

## **National School of Healthcare Science**

# **Complaints and Appeals Policy Relating to End Point Assessments**

### **Introduction and scope**

This policy applies to all End Point Assessments (EPA) such as the Objective Structured Final Assessment (EPA) or the Independent Assessment of Professional Skills (IAPS) and various others conducted by the National School of Healthcare (NSHCS) henceforth referred to as the School).

The policy offers EPA candidates the opportunity to submit a complaint or appeal should they believe that there was an irregularity in the provision of the EPA which had an unfavourable impact on their performance during the assessment or an irregularity in the conduct of the Examination Board and therefore, on the outcome of their assessment.

### **Complaints**

*A complaint refers to an irregularity in the provision of the assessment.*

Trainees may wish to submit a complaint if they believe that there was a defect(s) in the provision of the assessment which materially altered their performance. As a general rule, if a complaint is upheld, the trainee will be compensated. This may or may not alter the outcome of either the specific assessment item/station or the overall outcome of the assessment.

Complaints must be received, directly from the trainee, by the School within two working days of the trainee's assessment. Complaints submitted outside of two working days following the assessment or sent on behalf of the trainee will not be accepted. The procedure in relation to processing complaints is outlined in Section 1.

### **Appeals**

*An appeal refers to a request by the trainee for a review of a fail outcome from their assessment.*

Trainees have a right of appeal against the decision made by the examination board for their assessment where they feel there was irregularity in the conduct of the Examination Board or in the decision making process which, had it not occurred, would have materially altered the outcome for their assessment. Appeals will only be considered if substantiated with relevant and suitable evidence. Appeals cannot be made against the academic judgement of the assessor/s or the examination board. As a general rule, if an

appeal is upheld the results of the relevant assessment will not be altered; however, the outcome of the assessment may be amended.

Appeals must be received, directly from the trainee, by the School within 20 working days of receiving the assessment outcome. The procedure in relation to processing appeals is outlined in Section 2.

### **Management of personal data**

The trainee's submission, and all accompanying statements and records, will be kept confidential as far as is possible in facilitating a fair and thorough review. Whilst the trainee's privacy and confidentiality will be respected, this needs to be balanced with:

- The need for an open and fair investigation
- Appropriate remedial action to be taken
- The outcome of the investigation to be reported appropriately
- Action to be taken to improve our processes and quality of service

The details of the trainee's submission may, therefore, need to be shared with others who have been involved with the assessment process and are responsible for their design and delivery.

### **Section 1: Processing of complaints relating to the provision or administration of the EPA**

This policy covers complaints about the provision and administration of the live EPA and any EPA resits as per the published processes and procedures<sup>1</sup>.

Only complaints received directly from the trainee will be accepted. Complaints received by the School, adhering to the procedure set out below, shall be passed onto the Chair of the relevant Examination Board. For further information about the remit of the Examination Board, please refer to [NSHCS EPA Terms of Reference](#) available on the NSHCS website.

### **Unfounded complaints and unprofessional behaviour**

Genuine complaints shall be treated respectfully and will be investigated as provided in this policy. However, spurious complaints that are a deliberate attempt to unfairly gain advantage will be considered unprofessional behaviour and may be considered under the NSHCS misconduct policy.

Trainees are prohibited from contacting or attempting to contact internal or external assessors prior to or after the EPA for any reason. Such behaviour will also be considered unprofessional behaviour and may be subject to the [NSHCS misconduct policy](#).

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<sup>1</sup>Any mock assessments provided are a learning opportunity for trainees and have no bearing on the outcomes of their live EPA. The NSHCS welcomes feedback on their experience from trainees by email to inform improvements to the EPA assessment process.

## **EPA complaints procedure**

1. Complaints relating to the provision or administration of the EPA must be submitted by the trainee within 2 working days of the event using the Complaints and Appeals form (Appendix 1). The form must be received by the School by email at: [NSHCS.assessment@hee.nhs.uk](mailto:NSHCS.assessment@hee.nhs.uk) by 17:00 of day 2; trainees who have registered relevant reasonable adjustments with the School, may contact the School by phone to inform us of their intention to lodge a complaint and forward the completed form and evidence within an agreed time. Complaints submitted after the deadline or on behalf of the trainee will be returned to the trainee.
2. The complaints form and any evidence submitted by the trainee shall be forwarded to the Chair of the Examination Board relevant to the trainee's specialism.
3. Should the trainee have achieved the required standard to pass the assessment, the complaint shall not be considered by the panel.
4. Where a trainee has failed to achieve the required standard, any complaint received from that trainee, will be considered to determine if the trainee was, in any way, disadvantaged by an irregularity in the provision and administration of the assessment or treated unfairly.
5. Should this be determined to be the case, the panel will consider and apply appropriate compensation. This may or may not alter the overall outcome from the assessment for that trainee.
6. The decision and explanation will be recorded on the Board's minutes and forwarded for ratification by the by the Head of School.
7. The details in all submissions may be used as appropriate to inform the quality improvement process – please refer the 'Quality improvement process' section below.
8. The trainee will be informed of the outcome of their submission including explanation for the decision within 5 working days following the release of ratified results of the assessment on the published date.
9. All trainees have the right to appeal the outcome of the assessment on the basis of evidence of serious defect(s) in the procedure followed by the Examination Board – please refer to the Introduction and Scope of this policy and Section 2 below.

## **Section 2: Appeal against the conduct of the NSHCS Examination Board**

The Examination Board will be conducted as provided in the NSHCS Terms of Reference, a copy of which can be found on the [School's website](#).

The Examination Board is charged with reviewing all data and evidence pertaining to the trainee's performance at their EPA and based on this, make a pass or fail recommendation to the final ratification board chaired by the Head of School. The ratified outcome of their assessment is released to the trainee on the published date.

## **EPA appeals procedure**

1. An appeal against the provision and conduct of the Examination Board relating to the trainee's outcome must be submitted to the School by the trainee within 20 working days of receiving the results of outcome of their assessment using the Complaints and Appeal form (Appendix 1).
2. Receipt of the trainee's submission will be acknowledged by the School and a reference number attached. The trainee shall be informed if the appeal falls within the scope of this policy. If there are particular requirements that the trainee should have followed, but has not, the trainee will be advised that the submission falls outside the scope of this policy and therefore is not eligible for review.
3. Appeals will be reviewed in the first instance by the Deputy Head of School who will determine the need for panel to review the appeal.
4. If the appeal is upheld, the outcome shall be forwarded to the Head of School for ratification.
5. The trainee shall be informed of the ratified decision arising from their appeal submission within 21 working days of receipt. However, in the event that the issue raised is complex and requires more time to investigate, the trainee shall be informed and a further timeframe to arrive at a resolution agreed with the trainee.

## **Quality improvement process**

The School undertakes to treat all complaints and appeals that fall within the scope of the policy respectfully. Regardless of the outcomes of complaints and appeals, all such submissions shall be reviewed to elicit any learning to inform improvements in the School's policies and procedures.

Outcomes of complaints and appeals shall be recorded and reviewed by the next Examination Board for reflection and learning purposes as a preliminary agenda item to conducting the meeting.

## APPENDIX 1 – Complaints and appeals form

### NOTIFICATION OF COMPLAINT OR APPEAL

To enable the School's Examination Board to consider your complaint or appeal, please complete this form. You should submit the completed form, together with any other documentation that supports your submission, to the NSHCS email: [NSHCS.assessment@hee.nhs.uk](mailto:NSHCS.assessment@hee.nhs.uk)

- For complaints, submit within 2 working days of your assessment
- For appeals, submit within 20 days of receiving your assessment outcome

It is the responsibility of the trainee to retain a copy of all documentation.

**TRAINEE NAME:** \_\_\_\_\_

**CONTACT email:** \_\_\_\_\_

**CONTACT phone number:** \_\_\_\_\_

**THE END POINT ASSESSMENT (EPA) TO WHICH THE COMPLAINT OR**

**APPEAL APPLIES:**

**Date(s) of the EPA:**

*Nature of the Complaint or Appeal (please delete as appropriate)*

*Evidence to support your complaint or appeal (please delete as appropriate)*

Signed:

Date:

*Further pages/files may be added in support of your submission, appropriately referenced.*