



TCF 03

Conduct & Disciplinary Policy and Procedure for Students

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Support/Co-review	Training Management Committee
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Policy: The Counselling Foundation is committed to providing fair and impartial protocols for dealing with student misconduct. This policy outlines the procedure to be followed by students and staff when a student's conduct is deemed sufficiently unsafe or unsatisfactory for the student to be removed from the course and/or placement pending an investigation.

Purpose: To protect staff, students and counselling clients and to support students and staff by providing a clear strategy of action for handling cases of misconduct with disciplinary procedures.

Scope: All students of The Counselling Foundation while in training or on placement.

1. INTRODUCTION

This policy has been designed to support staff in dealing with a student whose conduct is considered to be sufficiently unsafe, unhealthy or so unsatisfactory as to warrant investigation and escalation to the Clinical Committee as set out below.

While the following list is not exhaustive, it serves to provide examples (in line with the terms and conditions of training) of the circumstances in which this policy can be applied i.e. where The Counselling Foundation feels that:

- The conduct of a student contravenes statutory professional guidelines for conduct.
- The presence of a student constitutes a serious risk to their clients (if on placement), staff, fellow students, her/himself or The Counselling Foundation property (e.g. severe aggression, suffering from substance misuse).
- The conduct of the student is subject to criminal charges and alleged offences, which are connected with, or may affect the student's performance, suitability for duties or ability to continue as a student on the programme. An incident/complaint has occurred involving others and an investigation needs to be carried out.
- The student fails to meet the minimum criteria for attendance or academic achievement.
- The student is in persistent or serious breach of Foundation Training Policies.
- The student is in persistent or serious breach of the BACP Ethical Code.

2. PRECAUTIONARY SUSPENSION

In cases where there is a risk or an issue that warrants immediate action, the Programme Tutor or Tutor may recommend an immediate precautionary suspension from the course authorized by the Head of Counselling and Training. In cases such as gross misconduct the student can be asked to leave the class immediately.

3. MEETING

The student will be contacted in writing by the training team and offered a meeting with a minimum of 5 days' notice and attended by:

- Two representatives of the Foundation, including the Programme Tutor.
- The student, who may invite another party such as their Student Representative
- Independent person to record the proceedings.

All parties should make themselves available and the environment should be undisturbed.

The representatives review the matter with the student and the student is interviewed for a period of time (20-50 minutes).

The Investigators where possible agree a way forward with the student, be it a conditional re-joining of the course, deferral, suspension or withdrawal from the course.

Following the meeting, the minutes of the meeting and any recommendations made by the training team will be forwarded to the attendees and the clinical committee for consideration. If the trainee disagrees with the minutes, a statement can be submitted by the trainee to the Clinical Committee in addition to the minutes.

4. THE CLINICAL COMMITTEE

The Clinical Committee membership includes the senior clinicians within The Counselling Foundation, including the Head of Counselling and Training, Senior Supervisor, Senior Clinical Manager.

The Clinical Committee will consider the case in question and have jurisdiction in all clinical matters arising with one exception. In the case where a suspension or withdrawal from the course is indicated the Clinical Committee will minute a recommendation for consideration by the Executive Committee who will make the final decision.

5. THE EXECUTIVE COMMITTEE

The Executive Committee membership includes the senior managers within The Counselling Foundation, including the CEO and Heads of Clinical, Training, Marketing and Operations.

The Executive Committee will review the case in question and have jurisdiction in all matters arising where a suspension or withdrawal from the course is recommended by the Clinical Committee. The Executive Committee will seek to review such a recommendation and provide a decision in writing.

6. COMMUNICATION OF THE OUTCOME

A letter outlining and confirming the findings and decision from the Clinical Committee will be sent by the Head of Counselling and Training or nominated deputy to the student where possible within fourteen (14) working days of the decision being made at the Clinical Committee meeting. Students may appeal against the decision of the Clinical Committee in writing to the CEO. CEO will respond to this appeal within one month.

7. MAKING A COMPLAINT

If a student wishes to make a complaint, their privacy and confidentiality will be respected. That said, where a complaint is raised against an individual, it may not be possible to avoid the identity of the complainant being known to the subject of the complaint. Anonymous complaints will not be investigated. Complaints will be taken seriously until or unless they are found to be malicious.

The Head of Counselling and Training has discretion to dismiss without further consideration complaints that are judged to be out of time, malicious, frivolous or vexatious. Perpetrators of such complaints may face disciplinary action.

Decisions made by The Counselling Foundation will have regard to any applicable law and/or BACP ethical framework. You are entitled to be accompanied at all stages of the complaints procedure by a person of your choosing. If a legal representative is chosen, you must give The Counselling Foundation prior notice in order that it may consider similar support.