

Appeals Policy (LID-Pol-071)

Document Title	Appeals Policy
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Department	Training, Education & Lifelong Learning
Owner/Responsible for Implementation	Head of Function
Approving Body	Academic Board
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Related Documents	<p>LID-Pol-063 – Academic Integrity Policy for Learners</p> <p>LID-Pol-067 – Academic Integrity Policy for Faculty</p> <p>LID-Pol-065 – Complaints Policy and Procedure for Learners</p> <p>LID-Pol-069 – Complaints Policy and Procedure for Faculty</p> <p>LID-Pol-066 – Disciplinary Policy and Procedure for Learners</p> <p>LID-Pol-070 – Disciplinary Policy and Procedure for Faculty</p> <p>LID-SOP-072 – Appeals Procedure</p>

1. Purpose

This policy sets out the scope, principles, grounds, and possible outcomes of an appeal of a decision made by RCPI.

2. Scope and Application

2.1 This policy relates to QQI validated programmes only.

2.2 This policy applies to all appeals of decisions relating to:

- Admissions
- Recognition of Prior learning (RPL)
- Assessments/Examinations
- Academic misconduct
- Disciplinary Processes
- Complaints/Grievances

2.3 This policy applies to learners, prospective learners (hereafter referred to as learners) faculty and staff who wish to request a review, or an appeal of a decision made in relation to a programme provided by RCPI.

3. Responsibility

The Head of Function is responsible for the implementation of this policy.

4. Guiding Principles

4.1 Information on the Appeals Policy (LID-Pol-071) and Appeals Procedure (LID-SOP-072) is available for all learners and prospective learners on the RCPI website. It is available to RCPI faculty and staff on the RCPI intranet.

4.2 Appeals will only be considered where they are timely, specify valid grounds in line with this policy, and evidenced by the learner.

4.3 Appeals may not be made based on:

- Disagreement over academic or clinical judgement
- Hearsay or opinion

4.4 Appeals process ensures fairness in all decisions.

4.5 Any person asked to consider an appeal must declare any conflict of interest.

4.6 Outcomes are communicated to all relevant stakeholders giving clear reasons for the decisions reached.

4.7 After an appeals procedure been conducted in line with this policy, there is no further right of appeal.

5. Grounds for Appeal

5.1 Learners, faculty and staff have a right to be informed that they may appeal a decision.

5.2 RCPI is responsible for providing information relating to grounds for appeal and addressing any questions that may arise.

5.3 Appeal of a decision made by RCPI may do so on the following grounds:

Admissions

- A learner wishes to appeal how RCPI admissions criteria were applied.

Recognition of Prior Learning (RPL)

- A learner wishes to appeal how RPL policy and criteria were applied.

Assessments/Examinations

- A learner wishes to provide evidence that there was bias in the way their assessments/examinations were conducted.
- A learner wishes to present information of mitigating circumstances which were not known to the Programme Exam Board. In this case the learner must also show good reason why such circumstances could not have been made known prior to the Programme Exam Board meeting.
- A learner wishes to present evidence that a relevant procedure was not followed in making an assessment decision.
- A learner wishes to appeal assessment results.

Academic Misconduct

- A learner wishes to appeal a decision penalising them on the grounds of academic misconduct in accordance with the Academic Integrity Policy for Learners (LID-Pol-063)
- A member of RCPI faculty wishes to appeal a decision penalising them on the grounds of academic misconduct in accordance with the Academic Integrity Policy for Faculty (LID-Pol-067)

Outcome of a Disciplinary Process

- A learner wishes to appeal a decision penalising them on disciplinary grounds in accordance with the Disciplinary Policy and Procedure for Learners (LID-Pol-066).
- A member of RCPI faculty wishes to appeal a decision penalising them on disciplinary grounds in accordance with the Disciplinary Policy and Procedure for Faculty (LID-Pol-070).

Resolution of a Complaint or Grievance

- A learner wishes to appeal the resolution of a complaint or grievance in accordance with the

Complaints Policy and Procedure for Learners (LID-Pol-065)

- A member of RCPI faculty wishes to appeal a decision penalising them on disciplinary grounds in accordance with the Complaints Policy and Procedure for Faculty (LID-Pol-069).

6. **Timeline for Appeal**

Appeals must be submitted by the learner to RCPI within 10 working days of the date of notification of the decision that is the subject of the appeal. RCPI will aim to complete the academic appeals process within 80 working days.

7. **Stages of Appeal**

Stage 1 Review of the original decision by the relevant decision maker(s)

Stage 2 Review of the decision of Stage One* by an Appeals Committee

*Appeals relating to decisions or outcomes arising from the Academic Integrity Policies, Disciplinary Policies and Complaints Policies will proceed directly to Stage 2 of the process.

8. **Membership of the Appeals Committee**

- An Appeals Committee consists of three members including the chair.
- A panel of potential members will be appointed by Chair of the Academic Board
- Criteria for membership of the Appeals Committee:
 - ☐ Competence to make the decision
 - ☐ Independence from the matter being appealed, i.e., no member can have previous involvement in the relevant decision or with the learner on the matter
- The Committee should be composed of to represent:
 - ☐ Balance of expertise from different medical disciplines
 - ☐ 1 external representative where possible within timelines
 - ☐ Regular rotation of membership
- The Chair of the Appeals Committee is an individual with significant experience in appeals processes.
- A gender balance is maintained where possible.
- Any conflict of interest must be declared at the Appeals meeting
- The Education administrator attends and prepares a formal written record of proceedings for approval by the committee.

9. **Appeal outcomes**

In consideration of the appeal, the decision maker(s) may:

- Reject the appeal: The original decision stands.
- Uphold the appeal: The grounds for appeal are found to be valid and the original outcome is reconsidered. Upholding an appeal may have different consequences depending on circumstances and timing surrounding the matter. If an appeal is upheld, the consequences depend on the decision being appealed but will normally include:
 - ☐ a reconsideration of the original decision
 - ☐ issuing of a new decision (in so far as is possible) to place the learner in the position where they would have been prior to the appeal.
 - ☐ The outcome is notified to all relevant parties.

10. References

ENQA (2015) Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG)

https://enqa.eu/wp-content/uploads/2015/11/ESG_2015.pdf

Quality Qualifications Ireland (2016) Core Statutory Quality Assurance Guidelines

<https://www.qqi.ie/Downloads/Core%20Statutory%20Quality%20Assurance%20Guidelines.pdf>