

Appeal procedures for the European Board Examination in Emergency Medicine (EBEEM)

Developed by the UEMS Section for Emergency Medicine

Grounds for an Appeal

The grounds for an appeal are limited to misadministration, bias or impropriety whether in the conduct of determination of the result of the examination.

Appeals disputing the academic judgment of the examiners **will not** be considered.

Appeals will only be considered after the remainder of the examination is completed and within 30 days of the results being released.

Appeals which relate to extenuating circumstances including ill health or personal issues will not normally be considered as there are separate regulations dealing with such matters. Candidates are advised that it is their responsibility to submit details of any extenuating circumstances to the EBEEM office in writing before taking the examination or immediately (within three working days) afterwards.

Process

Candidates wishing to appeal must do so in writing describing the grounds for the appeal, this must include the nature of the complaint, the time, the place, and if possible the name(s) of the examiner(s) concerned.

Any examination candidate who makes a complaint or appeal in good faith will not be disadvantaged in current or future examinations. Candidates should feel able to lodge an appeal secure in the knowledge that it will be fairly investigated.

The payment of the full fee for an appeal is €300, and this needs to be made in advance of a formal appeal hearing. However, it is important first to consider a simple solution for resolution without resorting to a formal appeal, which could be:

- A clear written explanation to the candidate,
- A statement from the examiner(s) concerned,
- A letter of response to abort an appeal.

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If clarification to the candidates was sufficient, there is no need for an appeal hearing, in which case part of the appeal fee (€250) will be reimbursed to the candidate, while the other part of the appeal fee (€50) is kept for administration costs.

On receipt of a written appeal and fee

An acknowledgement will be sent within 5 working days of the appeal

Examination and collection of preliminary evidence

The Chair (s) of EMERGE and the Senior Examination administrator will review the appeal and determine the nature of the case. Where relevant, further information will be requested in writing from the candidate, this information must be provided by the candidate within 21 days of receipt of the request.

The Chair(s) of EMERGE will, having reviewed the complaint, assemble preliminary evidence and request statements from relevant parties. All requests for information will be in writing and examiners will be expected to respond within 21 days.

Assessment of admissibility of appeal

The Chair(s) of EMERGE will then present the appeal and evidence to the President of UEMS section and EUSEM who will examine the evidence and determine whether the appeal is admissible. This may take place by electronic means or face to face.

If the Presidents find that there are no grounds for appeal, the candidate will be informed in writing within 21 days of the decision. In these circumstances, the appeal fee will be refunded minus a €50 fee for administrative costs.

Appeals panel

When an appeal has been received, it is important that the Board Chairman attempt informal resolution as advised above.

The candidate should retain the right of withdrawal of the appeal, in which case the panel members and the candidate should be informed in writing.

If the Presidents find there may be grounds for appeal, an appeals panel will be convened, chaired by the President of UEMS section with

- the President of the EUSEM (or nominated representative)
- an examiner who did not examine the candidate
- an examiner from another European Board exam

Other panel members might be selected, with due consideration given to ethnic, language or other minority interest issues germane to the complaint.

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The composition of an appeal panel is pivotal, to ensure balance, independence, appropriate knowledge in the specialty and capability of addressing discrimination issues or minority rights matters.

In the event of an appeals panel, the candidate will be liable to pay an additional fee set by the EMERGE at the time of the appeal. The panel will meet at a convenient location within 60 days of notification to the candidate. The candidate will be expected to be available to the panel within the 60 days and failure to do so will cause the appeals panel to be held in absentia of the candidate.

The panel will interview the candidate who will be entitled to bring representation to the meeting.

The panel will interview the Chair(s) of EMERGE and any other examiners thought to be relevant including those named in the appeal – if necessary by electronic means. .

Appellant Support

The European Council for European Specialist Medical Assessments (UEMS-CESMA) advises that within the appeal procedure the appellant may bring a friend or trusted advisor. If the “friend” is a lawyer, a notice should be given by the appellant four weeks prior to the hearing date, in order to allow legal representation if necessary for the appeal panel. If the appeal is not received in the language of the examination, the presence of a translator may be considered.

Requirements

All written evidence relating to those aspects of the examination subject to appeal should be provided to both appellant and appeal panel members at least two weeks in advance, and include:

- Examiners reports,
- Observations of assessor(s) (if present),
- Overall performance scores of appellant

On the day, convening early is essential for the panel chairman to determine the conduct of the panel and the questioning, and the maximum duration of the hearing. To explore any issues raised by the panel members before the hearing commences, an initial teleconference might be employed several days in advance to speed the process.

Outcome of appeal

The panel will consider the appeal and one of the following outcomes will be determined:

1. The appeal is deemed invalid and is not upheld
2. The appeal is upheld and the result of the examination is declared void. In this case the candidate will be entitled to a full refund of both the examination fee and the appeal fee. Candidates will be entitled to sit the relevant sections of the exam in future for the relevant fee, including those candidates who would otherwise have to, under the regulations, resit the whole examination.

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Note: the result of the examination cannot be changed- the fail or low mark will not be changed to a pass or higher mark

Records

All documents relating to the appeal will be kept at by EMERGE and date stamped on when they are created.

A report of the appeal will be presented to the UEMS section at the first committee meeting after the appeal.

Candidate resit

If having submitted a formal appeal, the candidate chooses to re-sit and then passes the examination before the appeal has been determined, the appeal will then automatically be considered terminated.

It is a matter for the candidate to determine whether to re-take an examination prior to the exhaustion of the appeal process. Candidates are advised to follow the normal application procedure should they wish to re-sit an examination. The EMERGE does not guarantee a decision will be made by the appeals panel prior to the date of the next examination.

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