings with the Royal College of Physicians (RCP). This includes behaviour during the examination, and in all their contact with examiners, invigilators, and staff of the RCP Assessment Unit before, during and after the examination.

This code of conduct has been developed to provide a framework which sets expectations and against which allegations of misconduct related to behaviour will be judged. In the event of any allegation of misconduct the RCP Assessment Unit will undertake an investigation governed by the principles given in the [RCP Assessment Unit misconduct regulations](#). This code applies to all examinations from 1 January 2023.

Misconduct is classified under two categories:

1. Academic misconduct, for example attempting to access examination materials before, during or after an examination has taken place
2. Non-academic misconduct, for example verbal or physical threats towards an individual involved in the administration of an examination.

Candidates should note that by virtue of applying to sit an examination they are deemed to have understood and agreed to respect and abide by all relevant regulations, including this Code of Conduct.

### General standard of behaviour

The RCP Assessment Unit acts to maintain the safety and security of all individuals associated with its examinations. Candidates are expected to behave in a professional manner, in line with the [RCP Code of Conduct](#), during all activities associated with the examination.

The RCP Assessment Unit expects all candidates to treat everyone they encounter during their examination experience with dignity and respect.

This code applies equally to behaviour of candidates and applicants when:

- > dealing directly with personnel involved in the examinations (in person, on the telephone, or in correspondence) and
- > publishing or posting comments on websites and social media.

### Interacting with the RCP Assessment Unit

Candidates are expected to act with respect for those running the examination at all times.

RCP Assessment Unit examiners, invigilators, staff and patients have the right to undertake their role without fear of abuse or harassment. Physical or verbal abuse, or the threat of such abuse, will be regarded as a form of misconduct, and investigated accordingly.

- > Candidates should not attempt to harass or bully RCP Assessment Unit officers or staff.
- > Harassment includes any unwanted conduct affecting the dignity of RCP Assessment Unit officers or staff, which is demeaning and unacceptable to the individual.
- > Bullying may include offensive, intimidating, malicious or insulting behaviour intended to undermine, humiliate, denigrate or injure the recipient<sup>1</sup>.

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<sup>1</sup> <https://www.gov.uk/workplace-bullying-and-harassment>

- > Failure to comply with written or verbal instructions of the RCP Assessment Unit and its staff, including the examination regulations, may also be considered as misconduct.

Examples of inappropriate behaviour include, but are not confined to, shouting, threats of harm (either to self or others), aggressive or abusive written, email or telephone communications and inappropriate physical contact.

## Interacting with other candidates

The RCP Assessment Unit strives to ensure that the examination experience is as calm and pleasant as possible for everyone.

- > Candidates are expected to act with respect for fellow candidates.
- > Candidates are expected to ensure that their behaviour is not disruptive and does not affect other candidates attempting the examination at the same time.

Examples of inappropriate behaviour may include, but are not restricted to, threats, unwanted advances, or questioning the fairness of another candidate's success in passing an examination.

## Interacting with patients

Candidates for clinical examinations will be required to interact with real and surrogate patients and should observe the following:

- > Candidates should maintain an awareness of patient comfort and safety at all times during this interaction.
- > Candidates should obtain verbal consent from patients or surrogate patients prior to examining them and should cease their examination if requested to by the patient or examiner.
- > The dignity and modesty of all patients must be respected at all times.
- > Candidates are reminded to maintain strict confidentiality and must not divulge the identity or details of patients used in the examination.
- > Candidates should observe the appropriate hygiene and infection control protocols.

## Academic misconduct

The RCP Assessment Unit regards any attempt to cheat with the utmost seriousness. Academic misconduct includes, but is not restricted to:

- > the introduction into any examination of any materials, audio or communication devices (including mobile phones and smart watches), other than those specifically permitted for the examination
- > any attempt to remove or copy materials or content from an examination other than those specifically permitted, except by a person with authority to do so
- > the use of recording equipment (including all photographic, video, audio and computerised recording equipment)
- > any attempt to release content from any examination to a third party (individual or organisation)
- > any attempt to communicate with another candidate
- > any attempt to gain access to, read or copy the work of another candidate

- > any attempt to gain or pass on information about the contents of the examination (written or clinical) in advance of the examination
- > impersonation or attempted impersonation of a candidate
- > bribery (of another candidate, examination official, actual or surrogate patient)
- > failure to abide by the reasonable instructions of an invigilator or other examination official, or breaching of the examination regulations
- > falsification or alteration of any results document or qualification
- > any other form of cheating or conduct likely to give an unfair advantage to the candidate or others
- > aiding or abetting any of the above.

If a candidate has any concern about the conduct of a fellow candidate this should be brought to the attention of the RCP Assessment Unit as soon as is practicable.

### **Copyright and use of materials**

The Royal College of Physicians assumes the copyright of all materials prepared for any part of all examinations. Candidates must not discuss, publish or in any other way attempt to share any material which they have encountered in their examination(s).

### **Appeals and complaints**

The RCP Assessment Unit receives appeals and complaints about the conduct of the examinations and is committed to investigating any such cases in a fair and transparent manner in line with the [RCP Assessment Unit examination appeals regulations](#).

It is occasionally necessary to approach candidates for comment on appeals and complaints, and candidates are expected to respond to any such approaches in an open and timely manner.

Candidates should be assured that they have the opportunity to raise matters of legitimate concern, and that making an appeal or complaint in good faith will not put candidates in danger of conduct violations.

# Examination appeals regulations

## 1. Introduction

- 1.1 These regulations apply to all candidates for all examinations from 1 January 2023 (when these regulations came into effect).
- 1.2 Candidates should note that by virtue of applying to sit an examination they are deemed to have understood and agreed to respect and abide by all relevant regulations, including these appeals regulations.
- 1.3 Throughout these regulations, the RCP Assessment Unit may delegate any of the duties to an appropriate member of staff.
- 1.4 Any dispute about the interpretation of these regulations shall be referred to the RCP Assessment Unit chief examiner, whose decision in the matter shall be final.

## 2. Definitions

- 2.1 These regulations are to be used to investigate all academic and examination appeals.
- 2.2 An 'appeal' is defined as a request for a review of a decision made by or on behalf of an examination board about the performance in an examination of a candidate or group of candidates.
- 2.3 A candidate who has attempted any component of an examination may, in the circumstances set out below, have the right of appeal against the result. The only grounds for appeal are that:
  - > There is clear evidence of procedural irregularity in the conduct of the examination (including administrative error) which has adversely affected a candidate's performance. Candidates who believe that their performance was affected by a procedural error should contact the RCP Assessment Unit about this as soon as possible after the examination (even if they have informed organisers or invigilators at the centre) and should not wait until they have received their results to submit an appeal.
  - > There were exceptional circumstances, which were unknown to the candidate when they began their examination, which subsequently had adversely affected a candidate's performance in the examination. Clear documentary evidence must be provided to support all appeals made on the grounds of exceptional circumstances.
- 2.4 Appeals will not be accepted on any other grounds, for example that a candidate:
  - > considers their efforts were under-marked
  - > failed the examination by a narrow margin
  - > did not understand or was unaware of the examination regulations
  - > seek to question the exercise of professional or academic judgement.
- 2.5 Any expression of a specific concern about the provision or quality of a service by the RCP Assessment Unit, including issues such as staff conduct, disputes about the regulations, other procedures or the application thereof is defined as a 'complaint' and as such will not be considered under these regulations (but may instead be handled in accordance with the complaints procedures).
- 2.6 It is recognised that on occasion it may be initially unclear whether a case constitutes an appeal or a complaint; hence the RCP Assessment Unit reserves the right to reclassify appeals to complaints or vice versa at any stage in proceedings, in consultation with the person(s) appealing or complaining. Such reclassification will always be done so that the matter can be

considered in the most appropriate and fair way, and candidates will not be required to resubmit their cases following any reclassification.

### 3. Procedure

- 3.1 Any appeal should be submitted via email within 30 days of the dispatch of the result to which it relates and include supporting documentary evidence. It will assist the appeal process if the RCP Assessment Unit is notified of procedural errors or extenuating circumstances before the dispatch of results.
- 3.2 Any appeal submitted after this period must include an explanation and evidence as to why it could not have been submitted sooner and will only be accepted at the sole discretion of the RCP Assessment Unit.
- 3.3 Candidates are advised that, where their appeal is based upon exceptional circumstances (as detailed in section 2.3), they should submit details of this within 5 working days of their examination and not wait until after they receive their results.
- 3.4 Candidates should note that the regulations make clear that there is the right of withdrawal from any examination up to its start time due to exceptional circumstances. Candidates who sit the examination are deemed to be certifying themselves as physically, mentally, and emotionally ready to do so.
- 3.5 Candidates are assured that they have the opportunity to raise matters of legitimate concern through these appeal regulations without risk of disadvantage or criticism. Towards this end, the RCP Assessment Unit recognises the importance of confidentiality when handling appeals and will maintain an appellant's anonymity as far as is possible during any investigation. It will occasionally be necessary to disclose an appellant's identity to progress an investigation, and this will be done as a matter of routine should any hearing by an appeals panel be necessary. Candidates who are not willing for their identity to be disclosed in this way should notify the RCP Assessment Unit.
- 3.6 On receipt of an appeal the RCP Assessment Unit will investigate and collate all relevant information.
- 3.7 If following this initial review an appeal is considered to have grounds as defined above, it will be referred to the senior examiner for consideration on behalf of the relevant examination board. The senior examiner may discuss the case or direct the RCP Assessment Unit to undertake further investigations, as they deem necessary. The appeals procedure is normally expected to take no more than 60 days from the date of the appeal being received by the RCP Assessment Unit. Candidates will be kept informed if the process is likely to take longer than this for any reason.
- 3.8 If it is considered by the senior examiner that the appeal is frivolous, unsubstantiated or outside the permitted grounds, the candidate will be notified of this and informed that the appeals procedure is at an end. If it is considered that the appeal is vexatious or malicious, or that the appellant has used false information, the appeal procedure will also be at an end but in this instance the appellant may be liable for action under the misconduct regulations.
- 3.9 If it is considered by the senior examiner that there is a case in support of the appeal 'at first sight' (*prima facie*), they may arrange for an immediate remedy to be offered to the candidate. Alternatively, if the senior examiner is unable to determine whether there is a *prima facie* case, or (particularly in the absence of precedent, or in any case involving the possible correction of results and/or marks) decides the appeal requires wider discussion, they may refer the appeal to the next scheduled meeting of the relevant examination board for consideration.

### 3.10 Procedure for online knowledge-based assessments and written examinations

Where there is evidence that a candidate's examination performance was adversely affected by a procedural irregularity in the conduct of that assessment or examination, the senior examiner shall consider the case. Candidates should note that it is not possible to accurately or numerically determine the effects of any procedural irregularity or extenuating circumstance on a candidate's performance. As such it is not normal practice to revise a candidate's result even if an appeal is upheld and the likely effects of the circumstances on a candidate's performance are judged to be severe. Instead, the senior examiner may expunge the attempt from a candidate's record and/or offer some other remedy, so that the candidate may demonstrably meet the standard required for the examination at a subsequent attempt.

### 3.11 Procedure for clinical examination

Where there is evidence that a candidate's examination performance was adversely affected by a procedural irregularity in the conduct of that examination, the senior examiner shall consider the case. Candidates should note that examiners cannot accurately or numerically determine the effects of any procedural irregularity or extenuating circumstance on a candidate's performance. As such it is not normal practice to revise a candidate's result even if an appeal is upheld and the likely effects of the circumstances on a candidate's performance are judged to be severe. Instead, the senior examiner may expunge the attempt from a candidate's record and/or offer some other remedy, so that the candidate may demonstrably meet the standard required for the examination at a subsequent attempt.

3.12 The decision of the senior examiner, on behalf of the examination board, will be communicated to the candidate within 10 working days of it being made

3.13 If the candidate is not satisfied with the outcome of any appeal, they must contact the RCP Assessment Unit within 10 working days of being notified of it to request that their case be reconsidered by the RCP Assessment Unit Clinical Lead for Assessment. Candidates whose appeals have been upheld cannot ask for the decision to be reviewed if they are not satisfied with the remedy offered by the senior examiner. Candidates whose appeal has not been upheld cannot ask for the appeal to be reviewed simply because they do not agree with the decision. In correspondence with the RCP Assessment Unit, they must either:

- > demonstrate that the process outlined in the appeals regulations has not been followed, or
- > provide additional evidence that was not available to the senior examiner when they initially reviewed the appeal and include details as to why it was not available during the initial appeal.

This will be reviewed in the first instance by the deputy head of Assessment Unit (or their nominee), who will decide whether the above grounds have been met and the appeal should be referred to the RCP Assessment Unit Clinical Lead for Assessment.

3.14 The RCP Assessment Unit Clinical Lead for Assessment will consider any requests for the outcome of appeals to be reviewed if either of the grounds outlined in paragraph 3.13 have been met. This will determine whether the decision of the examination board was reasonable, whether any reasonable avenue of investigation was overlooked, or whether sufficient evidence exists to offer an alternative remedy. If any such circumstances apply the RCP Assessment Unit Clinical Lead for Assessment will either recommend an alternative remedy or request that the appeal be considered by an appeal hearing panel.

## 4. Conduct of an appeal hearing panel

4.1 An appeal hearing panel shall be convened at the discretion of the RCP Assessment Unit Clinical Lead for Assessment, and established by the RCP Assessment Unit, which will nominate a secretary to the panel.

- 4.2 The panel shall meet as soon as is practicable, and be constituted with one member from each of the following categories, or their nominee, provided that none have been previously involved with any academic assessment of the candidate:
  - a) The RCP Assessment Unit Clinical Lead for Assessment (or their appointed nominee)
  - b) Two members of another of the RCP Assessment Unit's examining board(s)
  - c) A lay representative.
- 4.3 The RCP Assessment Unit Clinical Lead for Assessment shall act as chair of an appeal hearing panel.
- 4.4 The secretary's role shall be to record the proceedings and deliberations of the panel, and they may advise on procedural or regulatory matters. They may not influence the decisions of the panel in any way.
- 4.5 The candidate shall have the right to be present at all proceedings of the panel subject to the procedures detailed below in section 5, and to present written or oral evidence to the panel. Proceedings of the panel shall not be invalidated by reason of the absence of the candidate, provided that the procedure detailed below has been observed.
- 4.6 The candidate has the right to be accompanied at the hearing by a friend. The friend may advise and counsel the candidate, but may not make any statements to, or cross-examine, any other person present at the hearing. If the candidate wishes to be accompanied by a friend, they must provide the secretary to the appeal hearing panel with the name, contact details and roles of the nominated person, and the reasons for their involvement, not less than 5 working days before the hearing.
- 4.7 The secretary shall inform the candidate of the scheduled date of the appeal hearing panel as soon as possible and not less than 15 working days before the date of the hearing. The secretary will then arrange for a copy of each document that is to be presented to the panel to be sent to the candidate not less than 10 working days before the date set for the hearing. Such documents shall include any statement(s) provided by the candidate, whose responsibility it is to ensure any such documents and list of witnesses they intend to call in support of their appeal are received by the secretary at least 12 working days before the date set for the hearing. No documents or witnesses may be presented to or referred to by the panel, unless details have been circulated in this manner, except with the consent of both the panel and the candidate. All documents will also be circulated in advance to members of the panel so that they may familiarise themselves with the details of the case before the date of the hearing.

## **5. Appeal hearing panel procedure**

- 5.1 The panel may, at its discretion, meet before the scheduled start of the hearing for preliminary discussions. The secretary shall be present and keep a record of proceedings.
- 5.2 At the start of the hearing all panel members present shall introduce themselves. The chair shall then invite the candidate to present their appeal, together with any documentary evidence and call any witnesses in support of their case. The panel may then question the candidate and his/her witnesses.
- 5.3 The appeal hearing panel may, at its discretion and at any time, interrupt proceedings to ask questions.
- 5.4 Before the appellant is dismissed, the chair shall give them the opportunity to make a closing statement. Before leaving, the candidate shall be reminded that they will be notified of the outcome within five working days.



- 5.5 The panel shall then consider the matter, whether there are sufficient grounds and evidence for the appeal to be upheld, and what, if any, remedy should be offered to the candidate. The comments and decisions of individual panel members shall always be treated as confidential.
- 5.6 Following the meeting the secretary shall prepare a written report summarising the proceedings and the decisions of the panel. This shall be sent to the candidate within five working days of the hearing, and a copy presented to the next meeting of the relevant examination board for its information and action, if appropriate. The candidate shall be reminded that the decision of the appeal hearing panel is final, and that the appeals procedure is at an end.

# Examination complaints procedure

## 1. Introduction

- 1.1 The Royal College of Physicians (RCP) Assessment Unit is committed to delivering a high-quality service. As part of this commitment, it is recognised that on occasion candidates may be dissatisfied with the way in which something has been done, and that complaints arising from this should be handled in a clear, fair, and consistent way.
- 1.2 These procedures apply to all candidates who consider that they have grounds for complaint regarding the provision of a service by the RCP Assessment Unit, that do not amount to a request to review a decision made about their performance in an examination (see paragraph 2 below). These procedures may also be used to consider complaints by prospective candidates or any other party, if deemed appropriate by the RCP Assessment Unit Clinical Lead for Assessment.
- 1.3 Complaints will not be considered if they are submitted:
  - > anonymously
  - > on behalf of another party, without that party's explicit consent in writing.
- 1.4 Candidates should note that by virtue of entering to sit an examination or assessment they are deemed to have understood and agreed to respect and abide by all relevant regulations, including this complaints procedure. All those submitting complaints are deemed to have understood and agreed to respect and abide by this complaints procedure.
- 1.1 Any dispute as to the interpretation of these regulations shall be referred to the RCP Assessment Unit Clinical Lead for Assessment<sup>2</sup>, whose decision in the matter shall be final.

## 2. Definitions

- 2.1 A 'complaint' is defined as an expression of a specific concern about the provision or quality of a service by the RCP Assessment Unit, including issues such as staff conduct, disputes about the regulations, other procedures, or the application thereof.
- 2.2 Any request for a review of a decision made by or on behalf of an examination board about the performance in an examination of a candidate or group of candidates is defined as an 'appeal' and as such will not be considered under these procedures (but may instead be handled in accordance with the examination appeals regulations).
- 2.3 It is recognised that on occasion it may be initially unclear whether a case constitutes a complaint or an appeal, hence the RCP Assessment Unit reserves the right to reclassify complaints to appeals or vice-versa at any stage in proceedings, in consultation with the person(s) complaining or appealing. Such reclassification will always be done so that the matter can be considered in the most appropriate and fair way, and candidates will not be required to resubmit their cases following any reclassification.
- 2.4 These procedures are not applicable in the following circumstances:
  - i. If the complaint concerns a person or activity not subject to the jurisdiction of the RCP Assessment Unit
  - ii. If the complaint amounts to an allegation of criminal activity (which will be referred to the police for separate consideration)

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<sup>2</sup> Or suitable alternative nominated by the Deputy Director for Education

- iii. If the complaint appears to be intended to delay or prevent the consideration of an allegation of academic misconduct
- iv. If the complaint is related to formal disciplinary action being taken against any member(s) of staff, as disciplinary procedures take precedence over this procedure.

### **3. General**

- 3.1 It is expected that complaints will be raised as quickly as possible and no more than three months from the date in which the incident occurred.
- 3.2 It is a principle of this procedure that an informal and flexible approach to resolution of complaints will be adopted wherever possible.
- 3.3 Candidates are assured that they have the opportunity to raise matters of legitimate concern through this complaints procedure without risk of disadvantage or criticism. To this end, the RCP Assessment Unit recognises the importance of confidentiality when handling complaints and will maintain this as far as is possible during any investigation. The RCP Assessment Unit will endeavour to anonymise complainants when considering complaints. However, it will occasionally be necessary to disclose a complainant's identity to progress an investigation. Candidates who are not willing for their identity to be disclosed in this way should make this clear in their letter of formal complaint.
- 3.4 The RCP Assessment Unit will take all necessary steps to support all parties involved in a complaint and undertake all investigations sensitively and expeditiously.
- 3.5 All complaints will be considered on their individual merits, and all complainants will be treated equally.
- 3.6 If it is considered by the Deputy Director for Education that the complaint is vexatious, or malicious; or the complainant has used false information in a complaint, the complainant may be liable for action to be taken under the misconduct regulations.

### **4. Procedure**

- 4.1 All complaints must be raised informally in the first instance with the individual or team the candidate has been dealing with. The vast majority of complaints can and should be resolved in this way.
- 4.2 If a complaint remains unresolved, complainants should contact the RCP Assessment Unit. All formal complaints must be submitted in writing to [Assessment.Unit@RCP.ac.uk](mailto:Assessment.Unit@RCP.ac.uk) and state the following:
  - i. the nature of the complaint
  - ii. what has / has not been done to resolve it
  - iii. why the complainant is not satisfied with what has / has not been done, and
  - iv. what the complainant would like to be done to resolve the matter to their satisfaction.
- 4.3 Complainants must make clear in the letter that it is a formal complaint they are submitting.
- 4.4 All complaints will be acknowledged. The RCP Assessment Unit may ask the relevant team to try again to resolve the issue or may ask a member of the senior management team to consider the complaint. Wherever possible a full response will be made within 20 working days of receipt, unless extenuating circumstances exist in which case the complainant shall be informed of this and notified of the revised deadline for the response. Reasons shall be given for the decision reached.

## **5. Appeals about the outcome of complaints**

- 5.1 If a complainant is not satisfied with the outcome of their formal complaint, they may appeal in writing to the RCP Assessment Unit Clinical Lead for Assessment<sup>3</sup> (or the Deputy Director for Education where the complaint is about a member of staff).
- 5.2 All appeals about complaints will be acknowledged and wherever possible a full response will be made within 20 working days. If extenuating circumstances exist which affect this timeframe, the complainant shall be informed and notified of the revised deadline for the response.
- 5.3 The decision of the RCP Assessment Unit Clinical Lead for Assessment or Deputy Director for Education is final. Candidates will be notified of the final decision, and that the complaints procedure is at an end, in their letter.

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<sup>3</sup> Or the nominated individual stated during section 1.1

# Misconduct regulations

## 1. Introduction

- 1.1 These regulations apply to candidates for all examinations and assessments delivered by the Royal College of Physicians (RCP) Assessment Unit from 1 January 2023. For the purposes of these regulations, applicants for any examination that has not yet been attempted are also regarded as candidates.
- 1.2 These regulations do not apply to anyone employed by or acting in any official capacity on behalf of the RCP, including invigilators, examiners, or examination centre staff (unless they are also a candidate for the examinations). In such cases staff and officials should expect their conduct to be investigated under the appropriate staff disciplinary procedures/examiner code of conduct, and/or for the facts to be reported to their manager, supervisor or equivalent.
- 1.3 Candidates should note that by virtue of applying to sit an examination or assessment they are deemed to have understood and agreed to respect and abide by all relevant regulations, including the candidate code of conduct and these misconduct regulations.
- 1.4 These regulations are to be used to investigate all aspects of misconduct in RCP Assessment Unit examinations (see candidate code of conduct for definitions of misconduct).
- 1.5 Where a candidate is suspected of misconduct, they may have their examination results withheld until the procedures for investigation as detailed in paragraph 4 are complete.
- 1.6 While an investigation is underway candidates may not apply to resit the relevant examination component
- 1.7 Candidates are permitted to apply for any other relevant component of any examination for which they are eligible, in accordance with the relevant regulations.
- 1.8 The RCP Assessment Unit reserves the right to refuse such an application from a candidate under investigation on the basis that allowing them to sit is deemed to be a potential risk to the academic content of an examination, or potentially poses a risk to the safety of patients, staff, or other individuals associated with an examination.
- 1.9 Depending on the outcome of the investigation, results may be amended or annulled. The RCP Assessment Unit reserve the right to conduct retrospective investigations, which may lead to results being amended or annulled after they have been confirmed, and to withdraw eligibility to make an application to the relevant regulator or membership organisation after such eligibility has been awarded.
- 1.10 Investigations will be completed as quickly and efficiently as possible and candidates will be kept informed of progress.
- 1.11 Throughout these regulations, the Deputy Director for Education may delegate any of the duties to an investigating officer within the RCP Assessment Unit.
- 1.12 In pursuit of protecting the examinations and assessments, the candidates who sit them, staff and patient safety, the RCP acknowledges that the process of investigation and false allegations can have an impact on candidates' reputations and careers. For this reason, the RCP will maintain the candidate's anonymity as far as is possible during any investigation.
- 1.13 Should the allegation against the candidate be upheld, the details of the case will be shared with the relevant regulatory body and, where applicable, the individual responsible for overseeing their training or clinical practice.

## 2. Definitions

2.1 Guidance of what may constitute misconduct is given in the candidate code of conduct. It includes but is not restricted to:

- > attempts to gain an unfair advantage in the examination (academic misconduct)
- > abuse, threats or other unprofessional behaviour directed at RCP staff, invigilators, patients, other candidates and examiners.

## 3. Reporting procedures

3.1 Suspected misconduct may be reported to the RCP Assessment Unit by examiners, invigilators, examination staff, candidates, patients, surrogate patients, and any other person who becomes aware of suspected misconduct.

3.2 In addition to direct reporting, the RCP also reserves the right to use computer monitoring software and live proctoring to detect possible misconduct, both during and after every examination.

3.3 Anonymous reports of misconduct will be acted upon only if there is supporting evidence. In such cases invigilators and any other relevant officials may be informed of the allegation and asked to comment.

### 3.4 Reporting procedure for academic misconduct in online knowledge-based assessments and written examinations

3.4.1 Where there are grounds to suspect that a candidate has attempted to acquire information about the content of the examination in advance of it commencing, the RCP Assessment Unit must be notified immediately. After consultation with the senior examiner, the RCP Assessment Unit shall determine what action is necessary to safeguard the integrity of the exam.

3.4.2 Where an invigilator suspects a candidate or candidates of infringing examination regulations they may speak to the candidate(s) involved, making clear what is causing concern, and reminding the candidate(s) of the relevant regulations and instructions.

3.4.3 Invigilators are instructed to compile a written report of the examination for the RCP Assessment Unit, including any incidents of suspected misconduct.

3.4.4 Invigilators are empowered to refuse to allow a candidate to continue with the examination on the grounds of misconduct.

3.4.5 Where misconduct is suspected after the examination, including where an invigilator or other representative of the RCP Assessment Unit has grounds to suspect that a candidate has attempted to pass on information about the content of an examination to another candidate or other third party, they must notify the RCP Assessment Unit immediately. A written report of the incident shall be submitted to the RCP Assessment Unit within 3 working days.

### 3.5 Reporting procedure for academic misconduct in clinical examinations

3.5.1 Where there are grounds to suspect that a candidate has attempted to acquire information about the content of the examination in advance of it commencing, the RCP Assessment Unit must be notified immediately. After consultation with the senior examiner, the RCP Assessment Unit shall determine what action is necessary to safeguard the integrity of the exam.

3.5.2 Where an examiner considers that a candidate is acting in a way contrary to the regulations at any point during their examination, they shall alert the chief examiner or chief invigilator as soon as possible. If necessary, and if in the view of the examiner the candidate's conduct is likely to endanger, distress or disrupt patients or any other individual(s), the examination may be suspended by the chief examiner. The candidate must be informed at the end of the examination that a written report of the incident shall be submitted to the RCP Assessment Unit within 3 working days.

3.5.3 Where misconduct is suspected after the examination, including where an examiner or other representative of the RCP Assessment Unit has grounds to suspect that a candidate has attempted to pass on information about the content of an examination to another candidate or other third party, they must notify the RCP Assessment Unit immediately. A written report of the incident shall be submitted to the RCP Assessment Unit within 3 working days.

### 3.6 All other instances of misconduct

3.6.1 The person(s) identifying the misconduct shall prepare a written report on the alleged incident and send it with any supporting evidence to the RCP Assessment Unit as soon as possible.

## 4. Procedures for investigation

4.1 A member of RCP Assessment Unit staff will be appointed as investigating officer. The staff member will not be the person making the allegation. The investigating officer shall review the alleged case of misconduct, and, after consulting with other members of staff where necessary, shall determine whether there is sufficient evidence of a *prima facie* case to be answered.

4.2 Within 10 working days of receiving a report of suspected misconduct, the investigating officer will inform the candidate in writing that an allegation has been made about them and provide them with a copy of these regulations. Where appropriate the candidate will be informed that their examination results will be withheld pending the outcome of the investigation.

4.3 On completion of the investigation the investigating officer will inform the candidate of the detail of the allegation. The candidate shall be asked to comment on the allegation and invited to admit or deny the allegation.

4.4 The candidate shall provide their response in writing to the allegations within 10 working days from the date of the investigating officer's letter. If no response is received within 10 working days, then a reminder letter shall be sent.

4.5 If no response is received to this reminder after a further 10 working days, then the investigation will continue without the candidate's submission.

4.6 Where a candidate admits in writing to the allegations, full details of the case shall be passed to the senior examiner of the examination board (in cases of academic misconduct) or the Deputy Director for Education (in all other cases) for a final decision, along with a recommendation of an appropriate penalty based upon established guidelines. The candidate shall have the opportunity to include with their response a written statement that may be taken into account.

4.7 Where a candidate denies the allegations (in whole or in part) the investigating officer will request that a misconduct hearing panel is convened as soon as possible to formally consider the case.

4.8 The establishment of a misconduct hearing panel under paragraph 4.7 does not preclude the candidate from, at any point, admitting the allegation in writing for action to be taken in accordance with paragraph 4.6, except that the fact of the candidate's initial denial will also be taken into account. However, all candidates who have committed misconduct should note that promptly admitting guilt, taking responsibility, and expressing contrition for their actions is

viewed by the RCP as an important and appropriate step, and that this will be kept in mind whenever any penalty is being determined.

- 4.9 Decisions will be reached on cases as soon as possible, and candidates should normally have received notification of the action to be taken regarding their case within 5 working days of a decision being made. In exceptional circumstances a decision may be deferred until the next scheduled meeting of the examination board, but candidates will be informed of this and then be notified of the action to be taken regarding their case within five working days of the examination board meeting.

## **5. Establishment of a misconduct hearing panel**

- 5.1 A misconduct hearing panel shall be convened if a candidate denies an allegation in whole or in part.
- 5.2 Proceedings of the panel shall not be invalidated by reason of the absence of the candidate, provided that the procedure detailed below has been observed.
- 5.3 The purpose of the panel is to examine the facts of a case, and the strength and veracity of the evidence being presented. It is to determine on the balance of probabilities whether the allegation of misconduct has been proven to the satisfaction of the majority of the panel. Where an allegation is found to be so proven, it is to determine an appropriate penalty based upon established guidelines.
- 5.4 The misconduct hearing panel shall be constituted with one member from each of the following categories, or their nominee:
- a) The RCP Assessment Unit Clinical Lead for Assessment or a nominee
  - b) The senior examiner of the relevant examination board (in academic misconduct cases)
  - c) Senior RCP Assessment Unit staff member (in non-academic misconduct cases)<sup>4</sup>
  - d) member of another of the RCP Assessment Unit's examination boards
  - e) A lay representative.
- 5.5 A secretary to the panel shall be appointed by the Deputy Director for Education. The secretary's role shall be to record the proceedings and deliberations of the panel, to advise on procedural matters, and to record the process of decision making. They may not attempt to guide or influence the discussions or decisions of the panel in any way.
- 5.6 The RCP Assessment Unit Clinical Lead for Assessment or their nominee will act as chair of the misconduct hearing panel.
- 5.7 A nominee of the investigating officer (hereafter known as the presenting officer) will present the details of the allegation and all available evidence to the panel.
- 5.8 The candidate shall have the right to be present at all proceedings of the panel subject to the procedures detailed in paragraph 6 and following, and to present written or oral evidence to the panel. Such evidence may include references attesting to previous good character, although candidates are advised to keep in mind that those approached to supply such references may then subsequently expect the candidate to provide them with details of the outcome of the hearing.
- 5.9 The candidate has the right to be accompanied at the hearing by a friend. If the candidate wishes to be accompanied by a friend they must provide the secretary to the panel with the name, address and roles of the nominated person, and the reasons for their involvement, not

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<sup>4</sup> See [Misconduct categories](#) for further details



less than 5 working days before the hearing. The friend may advise and counsel the candidate but may not act as a witness or address any other person present at the hearing. If the candidate wishes to be accompanied at the hearing by a friend who is a legal professional, they must inform the secretary to the misconduct hearing panel no less than 20 working days before the hearing.

- 5.10 In exceptional circumstances the RCP Assessment Unit reserves the right to appoint an independent legal adviser to be present at the hearing, who would be limited to giving advice to the panel. From time-to-time observers may attend the hearing for training purposes but will not be permitted to take part in the hearing. In either event candidates will be informed in advance.
- 5.11 The investigating officer shall inform the candidate of the scheduled date of the misconduct hearing panel as soon as possible and at least 6 weeks before the date of the hearing. Documents to be presented at the hearing will be sent to the candidate not less than 15 working days before the date set for the hearing, which shall include a list of any witnesses who may be called. Such documents shall include any statement(s) provided by the candidate, whose responsibility it is to ensure any such documents and a list of witnesses they intend to call are received by the investigating officer at least 20 working days before the date set for the hearing. No documents or witnesses may be presented to or referred to by the panel, unless details have been circulated in this manner, except with the consent of the panel, the candidate and presenting officer. All documents will also be circulated at least 10 working days in advance to members of the panel so that they may familiarise themselves with the evidence before the date of the hearing.
- 5.12 No confirmation of whether the candidate has passed or failed the examination in question shall be provided to the members of the panel.

## **6. Misconduct hearing panel procedure**

- 6.1 All proceedings will be strictly confidential.
- 6.2 At the start of the hearing the panel may engage in preliminary deliberations. The secretary shall be present to keep a record of proceedings.
- 6.3 The candidate, their friend, any witnesses, and the presenting officer will be invited into the room and all present shall introduce themselves. The chair shall ask the presenting officer to outline the allegations, and then ask the candidate whether they admit or deny misconduct. If, at this stage, the candidate decides to admit to the allegations in full, the panel has the authority to proceed immediately to consideration of the penalty to be imposed as detailed below in paragraphs 6.8 and following.
- 6.4 In all cases other than those covered by 6.3 above, the chair shall then invite the presenting officer to present his/her documentary material and call witnesses. The chair shall then invite the candidate to question the presenting officer and his/her witnesses, after which members of the panel may do the same.
- 6.5 The chair shall then invite the candidate to present their documentary material and call witnesses in support of their case. The presenting officer may then question the candidate and his/her witnesses, after which members of the panel may do the same.
- 6.6 The validity of proceedings shall not be affected by the unwillingness or inability of any party to reply to questions or to appear before the panel. Where the panel concludes that an individual is unwilling to reply to a question, it may make reasonable inferences from that refusal.
- 6.7 The misconduct hearing panel may, at its discretion and at any time, interrupt proceedings to ask questions, or to instruct the room to be vacated for private deliberations. Neither the

presenting officer, the candidate, their friend, nor any witnesses are entitled to be present at such times, although the secretary shall be present and keep a record of proceedings.

- 6.8 Before they are dismissed, the chair shall give the presenting officer and the candidate the opportunity to make a closing statement.
- 6.9 The chair shall commence final deliberations by reminding the panel of its role and purpose as detailed in 5.3. The secretary shall be present and can remind the panel of their role and purpose, if this is omitted by the chair, but they may not attempt to guide or influence the discussions or decisions of the panel in any way.
- 6.10 The decisions of individual panel members shall always be treated as confidential.
- 6.11 Previous behaviour, exceptional or mitigating circumstances shall not be considered by the panel when determining whether an allegation has been proven but may be referred to when an appropriate penalty is being discussed.
- 6.12 Following the meeting the secretary shall prepare a written report summarising the proceedings, deliberations, decisions of the panel and their reasoning, and any penalties to be imposed (including where the decision is that no misconduct has been committed). This shall be sent to the candidate within 5 working days of the hearing, and a copy presented to the next meeting of the relevant examination board.

## **7. Appeals procedure**

- 7.1 Appeals against the decision of the examination board or misconduct hearing panel must be received in writing by the Deputy Director for Education no later than 10 working days after the date of the email which notified the candidate of the decision.
- 7.2 An appeal hearing panel shall only be convened on the following grounds:
  - a) Where there is evidence of administrative or procedural irregularity in the establishment or conduct of the misconduct hearing panel
  - b) Where there is new evidence of extenuating circumstances that could not reasonably have been presented before.
- 7.3 An independent adjudicator<sup>5</sup>, who shall have no prior involvement in the case, will review the appeal and determine whether there is sufficient evidence for an appeal hearing panel to be convened based on the grounds set out in 7.2.
- 7.4 The establishment and conduct of an appeal hearing panel will follow the same procedure as set out in these regulations for a misconduct hearing panel, except that no member of the panel or their secretary may have been previously involved with the case.
- 7.5 The role of the appeal hearing panel will be to hear afresh the evidence presented to the misconduct hearing panel. They may also hear and consider fresh evidence presented by either side as long as it is circulated in accordance with the provisions of paragraph 5.10.
- 7.6 The appeal hearing panel will be advised that a misconduct hearing panel has taken place but will not be informed of the outcome until all evidence (including that presented in paragraph 7.5) has been heard and a decision reached.
- 7.7 The appeal hearing panel shall then have the power to confirm, reverse or amend the original decision of the misconduct hearing panel.

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<sup>5</sup> A lay representative with no prior knowledge of the investigation but with a good understanding of the Regulations

## **8. Guidelines for penalties**

- 8.1 No candidate whose misconduct has been proven shall be permanently barred from entry to any future RCP examinations.
- 8.2 As stated in paragraphs 4.4 and 5.3 of these regulations, where an allegation of misconduct is sustained, the relevant RCP Assessment Unit authority will decide the appropriate penalty. In making these decisions, all involved are expected to have regard to established precedent. These are guidelines for normal circumstances and not binding, and do not preclude the relevant authority from determining a lesser or more severe penalty to be appropriate should the circumstances warrant this.

However, in all cases the responsible authority shall consider:

- a) the risks to patient safety/staff welfare of the candidate's actions
- b) the need to preserve the integrity of the examination
- c) natural justice and consistency with previous penalties
- d) evidence of contrition and an understanding of the gravity of the offence.

### **8.3 Summary of standard penalties**

- a) No further action
- b) A written warning
- c) Results for an examination or part of an examination under investigation, and in severe cases any previous attempts, annulled/withheld
- d) Candidate barred from entry for a specified period
- e) Any combination of any of the above, apart from (a)

# Reasonable adjustment policy

## 1. Introduction

- 1.1 If any candidate is unable, through disability, specific learning difficulty, long-term medical condition, or other special need, to be assessed by the methods set out in the regulations, the Royal College of Physicians (RCP) Assessment Unit may make reasonable adjustments to the examination. In line with the Equality Act 2010, disability includes (but is not limited to) people who have:
  - > physical or sensory impairments
  - > specific learning difficulties (e.g., dyslexia and dyspraxia) or other cognitive impairments
  - > mental health issues
  - > hidden impairments (e.g., epilepsy, respiratory problems or heart conditions)
  - > ongoing or fluctuating medical conditions, including unforeseen medical circumstance.
- 1.2 The nature of these adjustments will vary in terms of the nature and extent of the candidate's difficulty or disability, and the individual requirements of the examination, but will be to the purpose that no candidate is disadvantaged in their examinations by virtue of their disability or other special need.
- 1.3 In considering requests for adjustments, the RCP Assessment Unit also has a responsibility to ensure that the integrity of the examination is preserved; that special arrangements made for any candidate do not give that candidate an unfair advantage over other candidates or could give rise to a misleading impression of that candidate's performance in the examination.

## 2. Procedures

- 2.1 Any candidate who has a physical disability, specific learning difficulty, long-term medical condition or any other special need that they believe could affect their performance in an examination may be entitled to reasonable adjustments. All such candidates should inform the RCP Assessment Unit of this at the time of each application, by uploading a reasonable adjustment request form (available via the relevant examination's website) and their supporting documentation at the relevant point during their initial online application to the examination
- 2.2 Candidates whose need for special arrangements only occurs after the submission of their application (due to sudden illness or accident) must contact the RCP Assessment Unit as soon as practicable.
- 2.3 Candidates are advised that failure to contact the RCP Assessment Unit promptly may mean that there will be insufficient time for some or all of any permitted arrangements to be put in place.
- 2.4 In all cases the candidate will be required to upload full written details of any reasonable adjustments they wish to request to the RCP Assessment Unit at the time of their first application, or where the nature of the disability or need changes over time. This must include comprehensive supporting evidence by an appropriate authority (e.g., the candidate's registered GP). In cases of dyslexia or any other learning difficulty, the RCP Assessment Unit will require a psychological assessment report made by a qualified educational psychologist, which must have been conducted after the candidate was 16 years of age.

## 3. Consideration of arrangements

- 3.1 Where the RCP Assessment Unit has an established precedent for an adjustment for a particular disability or special need the case will be considered by the deputy head of the

Assessment Unit<sup>6</sup>. Where there is no precedent for a requested adjustment, or for a particular disability or special need, the case will require further consideration.

- 3.2 Where the RCP Assessment Unit has no precedent for an adjustment for a particular disability or special need, or where the adjustment requested is more significant than any previously permitted for that disability or special need, then the case must be considered by the senior examiner for the relevant examination. To ensure consistency, the senior examiner of another examination board must also support the adjustment before it may be approved.
- 3.3 It is accepted that the following adjustments may be approved if the candidate's circumstances justify such action:
  - > Enlargement of examination scripts or materials
  - > The use of a scribe
  - > The use of an appropriate aid during the clinical examination
  - > Additional time allowed for completing written examination papers, online assessments, or clinical examinations.

This is not an exclusive list, but indicative of the most common adjustments made for RCP Assessment Unit examinations.

- 3.4 Candidates will be notified in writing of any adjustments that have been permitted for their examinations.
- 3.5 Clinical examinations are regarded as competence tests, assessing skills and behaviours as well as clinical knowledge. As such the method of assessment is a crucial element of these examinations, and any adjustments made for a clinical examination must maintain the integrity and validity of this assessment.
- 3.6 Any adjustment that would involve a change to the format of any part of any RCP Assessment Unit examination shall be considered by the RCP Education Board. Similarly, the RCP Assessment Unit may seek the advice of the RCP Education Board if a case raises issues of policy.
- 3.7 In all cases the RCP Assessment Unit reserves the right to take independent advice to ensure that any proposed arrangements are appropriate and in accordance with any applicable legislation.
- 3.8 Details of all requests for adjustments and the adjustments that were approved (if any), shall be regularly reported to the relevant examination board and/or development group for the purposes of monitoring and review.

## 4. Appeals

- 4.1 Where a candidate does not believe the adjustment(s) they have been granted are reasonable, or their requested adjustments are not granted (either partially, or as a whole), they may ask for their case to be reviewed by the RCP Assessment Unit senior examiner, whose decision will be final.

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<sup>6</sup> In these procedures, all RCP Assessment Unit staff referred to may nominate an appropriate person to act on their behalf.