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ECVS STANDARD OPERATING PROCEDURE:

Appeal Process

The College will consider appeals against decisions made by the Credentials Committee or against examination results from Resident candidates.

Candidates may appeal if they believe that a decision or a result has been wrongly or unfairly arrived at.

Procedure for Commencing an Appeal Process

1. **Time of Appeal:** Candidates who wish to appeal an examination result must do so in writing to the ECVS Office within 30 days of the date of the written notice of the decision or result in question from the Board of Regents. An Appeal against a decision of denying acceptance of the credentials may be submitted after a minimum of one week and a maximum of three weeks following the official announcement of the decision of denying acceptance of the credentials of a resident to sit the examination.
2. **Content of Appeal:** The appellant must make it clear what decision is being appealed against and the grounds claimed i.e. what procedure, rule or regulation has been incorrectly applied or interpreted so as to lead to a wrong or unjust outcome. Any evidence or documents supporting the Appeal must be provided at the same time.
3. The Executive Secretary will record the date of receipt of the Appeal and within 7 days of that send an acknowledgement to the appellant. The Executive Secretary will file the original Appeal and ensure that a copy is forwarded to the Chair of the Board of Regents no later than 20 working days of receipt of the Appeal.
4. The Chair of the Board of Regents (or in case of conflict of interest, another member of the Executive Committee), at their discretion, or in consultation with other members of the Board of Regents, will determine for each Appeal received whether
 - (i) A proper Ground of Appeal has been identified, in which case the Appeal Procedure proper will be invoked; or
 - (ii) The Appeal is not made against a proper Ground of Appeal, in which case the Appeal Procedure proper will not be invoked, but the Appeal amounts to a potentially reasonable request for leniency or relaxation of a rule, regulation or procedure because of special or extenuating circumstances, in which case the matter will be referred to the full Board of Regents for review; or

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- (iii) The Appeal is not made against a proper Ground of Appeal, nor does the Appeal amount to a potentially reasonable request for leniency or relaxation, in which case the matter will be closed.
5. No later than 30 days of the date of receipt of an Appeal, the Executive Secretary will send written confirmation to the appellant indicating which of 4(i) – 4(iii) above applies. In the event that the matter has been referred to the Appeals Committee (mentioning the composition of the Appeals Committee and the possibility to object to it) or to the Board of Regents for review, the Executive Secretary will give an indication to the appellant of when a decision on the Appeal or review can be expected. Alternatively, when an Appeal is not accepted for consideration by the Appeals Committee or for review, the Executive Secretary will send written confirmation of this to the appellant, stating the reasons.
6. No later than 30 days after the date of receipt of the Appeal, the Executive Secretary will collate all information needed for the review of each Appeal and distribute it to the members of the Appeals Committee or the Board of Regents (whichever is relevant according to paragraph 4 above). This information will include:
- (i) All documents submitted by the appellant in support of the Appeal (which must be in writing);
 - (ii) The reasons given to the appellant indicating which of 4(i) – 4(iii) above applies (see paragraph 5 above) (including copies of all relevant correspondence and documents);
 - (iii) Copies of the written procedures, rules and regulations that governed the credentials decision or examination result in question, or other decision appealed against;
 - (iv) Copies of the appellant's submitted credentials or examination results/scripts;
 - (v) Such further information that may subsequently be reasonably required by the Committee or the Board of Regents;
 - (vi) Additionally, in the event of an Appeal against an examination result that is referred to the Appeals Committee or to the Board of Regents for review, a report from the Chair of the Examination Committee (requested by the Chair of the Board of Regents) explaining the method used to score the practical and case-based examinations, and any other information pertinent to the conducting and grading of the examination.

Procedure to Conduct an Appeal Process

1. The Appeals Committee must be able to request information relevant to its consideration of the Appeal from any relevant parts.
2. The Appeals Committee must consider the need or not for an oral hearing (via Internet) with a reasonable timetable to appear.
3. The oral hearing must be attended by at least three members of the Appeals Committee. Neither party may be represented by legal counsel. Oral hearings will be conducted in English. The appellant may be accompanied by an individual (“representative”), who may assist them to present the Appeal. The representative will not be allowed to participate in answering specific questions but, at the discretion of the Chairperson, may be allowed to provide necessary language translations and may, at the end, be allowed to make a statement on behalf of the appellant.
4. A transcript or detailed minutes of the meeting will be kept. An electronic recording may be made with the prior consent of all parties. The minutes and, if it is made, the electronic recording, shall be made available to the meeting’s participants on request.
5. The Appeals Committee must have the discretion to reject or uphold the Appeal according to its independent view of the merits of the Appeal. Where the Appeal is upheld, in whole or in part, the Appeals Committee may modify or reverse the previous decision or adjust the sanction.
6. The Appeals Committee’s decision will be determined by simple majority vote, the Chair to have a casting vote in the event of no simple majority being reached.
7. The Appeals Committee will consider the Appeal and, no later than 30 days after receiving all necessary information in order to consider the Appeal, the Chairperson of the Committee shall report in writing to the Executive Secretary on its findings, reasons and recommendations.
8. The Executive Secretary, within 30 days of the date on which a decision is reached (having checked that the Appeals Committee has followed the procedure, and having made the decision accepted by the Executive Committee) will send the written decision of the Appeals Committee to the appellant. In the event of an adverse decision, the Executive Secretary will mention an existing procedure for appealing at EBVS level.

Appeal Process for Denial of Approval of a Residency Programme, Temporary or Permanent Suspension of Certification, or Denial of Recertification

1. **Method of Evaluation:** The Chair of the BoR shall make the initial determination if the matter should be reviewed by the full BoR or referred to the Appeals Committee.
2. **Timetable of Evaluation and Response:** The Appeals Committee shall respond to the BoR to such written appeals within a reasonable period of time and after appropriate consultation.
3. **Reporting and Confidentiality**
 - a) All appeals and grievances shall remain confidential within the level of necessary disclosure. The recording of appeals and reviews in the Appeals Committee's minutes shall name the appellant and reflect the nature of the problem, summary of discussion points and recommended action.
 - b) Following an appeal against or a review of an examination result each Appeals Committee member shall erase each tape and destroy all written material pertaining to the examination in his/her possession. Each Appeals Committee member shall send a letter to the Chair of the BoR stating that all materials have been so destroyed.