

## **EEGC – Important information for Candidates**

### **1. Structure**

- i. The European Exam will be held in Pearson Vue testing centres across the countries that are taking part. Candidates will be able to select the venue to fit their preferences
- ii. The Exam will run for 3 hours on the set day. Morning and afternoon sittings will be available to candidates (as long as the venue selected can provide quarantine between morning and afternoon candidates)
- iii. Candidates must arrive no later than 30 minutes before the exam at the venue they have selected, in order to have adequate time to register and take their allocated seat.
- iv. The Exam is a 3 hour exam, with 120 multiple-choice questions.
- v. The exam is paperless and will run on PCs using Pearson Vue's exam software.
- vi. The exam has been designed to cover all core components of the European Curriculum in General Cardiology (as published by the European Society of Cardiology).

### **2. Registration**

- i. Registration and fee collection for the European Exam will be administered by each national society. Once a full list of candidates is known these will be passed to Pearson Vue who will then send links to the candidate to register and select the time/venue.
- ii. There will be a deadline for all candidates to register (variable each year).
- iii. Candidates must ensure that all information given via the Pearson Vue online registration system is correct, including any national identifiers e.g. GMC number.
- iv. Any changes to candidates' registration information should be reported to Pearson Vue immediately.

### **3. The Exam Venue**

1. Candidates must abide by Pearson Vue rules whilst taking the European Exam – see appendix 3.

### **4. Results**

- i. The European Exam is a pass/fail exam. Candidates will be given their overall score and the breakdown of their scores across the categories within the exam. This information is given to aid the Candidate in their understanding; it is not intended for use in any ranking purposes.
- ii. Results will be given within 2 months of the exam taking place.
- iii. Results will be sent via email to the address provided by the candidate to their national society in registering for the exam.
- iv. Each National society is responsible for communicating with their candidates and for providing the certification.
- v. For those candidates that fail, feedback will be given on the areas of the curriculum from which they performed poorly
- vi. It is the duty of the candidate to report their result to their Trainers.
- vii. Results will be calculated through the following process:

1. *Results from the exam are exported to ESC from the Pearson Vue exam software;*
2. *Results are calibrated with a psychometrician with a special interest in post-graduate exams and lead members of the Standard Setting Group;*
3. *Calibrated results are reviewed by the Exam Performance Review Group who will then agree the pass-mark;*
4. *Notification of results will be sent to national societies within one week of the EPRG meeting;*

### **5. Pass-mark and pass rate**

- i. The pass-mark for the EEGC will be set following the Hofstee compromise method after considering the exclusion of the questions identified as having poor or suspect performance.
- ii. The passmark and pass rate will be agreed by the EEGC Board.

#### **6. Reasonable Adjustments, Appeals, Complaints and Misconduct**

- I. Each National Society should put in place processes for making reasonable adjustments, responding to appeals or complaints and dealing with allegations of misconduct.
- II. Reasonable adjustments to the exam procedure for candidates with specific needs will need to be available e.g. extra exam time for candidates with dyslexia (see appendix 2).
- III. There may be candidates who wish to appeal for a change in the decision regarding the outcome of the exam (see appendix 3).
- IV. There may be candidates who have complaints about the quality of the provision or conduct of the EEGC (see appendix 4).
- V. There may be allegations of misconduct by EEGC candidates (see appendix 5).

#### **7. Illness on the day**

- i. In the case of illness, candidates need to produce a sickness certificate from a doctor with a covering letter written by the candidate explaining their absence.
- ii. Candidates' registration fees will not be refunded in the case of illness, but a place in the following years' exam will be reserved for them.
- iii. Candidates who do not attend the exam through illness, but do not provide their national cardiac society with a sickness certificate, will not be entitled to a place on the following year's exam and will not be refunded.
- iv. Candidates who are unwell at or during the exam should notify the senior invigilator.

#### **8. Re-sitting the examination**

- i. The European Exam will be held once per year on a date/time/location set by EEGC Board with the National Societies.
- ii. There is no maximum number of resits that a candidate can take.
- iii. National Societies should inform the European Standard Setting Group of the numbers of their candidates taking the Exam for a second time.

## **Appendix Two–Policy for Reasonable Adjustments**

If a candidate has a disability, specific learning difficulty, long term medical condition or other special need which may affect their ability to complete the European Examination General Cardiology (EEGC), they may be entitled to reasonable adjustments to the conduct of the examination. The principle is that no candidate's performance should be disadvantaged by their disability or special need, whilst always ensuring that no adjustment gives an unfair advantage.

A disability includes:

- Physical or sensory impairments
- Specific learning difficulties (e.g. dyslexia and dyspraxia) or other cognitive impairments
- Mental health issues
- Epilepsy, respiratory problems or heart conditions
- On-going or fluctuating medical conditions including unforeseen medical circumstance

In order to provide the appropriate adjustment(s), candidates must inform their national cardiac society and the EEGC board of their disability in writing at the time of registration, or as soon as possible if the disability is due to a sudden illness. This must include full written details and comprehensive supporting evidence provided by an appropriate authority (e.g. the candidate's registered family doctor or consultant). Candidates with dyslexia or any other learning disability require a Psychological Assessment Report from a qualified educational psychologist conducted after the candidate was sixteen years of age. All reports should include a recommendation about reasonable adjustment for the examination. Reasonable adjustments will be made in accordance with these, subject to ratification by the national cardiac society and if necessary the EEGC board to ensure consistency between candidates and avoid any unfair advantage.

Adjustments may include:

- Enlargement of examination materials
- Use of a scribe or amanuensis
- Use of an appropriate aid
- Additional time to complete the examination and/or breaks during the examination

Candidates will be notified in writing of any adjustments that have been permitted for their examinations. Where a candidate does not believe the adjustments they have been granted are reasonable, they may ask for their case to be reviewed by the EEGC Chair, whose decision will be final. The EEGC board reserves the right to take independent advice to ensure that any proposed arrangements are appropriate and in accordance with any applicable legislation.

# Appendix Three – Policy for Appeals

## 1 INTRODUCTION

1.1 These Regulations apply to all candidates for the European Examination in General Cardiology (EEGC) and are to be used to investigate all examination appeals. Although the appeal may relate to actions undertaken by the exam provider (Pearson Vue) or the exam developers (European Society of Cardiology and UEMS-Cardiac Section) the appeal will be dealt with by the candidate's registering national society (NCS) in line with these Regulations. Each NCS will have an examination board and the chairman of that board (NCS Exam Chair) will be the NCS representative on the EEGC Board.

1.2 Candidates should note that by entering to sit the examination they are deemed to have understood and agreed to abide by all relevant regulations, including these Appeals Regulations. Any dispute as to the interpretation of these Regulations shall be referred to the Chairman of the EEGC Board, whose decision in the matter shall be final.

## 2 DEFINITIONS

2.2 An 'appeal' is defined as a request for a review of a decision made by or on behalf of the EEGC Board about the performance in an examination of a candidate or group of candidates.

2.3 A candidate who has attempted any component of an examination may, in the circumstances set out below, have the right of appeal against the result. The only grounds for appeal are that:

There is clear evidence of procedural irregularity in the conduct of the examination (including administrative error) which has adversely affected a candidate's performance;

There were exceptional circumstances, such as illness or some other extenuating circumstance (for which clear documentary evidence must be provided), which adversely affected a candidate's performance in the examination. Candidates are advised to submit details of any such circumstances as soon as possible (i.e. within five working days) of the examination and not wait until after they receive their results.

2.4 Appeals will not be accepted on any other grounds, for example that a candidate: Considers his or her efforts were under-marked; Failed the examination by a narrow margin; Did not understand or was unaware of the Examination Regulations; Seeks to question the exercise of professional or academic judgement.

2.5 Any expression of a specific concern about the provision or quality of a service by the NCS, ESC, UEMS-CS or PV, including issues such as staff conduct, disputes about the regulations or other procedures is defined as a 'complaint' and as such will not be considered under these Appeals Regulations (but may instead be handled in accordance with the Complaints Procedures).

2.6 It is recognised that on occasion it may be initially unclear whether a case constitutes an appeal or a complaint; hence the NCS reserves the right to reclassify appeals to complaints or vice-versa at any stage in proceedings, in consultation with the person(s) appealing or complaining. Such reclassification will always be done so that the matter can be considered in the most appropriate and fair way, and candidates will not be required to resubmit their cases following any reclassification.

## 3 PROCEDURE

3.1 Any appeal shall be made in writing to the Administrator of the candidate's National Cardiac Society within thirty days of the despatch of the result to which it relates, and include supporting documentary evidence.

3.2 Any appeal submitted after this period must include an explanation and evidence as to why it could not be submitted sooner, and will only be accepted at the sole discretion of the NCS Exam Board Chair.

3.3 Candidates are assured that they have the opportunity to raise matters of legitimate concern through these Appeal Regulations without risk of disadvantage or criticism. Towards this end, the EEGC Board and NCS Exam Board recognises the importance of confidentiality when handling appeals, and will maintain an appellant's anonymity as far as is possible during any investigation. However, it will occasionally be necessary to disclose an appellant's identity to progress an investigation, and moreover this will be done as a matter of routine should any hearing by an Appeals Panel be necessary. Candidates who are not willing for their identity to be disclosed in this way should notify the NCS at the outset.

3.4 On receipt of an appeal the NCS will acknowledge receipt within 5 working days and will investigate and collate all relevant information, before referring it to the Exam Board Chair for initial consideration. The Chair may discuss the case, or undertake further investigations, as he/she deems necessary.

3.5 If it is considered by the Chair that the appeal is frivolous, unsubstantiated or outside the permitted grounds, the candidate will be notified of this and informed that the appeals procedure is at an end. If it is considered that the appeal is vexatious or malicious, or that the appellant has used false information, the appeal procedure will also be at an end but in this instance the appellant may be liable for action under the Misconduct Regulations (appendix 5).

3.6 If it is considered by the Chair that there is a case in support of the appeal "at first sight" (prima facie), he/she may arrange for an immediate remedy to be offered to the candidate. Alternatively, if the Chair is unable to determine whether there is a prima facie case, or (particularly in the absence of precedent) decides the appeal requires wider discussion, he/she may refer the appeal to the next scheduled meeting of the relevant Exam Board for consideration.

3.7. Where there is evidence that a candidate's examination performance was adversely affected by a procedural irregularity in the conduct of that exam or extenuating circumstances due to candidate illness (etc.), the Exam Chair shall consider remedies such as a re-sit and/or a refund.

3.8 The decision of the Chair or Examining Board will be communicated to the candidate within 10 working days of it being made. The appeals procedure is normally expected to take no more than 60 days from the date of the appeal being received.

3.9 If the candidate is not satisfied with the outcome of any appeal, they must contact the NCS Administrator within 10 working days of being notified of it to request that their case be reconsidered by an Appeals Panel. All such requests will be reviewed by the EEGC Board Chairman who will determine whether sufficient evidence remains for consideration by an Appeals Hearing Panel.

#### **4 CONDUCT OF AN APPEAL HEARING PANEL**

4.1 An Appeal Hearing Panel shall be convened at the discretion of the EEGC Board Chairman.

4.2 The Panel shall meet as soon as is practicable, and be constituted with one member from each of the following categories, or their nominee: (a) The EEGC Board Chairman or deputy who shall be Chair; (b) The Chair or Secretary of the relevant NCS Exam Board; (c) another member of the EEGC Exam Board.

4.3 The candidate shall have the right to be present at all proceedings of the Panel subject to the procedures detailed below in section 5, and to present written or oral evidence to the Panel. Proceedings of the Panel shall not be invalidated by reason of the absence of the candidate, provided that the procedure detailed below has been observed.

4.4 If translation facilities are required to aid the candidate's appeal this will be provided by the relevant National Cardiac Society.

4.5 The candidate has the right to be accompanied at the hearing by a companion who may advise, counsel and otherwise provide support the candidate. The companion however may not make any statements to, or cross-examine, any other person present at the Hearing. If the candidate wishes to be accompanied they must provide the Appeal Hearing Panel with the name, address and roles of the nominated person, and the reasons for their involvement, not less than five working days before the hearing.

4.6 The candidate will be informed of the date of the Appeal Hearing Panel as soon as possible and not less than 15 working days before the date of the Hearing. The candidate will be sent a copy of each document that is to be presented to the Panel not less than 10 working days before the date set for the Hearing. Such documents shall include any statement(s) provided by the candidate, whose responsibility it is to ensure any such documents and list of witnesses they intend to call in support of their appeal are received by the Panel at least 10 working days before the date set for the Hearing. No documents or witnesses may be presented to or referred to by the Panel, unless details have been circulated in this manner, except with the consent of both the Panel and the candidate. All documents will also be circulated in advance to members of the Panel so that they may familiarise themselves with the details of the case before the date of the Hearing.

#### **5 APPEAL HEARING PANEL PROCEDURES**

5.1 The Panel may, at its discretion, meet before the scheduled start of the Hearing for preliminary discussions.

5.2 At the start of the Hearing Panel all present shall introduce themselves. The Chair shall then invite the candidate to present their appeal, documentary evidence and call any witnesses in support of their case. The Panel may then question the candidate and his/her witnesses. The Hearing Panel may, at its discretion and at any time, interrupt proceedings to ask questions.

5.3 Before the appellant leaves the Chair shall give them the opportunity to make a closing statement.

5.4 The Panel shall then consider the matter, whether there are sufficient grounds and evidence for the appeal to be upheld, and what, if any, remedy should be offered to the candidate. The comments and decisions of individual Panel members shall always be treated as confidential.

5.5 Following the meeting a written report summarising the proceeding and the decisions of the Panel will be produced. This shall be sent to the candidate within five working days of the Hearing, and a copy presented to the next meeting of the Exam Board for its information and action, if appropriate. The candidate shall be reminded that the decision of the Appeals Hearing Panel is final, and that the appeals procedure is at an end.

# Appendix Four – Policy for Complaints

## 1 INTRODUCTION

1.1 The European Examination in General Cardiology (EEGC) is intended to be a high quality examination but on occasion candidates may be dissatisfied with the way in which something has been done. Any complaints arising from this will be handled in a clear, fair and consistent way.

1.2 These Procedures apply to all candidates, or prospective candidates, who consider that they have grounds for complaint regarding the provision of the EEGC. Although the complaint may relate to actions undertaken by the exam provider (Pearson Vue) or the exam developers (European Society of Cardiology and UEMS-Cardiac Section) where possible the complaint will be dealt with by the candidate's registering national society (NCS) in line with these Procedures. Each NCS will have an examination board and the chairman of that board (NCS Exam Board Chair) will be the NCS representative on the EEGC Board. These procedures may, if necessary and deemed appropriate by the EEGC Board, be used by the EEGC Board itself to consider complaints by any other party.

1.3 Complaints will not be considered if they are submitted anonymously or on behalf of another party, without that party's explicit consent in writing.

1.4 Candidates should note that by virtue of entering to sit an examination they are deemed to have understood and agreed to respect and abide by all relevant regulations, including these Complaint Procedures.

1.5 Any dispute as to the interpretation of these Procedures shall be referred to the EEGC Board Chairman, whose decision in the matter shall be final.

## 2 DEFINITIONS

2.1 A 'complaint' is defined as an expression of a specific concern about the provision or quality of the EEGC, including issues such as staff conduct.

2.2 Any request for a review of a decision made by or on behalf of the EEGC Board about the performance in an examination of a candidate or group of candidates is defined as an 'appeal' and as such will be considered under the Appeals Regulations (appendix 3).

2.3 It is recognised that on occasion it may be initially unclear whether a case constitutes a complaint or an appeal, hence the NCS Boards and EEGC Board reserve the right to reclassify complaints to appeals or vice-versa at any stage in proceedings, in consultation with the person(s) complaining or appealing.

2.4 These procedures are not applicable if the complaint appears to be intended to delay or prevent the consideration of an allegation of academic misconduct.

## 3 PROCEDURE

3.1 It is expected that complaints will be raised as quickly as possible and no more than thirty days from the date in which the incident occurred.

3.2 It is a principle of this procedure that an informal and flexible approach to resolution of complaints will be adopted wherever possible. All complaints can be raised informally as they arise with the individual or organisation you are dealing with. The vast majority of complaints can and should be resolved in this way.

3.3 Candidates are assured that they have the opportunity to raise matters of legitimate concern without risk of disadvantage or criticism. Towards this end the importance of confidentiality will be recognised when handling complaints as far as is possible during any investigation. However, it will occasionally be necessary to disclose a complainant's identity to progress an investigation. Candidates who are not willing for their identity to be disclosed in this way should make this clear in their letter of formal complaint.

3.4 If it is considered that the complaint is vexatious, or malicious; or the complainant has used false information in a complaint, they may be liable for action to be taken under the Misconduct Regulations (appendix 5).

3.5 If your complaint remains unresolved by informal means, you can contact the relevant NCS or EEGC Board. All formal complaints must be submitted in writing and state the following: (i) the nature of the complaint, (ii) what has / has not been done to resolve it, (iii) why the complainant is not satisfied with what has / has not been done, and (iv) what the complainant would like to be done to resolve the matter to their satisfaction. Complainants must make clear in the letter that it is a formal complaint they are submitting, and make clear to all other NCS or EEGC Board staff they may continue to have contact with that they have submitted a formal complaint.

3.6 All complaints will be acknowledged. Wherever possible a full response will be made within twenty working days of receipt, unless extenuating circumstances exist in which case the complainant shall be informed of this and notified of the revised deadline for the response. Full reasons shall be given for the decision reached.

## 4 APPEALS ABOUT THE OUTCOME OF COMPLAINTS

4.1 If a complainant is not satisfied with the outcome of their formal complaint they may appeal in writing to the Chair of the NCS exam board or EEGC Board.

4.2 All appeals about complaints will be acknowledged and wherever possible a full response will be made within twenty working days. If extenuating circumstances exist which affect this timeframe complainant shall be informed and notified of the revised deadline for the response.

4.3 The decision of the Chair of the NCS exam board or EEGC Board is final, and candidates will be notified of this and the complaint closed.

### Example flow chart

Candidate wishes to submit an Appeal or Formal Complaint

Candidate writes to NCS with details within 30 days

NCS acknowledge receipt within 5 days

NCS considers and response decided within 20 days

Candidate wishes to appeal NCS decision within 10 days

NCS acknowledges within 5 days

EEGC Board reconsiders and responds or convenes a Hearing within 20 days

# Appendix Five – Policy for Misconduct

## INTRODUCTION

1.1 These Regulations apply to all candidates for the European Examination in General Cardiology (EEGC) and are to be used to investigate all aspects of misconduct in the EEGC (see 2.1 for definitions of misconduct).

1.2 These Regulations apply to all candidates, or prospective candidates, for the EEGC. Although the misconduct may relate to actions undertaken through the exam provider (Pearson Vue) or the exam developers (European Society of Cardiology and UEMS-Cardiac Section) where possible the misconduct will be dealt with by the candidate's registering national society (NCS) in line with these Regulations. Each NCS will have an examination board and the chairman of that board (NCS Exam Chair) will be the NCS representative on the EEGC Board. These regulations may, if necessary and deemed appropriate by the EEGC Board, be used by the EEGC Board itself to consider cases of misconduct.

1.3 Candidates should note that by virtue of entering to sit an examination they are deemed to have understood and agreed to respect and abide by all relevant regulations, including these Misconduct Regulations.

1.4 Where a candidate is suspected of misconduct they will not have their results confirmed until the procedures for investigation as detailed in paragraph 4 are complete.

1.5 Investigations will be completed as quickly and efficiently as possible and candidates will be kept informed of progress.

1.6 The NCS and EEGC Boards reserve the right to conduct retrospective investigations, and consequentially to amend or cancel results after they have been confirmed.

1.7 The Boards acknowledge that the process of investigation and false allegations can have an impact on candidates' reputation. For this reason all proceedings will be strictly confidential. However, should the allegation against the candidate be proven, the details of the case will be shared with the relevant regulatory body and the individual responsible for overseeing the candidate's training.

1.8 Any dispute as to the interpretation of these Regulations shall be referred to the Chairman of the EEGC Board whose decision in the matter shall be final.

## 2 DEFINITIONS

2.1 Misconduct includes, but is not restricted to: (a) Introduction into any examination of any materials other than those specifically permitted for the examination;

(b) Any attempt to remove materials or content (including the use of recording devices) from an examination;

(c) Any attempt to release content from any examination to a third party/commercial organisation

(d) Any attempt to communicate with another candidate;

(e) Any attempt to gain access to or read the work of another candidate;

(f) Any attempt to gain or pass on information about the contents of the examination in advance of the date of the examination;

(g) Impersonation or attempted impersonation of a candidate;

(h) Bribery (of another candidate, examination official, actual or simulated patient)

(i) Unacceptable or disruptive behaviour during an examination;

(j) Failure to abide by the reasonable instructions of an invigilator or other examination official, or breaching of Examination Regulations;

(k) Falsification or alteration of any results document or qualification;

(l) Any other form of cheating or conduct likely to give an unfair advantage to the candidate or others;

(m) Failure to abide by the rules and regulations of the examination centre

(n) Aiding or abetting any of the above.

## 3 REPORTING PROCEDURES

3.1 Suspected misconduct may be reported to the relevant NCS or EEGC Board by examiners, invigilators, examination officials, candidates and any other person who becomes aware of suspected misconduct.

3.2 In addition to these direct patterns of reporting, the EEGC Board may use computer software to detect cheating, by automatically reviewing all candidates' answers after every examination to identify correlations in response patterns between pairs of candidates beyond what could be expected to occur by chance. This software is known by the generic term 'Anomaly Monitoring System' (AMS).

3.3 Anonymous reports of misconduct will be acted upon only if there is supporting evidence. In such cases invigilators and any other relevant officials may be informed of the allegation and asked to comment.

3.4 Where an invigilator suspects a candidate of infringing examination rules, he/she shall: (a) confiscate any unauthorised material in the possession of the candidate; (b) make a formal and contemporaneous note of the time when the alleged infringement was discovered. Wherever possible an invigilator should invite another invigilator to act as witnesses to the suspected infringement; (c) allow the candidate(s) in question to continue the examination. Ejection from the examination centre should only take place in the event of a candidate's conduct causing disruption to other candidates; (d) inform the candidate(s) in question at the end of the examination, that a written report of the incident will be submitted to the relevant NCS Board or EEGC Board.

3.5. Candidates must on request surrender to the invigilator any materials or aids that are reasonably believed by the invigilator not to be permitted. The invigilator can, on request, issue a brief receipt for such articles. The invigilator must include all such materials with his/her report.

3.6 For all other instances of Misconduct: the examiner or person(s) identifying the misdemeanour shall prepare a written report on the alleged incident and send it with any confiscated materials to the Chair of the relevant NCS Exam Board.

#### **4 PROCEDURES FOR INVESTIGATION**

4.1 The NCS and/or EEGC Board shall review all reports of alleged cases of misconduct, and shall determine whether there is sufficient evidence of a case to be answered.

4.2 If there are grounds to consider there is a case to be answered then within 10 working days of receiving a report of suspected misconduct, the NCS or EEGC Board will inform the candidate in writing of the allegations that have been made about them, and provide them with a copy of these Regulations. The candidate shall thereby be invited to admit or deny the charge, and be informed that the establishment of a Misconduct Hearing Panel can be dispensed with should they choose not to question the allegations.

4.3 The candidate shall provide their response in writing to the allegations within 10 working days from the date of the Board's letter. If no response is received within 10 days, then a warning letter shall be sent. The candidate's result will remain unconfirmed until they respond to the allegation and the procedures for investigation have been completed.

4.4 Where a candidate admits in writing to the allegations, full details of the case shall be passed to the Chair of the relevant board for a final decision. The candidate shall have the opportunity to include with their response a written statement that may be taken into account by the Chair.

4.5 Where a candidate denies the allegations (in whole or in part) the Board will request that a Misconduct Hearing Panel is convened as soon as possible to formally consider the case.

4.6 The establishment of a Misconduct Hearing Panel under paragraph 4.5 does not preclude the candidate from, at any point, admitting the allegation in writing for action to be taken in accordance with paragraph 4.4, except that the fact of the candidate's initial denial will also be communicated to the Chair of the relevant board to take into account.

However, all candidates who have committed misconduct should note that promptly admitting guilt, taking responsibility and expressing contrition for their actions is viewed by the Boards as an important and appropriate step, and that this will be kept in mind whenever any penalty is being determined.

4.7 Decisions will be reached on cases passed to the Chair of a board (in accordance with paragraphs 4.4 and 4.6) as soon as possible, and candidates should normally have received notification of the action to be taken in regard to their case within 15 working days of their letter. In exceptional circumstances a decision may be deferred until the next scheduled meeting of the relevant board, but candidates must be informed of this within 15 working days of their letter; and then be notified of the action to be taken in regard to their case within five working days of the Board's meeting.

#### **5 ESTABLISHMENT OF A MISCONDUCT HEARING PANEL**

5.1 A Misconduct Hearing Panel shall be convened if a candidate denies an allegation in whole or in part.

5.2 Proceedings of the Panel shall not be invalidated by reason of the absence of the candidate, provided that the procedure detailed below has been observed.

5.3 The purpose of the Panel is to examine the facts of a case, and the strength and veracity of the evidence being presented. It is to determine on the balance of probabilities whether the allegation of misconduct has been proven, to the satisfaction of the majority of the Panel. Where an allegation is found to be so proven, it is to determine an appropriate penalty.

The Misconduct Hearing Panel shall be constituted with one member from each of the following categories:

- (a) The Chair of the relevant Board (panel chair)
- (b) EEGC Board Chair (or their nominee)
- (c) Another EEGC Board member

5.4 A nominee of the investigating Board will present the details of the allegation and all available evidence to the Panel.

5.7 The candidate shall have the right to be present at all proceedings of the Panel subject to the procedures detailed in paragraph 6, and to present written or oral evidence to the Panel. Such evidence may include references attesting to previous good character, although candidates are advised to keep in mind that those approached to supply such references may then subsequently expect the candidate to provide them with details of the outcome of the Hearing.

5.8 The candidate has the right to be accompanied at the Hearing by a companion who may advise, counsel and otherwise support the candidate. The companion however may not act as a witness or address any other person present at the Hearing. If the candidate wishes to be accompanied they must provide the Hearing Panel with the name, address and roles of the nominated person, and the reasons for their involvement, not less than five working days before the hearing.

5.9 In exceptional circumstances candidates may want their case to be presented for them, for example, by a friend, colleague or a representative from their professional body. Candidates can exercise this right to be represented at an Appeal Hearing. The representative will be allowed to submit written evidence before the hearing on behalf of the candidate and address the Panel. If a candidate wishes to be represented by a lawyer then legal representatives should be reminded that the Hearing is not a court of law and the Panel governs its own procedures including the questioning to be allowed of others.

5.10 The investigating Board shall inform the candidate of the scheduled date of the Misconduct Hearing Panel at least 30 days before the date of the Hearing. Documents to be presented at the Hearing will be sent to the candidate not less than 15 working days before the date set for the Hearing, which shall include a list of any witnesses that may be called. Such documents shall include any statement(s) provided by the candidate, whose responsibility it is to ensure any such documents and a list of witnesses they intend to call are received by the investigating Board at least 20 working days

before the date set for the Hearing. No documents or witnesses may be presented to or referred to by the Panel, unless details have been circulated in this manner, except with the consent of the Panel, the candidate and presenting officer. All documents will also be circulated at least 10 working days in advance to members of the Panel so that they may familiarise themselves with the evidence before the date of the Hearing.

## **6 MISCONDUCT HEARING PANEL PROCEDURES**

6.1 All proceedings will be strictly confidential.

6.2 At the start of the Hearing the Panel may engage in preliminary deliberations.

6.3 The candidate, their companion, any witnesses, and the presenting officer will be invited into the room and all present shall introduce themselves. The Chair shall ask the investigating Board officer to outline the allegations, and then ask the candidate whether they admit or deny misconduct. If, at this stage, the candidate decides to admit to the allegations in full, the Panel has the authority to proceed immediately to consideration of the penalty to be imposed.

6.4 In all cases other than those covered by 6.3 above, the Chair shall then invite the presenting Board officer to present his/her documentary material and call witnesses. The Chair shall then invite the candidate to question the presenting officer and his/her witnesses, after which members of the Panel may do the same.

6.5 The Chair shall then invite the candidate to present their documentary material and call witnesses in support of their case. The presenting officer may then question the candidate and his/her witnesses, after which members of the Panel may do the same.

6.6 The validity of proceedings shall not be affected by the unwillingness or inability of any party to reply to questions or to appear before the Panel. Where the Panel concludes that an individual is unwilling to reply to a question, it may make reasonable inferences from that refusal.

6.7 The Hearing Panel may, at its discretion and at any time, interrupt proceedings to ask questions, or to instruct the room to be vacated for private deliberations.

6.8 Before they are dismissed, the Chair shall give the presenting officer and the candidate the opportunity to make a closing statement.

6.9 The decisions of individual Panel members shall always be treated as confidential.

6.10 Exceptional or mitigating circumstances shall not be considered by the Panel when determining whether an allegation has been proven, but may be referred to when an appropriate penalty is being discussed.

6.11 Following the meeting the Board shall prepare a written report summarising the proceedings, deliberations, decisions of the Panel and their reasoning, and any penalties to be imposed (including where the decision is that no misconduct has been committed). This shall be sent to the candidate within five working days of the Hearing, and a copy presented to the next meeting of the relevant Board.

## **7 MISCONDUCT APPEALS PROCEDURE**

7.1 Appeals against the decision of an Examining Board or Misconduct Hearing Panel must be received in writing by the relevant Board chairman no later than 10 working days after the date on which the candidate was notified of the decision.

7.2 An Appeals Hearing Panel shall only be convened on the following grounds: (a) Where there is evidence of administrative or procedural irregularity in the establishment or conduct of the Misconduct Hearing Panel; (b) Where there is new evidence of extenuating circumstances that could not reasonably have been presented before.

7.3 An independent adjudicator, a member of the EEGC Board who has had no prior involvement in the case, will review the appeal and determine whether there is sufficient evidence for an Appeals Hearing Panel to be convened based on the grounds set out in 7.2.

7.4 The establishment and conduct of an Appeals Hearing Panel will follow the same procedure as set out in these Regulations for a Misconduct Hearing Panel, except that no member of the Panel may have been previously involved with the case.

7.5 The role of the Appeals Hearing Panel will be to hear afresh the evidence presented to the Misconduct Hearing Panel. They may also hear and take into account fresh evidence presented by either side as long as it is circulated in accordance with the provisions of paragraph 5.10.

7.6 The Appeal Hearing Panel shall have the power to confirm, reverse or amend the original decision of the Misconduct Hearing Panel.

## **8 GUIDELINES FOR PENALTIES**

8.1 No candidate whose misconduct has been proven shall be permanently barred from entry to the EEGC however, where misconduct has been proven the details of the case will be passed to the relevant regulatory body (e.g. in the UK the General Medical Council) and the individual responsible for overseeing their training.

8.2 As stated in paragraphs 4.4 and 5.3 of these Regulations, where an allegation of misconduct is sustained, the relevant NCS Board or EEGC Board will decide the appropriate penalty. In making these decisions, all involved are expected to have regard to guidelines based on precedents from similar examinations. There are guidelines for normal circumstances and are not binding, and do not preclude the relevant authority from determining a lesser or more severe penalty to be appropriate should the circumstances warrant this. However, in all cases the responsible authority shall consider: the need to preserve the integrity of the examination; natural justice and consistency with previous penalties; evidence of contrition and an understanding of the gravity of the offence.

8.3 Summary of Standard Penalties

(a) No further action; (b) A written warning; (c) results for the examination to be annulled; (d) candidate barred from entry for a specified period.