

## Intercollegiate Committee for Basic Surgical Examinations (ICBSE) Complaints Procedure

The purpose of this Complaints procedure is to outline the process for the resolution of candidates concerns in a fair and consistent manner.

The Complaints procedure is distinct from the procedures related to *appeals* against a decision made with regard to examination results. The Intercollegiate Appeals Regulations can be obtained at [www.intercollegiatemrcsexams.org.uk](http://www.intercollegiatemrcsexams.org.uk).

### Definition

1. For the purposes of this document the following definition of a complaint is applicable:

*A complaint is defined as a specific concern regarding the provision of an examination, the administration of an examination or the conduct of an examination (including the behaviour of staff or examiners). A complaint does not deal with concerns regarding academic judgement or disagreement with the pass/fail outcome of an examination.*

2. Any examination candidate who makes a complaint will not be disadvantaged in current or future examinations. Candidates should feel able to make a complaint, secure in the knowledge that it will be fairly investigated.

### Types of Complaints

3. Complaints can be categorised as justified or unjustified.

Justified	Complaints about a legitimate problem that was the result of the College doing something incorrectly or not following procedures. Some examples include: <ul style="list-style-type: none"> <li>• poor service quality</li> <li>• mistakes on letters/communications</li> </ul>
Unjustified	Complaints that allege that the College did something wrong, but the College has acted in line with regulations and policies. This can happen, for example, if a candidate has not read or correctly understood the policies and regulations of the College/examination.

## **Complaints procedure**

### **Stage 1 – Initial / Informal Complaints Procedure**

4. Complaints may be made at the time of the examination to a member of staff.
5. If the complaint is justifiable an incident report form should be completed at the time of the event in question. Both the candidate and Examinations Staff will provide information as to the nature of the incident.
6. If after informal discussion a candidate is happy that their complaint has been resolved, the complaint is considered closed.
7. If the candidate's complaint has not been addressed by an informal discussion, they may submit a formal complaint; details of this are outlined in Stage 2.
8. Any complaint submitted anonymously will not be considered.

### **Stage 2 – Formal Complaints procedure**

9. The formal complaints procedure should only be used in the following instances:
  - Where a complainant feels that the complaint was not resolved by informal/initial discussion with a member of staff at the College.
  - If the complainant believes that their complaint cannot be dealt with appropriately using the informal/initial discussion with a member of staff.
  - The candidate only became aware of the issue after the examination took place and did not have the opportunity to discuss this with a staff member at the time of the examination.
10. The formal complaint should be submitted in writing/email (including all relevant information and evidence) and addressed to the Head of Examinations at the College responsible for the running of the examination. This formal complaint submission must state the reasons for the complaint and detail what the candidate would consider as an appropriate resolution.
11. If the formal complaint is not received at the College within 30 calendar days of the issue that gave rise to the complaint, it will not be processed.
12. The date of receipt of the complaint in the College should be recorded. The date of the receipt will be day 0.
13. On receipt of the complaint, a senior member of staff will acknowledge the communication within 10 days and consider the admissibility of the complaint. If the complaint is established to be unjustified, it will be rejected and the candidate informed in writing as to the reasons for doing so. If the complaint is considered justifiable, a senior member of staff, who has no material interest in the complaint, will be appointed to investigate the complaint.

14. It is recognised that on occasion it may be initially unclear whether a case constitutes a complaint or appeal; hence the Surgical Royal College reserves the right to reclassify complaints to appeals or vice-versa at any stage in the 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.
15. Complaints relating to service provision of the College will normally be investigated and resolved internally.
16. Complaints relating to the content of an examination will need to be referred to the relevant Sub Group Committee for investigation. The Sub Group Committee will send back their comments to the relevant College for review and issue to the candidate.
17. The investigating member of staff will aim to respond in writing to the complainant within 30 calendar days of the receipt of the complaint, addressing the issues raised and detailing the outcome of the complaint. If this is not possible an acknowledgement letter will be issued to confirm that this matter is still being investigated.
18. Should the complaint be upheld, the College will make appropriate redress to the candidate and follow internal procedures to address any matters requiring further attention.
19. It is important to note that complaints will not always produce the outcome preferred by the complainant.

### **Candidate dissatisfaction with complaint decision**

20. Should the candidate be dissatisfied with the outcome of the complaint, he or she should write to the ICBSE Manager within 10 days of receiving the outcome of their original complaint, re-stating the complaint, the reasons for the continued dissatisfaction and include copies of any response letters issued by the Colleges. This will be reviewed by the ICBSE Manager who depending on the nature of the complaint may refer it to the ICBSE Chair (if related to examination content) or the Heads of Examinations of the Colleges (if related to service provision).
21. A formal response from the ICBSE Chair or Heads of Examinations of the Colleges will be sent by the ICBSE Manager to the complainant within 30 calendar days of receipt of the information relating to the continued complaint. If this is not possible an acknowledgement letter will be issued to confirm that this matter is still being investigated.
22. The outcome of the continued complaint can only be either upheld or dismissed.
23. Should the complaint be upheld, the College will make appropriate redress to the candidate and follow internal procedures to address any matters requiring further attention.

24. The decision of the ICBSE Chair or Heads of Examinations of the Colleges is final and the complaints process is at an end.

25. Privacy and confidentiality will be maintained in the handling of complaints except where disclosure is necessary to progress the complaint. It is ICBSE's expectation and that of the Surgical Royal Colleges that the confidentiality of any documentation generated by a complaint will be respected by all parties. Disclosure of information provided by a candidate in the course of a complaint or appeal will be restricted to those individual examination staff members and ICBSE representatives directly involved in their consideration.

Start Date: March 2023

Review Date: March 2025

# The Complaints Process

