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STUDENT MISCONDUCT AND DISCIPLINARY POLICY / PROCEDURE

1. INTRODUCTION

- 1.2 The Student Misconduct Procedure is designed to allow the Company to deal with allegations relating to student discipline or behaviour. It cannot, and does not, seek to replace other civil or criminal processes which should be used where more appropriate. This document overlaps with the bullying and harassment policy and procedure documents but differs in that it does not solely relate to bullying and harassment but also the behaviours prohibited in the student conduct policy.
- 1.3 If you have been invited to meet for an informal discussion (preliminary interview) under the procedure, it means there have been concerns raised about your conduct. The communication inviting you to the meeting should clearly set out what these concerns are. At this stage the Company is invoking the procedure, but no formal action is currently being taken. Please read this policy in conjunction with our bully and harassment policy and procedure documents for more detail on our procedures.

2. ACTION (INCLUDING SUSPENSION) PENDING A HEARING

- 2.1 Where allegations are considered most serious, particularly, but not exclusively, those relating to aggravated, aggressive, and violent acts, the Company may, on reviewing the risks to all parties, decide to act pending a hearing. This is a precautionary measure and does not assume that misconduct has occurred.
- 2.2 This form of action is flexible, and where practicable the Company will seek to minimise the disruption to the studies of the student against whom the concern is raised. However, in some instances this may not be possible.
- 2.3 The Procedure allows for a student to request a review of suspension pending a hearing where there is evidence of significantly altered circumstances. You will need to submit the request to the person who had dealt with the complaint or alternatively to ukstudentservices@barbri.com, along with the relevant evidence. Any submissions should clearly outline who you have been liaising with re the suspension to date.

3. HOW CASES ARE CONSIDERED

- 3.1 Many concerns are dealt with informally, however where the matter is considered serious, the case may enter a formal stage. Both the informal and formal procedures are set out in the bullying and harassment policy and procedure documents.
- 3.2 The Company can impose a range of sanctions from a written undertaking of good behaviour to expulsion from the Company courses.
- 3.3 A written undertaking from a student for future good conduct, may include an agreement not to contact named individuals, a written reflection, an action plan etc.
- 3.4 Possible outcomes of student misconduct may include suspension, a report to the SRA that may affect the student's ability to become a solicitor now or at any time in the future, expulsion or other activity that might be deemed appropriate in the circumstances with regard for the gravity of the misconduct in question. The Company may also issue legal proceedings and / or report the conduct to the police or other external bodies where appropriate.

4. TIMING

- 4.1 The Company will seek to resolve all matters promptly. Where investigators need to speak to a range of people, such as those at external placements, this can effect resolution times.
- 4.2 Cases involving matters being considered by police, criminal or civil procedures, including professional body procedures, may be put on hold until those external proceedings are completed, or the Company is given permission to proceed. This can extend the whole process significantly.

5. REPORTING AN INCIDENT

- 5.1 Depending on the nature of the complaint, if you wish to raise a concern about the behaviour of another student you can raise it with your tutor, learning coach or ukstudentservices@barbri.com . For more details on the informal and formal procedures, please see the Company bullying and harassment policy and procedure documents.
- 5.2 The Company will not normally take forward anonymous reports, unless sufficient evidence can be provided. The Company may withhold personal information about individuals involved in a case from other parties, if, and when, it is considered appropriate and if does not have a negative effect on the investigation.