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Reviewed By:	WF JT 16/3/23

## STUDENT VOICE POLICY

### 1 INTRODUCTION

1.2 This policy sets out BARBRI's (the "**Company**") student voice principles. The Company understands it has a responsibility to conduct its affairs in a responsible manner. The Company is committed to transparency and accountability as promoted by the safeguarding and welfare principles. In line with this commitment, the Company invites students who have serious concerns regarding malpractice within the Company, through the activities of staff or otherwise, to voice those concerns. Students can do this with the knowledge that their action will be received in good faith.

### 2 AIMS

2.2 This policy aims to empower students to raise concerns that are in the public interest. The Company wants to actively encourage students to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate. Students can report incidents using the procedure set out in the bullying and harassment policy and procedure documents.

2.3 The Company endeavours to ensure that all reports will be treated with the utmost care and will remain confidential unless legislation dictates otherwise.

2.4 Where an incident is reported, the Company endeavours to notify all relevant parties e.g., the police, emergency services etc. The Company will also direct students to external services that would be helpful to them in each situation.

2.5 The policy is in place to reassure students that they can raise genuine concerns without fear of reprisals, even if the concerns turn out to be mistaken.

### 3 REPORTABLE INCIDENTS

3.2 The following list includes examples of incidents or situations that a student may become aware of that raises concern. If a student witnesses or suspects any of the situations listed below, they should report the incident or suspected incident to the Company or where appropriate the police. This list is meant to expand on prohibited behaviour in the Company's bullying and harassment policy and procedure documents, the Company's student conduct and misconduct documents, and the Company's safeguarding and welfare policy:

3.2.1 any criminal offence which has been committed, is being committed or is likely to be committed;

3.2.2 any person who has failed, is failing or is likely to fail to uphold legal obligations / duties they are bound by;

3.2.3 the health and safety of an individual who has been, is being or likely to be in danger;

3.2.4 serious or dangerous incompetence; and

3.2.5 any attempts to conceal any of the actions above or listed in other Company policies.

#### **4. COMPLAINTS PROCEDURE**

- 4.1 Informal resolution will be promoted in as many cases as possible. It is generally in the interests of all parties to resolve any concerns expeditiously and without the need to escalate to a formal Complaint.
- 4.2 BARBRI's Complaint Procedure comprises of three stages:
- 4.2.1 Stage 1: an informal approach with emphasis on conciliation and local resolution;
- 4.2.2 Stage 2: a formal procedure which may include mediation; and
- 4.2.3 Stage 3: a request for a review of stages 1 and 2.
- 4.3 If the complainant wishes to make a formal complaint, this must be done in writing to the Student Services Team at [ukstudentservices@barbri.com](mailto:ukstudentservices@barbri.com), using the form in Appendix 1. The full Complaints Procedure is available through the Company handbook.
- 4.4 The complaint should include all details of the misconduct, including any relevant evidence.
- 4.5 Within 7 days a member of BARBRI Student Services Team will respond to a student to acknowledge receipt of their Complaint and advise any member(s) of Staff concerned, through their line manager and in writing, that a Complaint has been received and the substance of that Complaint.
- 4.6 If a student has not taken steps to address the issue informally, the BARBRI Student Services Team representative may advise this as a first course of action and offer a referral into Stage 1 of this Procedure or support in facilitating mediation where appropriate. Should either of these approaches be deemed inappropriate or inconclusive, a formal investigation of the complaint should take place with a view to determining the facts and the credibility or otherwise of the allegation.

#### **5. INVESTIGATION**

- 5.1 The investigation should be conducted by either a designated member or members of the team or, if deemed appropriate, an agreed third party. The investigation should be conducted thoroughly, objectively, with sensitivity, utmost confidentiality, and with due respect for the rights of all parties involved.
- 5.2 The investigator may meet with the complainant and respondent and any witnesses or relevant persons on an individual confidential basis with a view to establishing the facts surrounding the allegation. Both the complainant and respondent may be accompanied by a work colleague or an employee or agreed third party if so desired. Every effort should be made to carry out and complete the investigation as quickly as possible and preferably within an agreed timeframe. Where the matter is illegal in nature, the Company will not be at liberty to resolve the incident in an agreed timeframe and there will be particular attention given to the precision of reporting around the incident to ensure the Company are as transparent as possible.
- 5.3 On completion of the investigation, the investigator should submit a written report to management containing the findings of the investigation. Both parties should be given the opportunity to comment on the findings before any action is decided upon by management.
- 5.4 The complainant and the respondent should be informed in writing of the findings of the investigation in a timely manner. The findings should contain instructions on how to appeal the decision, as set out in the bullying and harassment policy and procedure documents.

## **6. OUTCOME**

**6.1** Where the teaching or management team decide that the complaint is well founded, the respondent may be given a formal interview to determine an appropriate course of action. Such action could, for example, involve counselling and / or monitoring or progressing the issue through the disciplinary and grievance procedure of the Company. If either party is unhappy with the outcome of the investigation, the issue may be processed through the appeal procedure set out below.

**6.2** The Company withholds the right to suspend or expel any student accused of a crime if criminal investigations are ongoing and the continuation of the person accused would have a detrimental effect to other students or staff on the course of study.

## **7. APPEAL**

If the complainant or the respondent is unhappy with the outcome of the procedure, either party can appeal in writing to the BARBRI Appeal Officer within 14 days of receiving the Stage 2 Decision or any correspondence confirming the outcome of any resolution undertaken under Stage 2. The request should set out why the outcome of Stage 2 does not resolve the complaint. No new evidence can be introduced at this point.

## **8. CONFIDENTIALITY**

**8.1** All individuals involved in the procedures referred to above should maintain absolute confidentiality on the subject. Confidentiality will be maintained unless there are restrictions in the legislation or requirements for certain situations to be reported.

## **9. TRAINING/AWARENESS**

**9.1** It is considered that all personnel who have a role in either the informal or formal procedure for example, designated members of management, worker representatives, etc. should be made aware of appropriate policies and procedures which should, if possible, include appropriate training.

## **10. PROTECTION FOR STUDENTS RAISING CONCERNS**

**10.1** Individuals who raise genuine concerns in good faith, will not be subjected to any detriment because of such action, even if they turn out to be mistaken. Detriment includes disciplinary action or victimisation.

**10.2** If a student believes that they have suffered detrimental treatment because they raised concerns under this policy, they should raise the matter under the Complaints Policy.

**10.3** Any person who victimises or retaliates against those who have raised concerns under this policy will be subject to disciplinary action.

**10.4** If a student has raised a concern under this policy or other policies mentioned herein, and is not satisfied with the outcome, the student has the option to refer the matter to one of the following bodies set out below. This list is non exhaustive:

- Citizens Advice Bureau;
- Action Fraud National Fraud and Cyber Crime Reporting Centre;
- Education and Skills Funding Agency; or
- NSPCC (for concerns on how the organisation are managing safeguarding).

## **11. EMERGENCY**

**11.1** Please note if there is immediate risk to people or property, or a crime is being committed, 999 should always be dialled immediately. If a crime has or may have been committed, the police should be contacted on 101.

## APPENDIX 1

### Complaint form

In order to make a formal complaint, please email this form, once complete, to [the Student Services Team at ukstudentservices@barbri.com](mailto:ukstudentservices@barbri.com).

Personal details	
Name	
Student number	
e-mail address/telephone number	

### Your complaint

<b>Issue raised</b> Please list the specific issues which you would like investigated	
<b>Action already taken</b> Please describe any action you have already taken, with dates, to try and address this complaint (for example, speaking to a member of BARBRI staff, approaching your Learning Coach, utilising the BARBRI Feedback Questionnaire or other feedback tool). You must take reasonable steps to address your concern informally before making a formal complaint. If you require support or guidance, speak to any member of BARBRI staff	
<b>Associated evidence</b> Please list the evidence which you are submitting in support of your complaint (you should attach the evidence to the email in which you file your complaint). For example, you can attach emails and dates and times of meetings, with any agreed actions.	
Please indicate the outcome you are requesting from this process	
<b>Declaration</b> I declare that the information given in this form is true to the best of my knowledge and that I would be willing to answer further questions relating to it if necessary. I authorise representatives of BARBRI to consider the evidence submitted alongside this complaint, and any other relevant information held by BARBRI, to the extent necessary for the consideration of my complaint. I understand that any documentation that has implications for third parties may also be shared with those third parties in the interests of natural justice.	
Name (print)	
Signature	
Date	