

Guidance for Friends accompanying students to Misconduct and Fitness to Practise Committees

This guidance provides information for those who are acting as a Friend to a Student who is participating in a College or University Misconduct and Fitness to Practise Committee.

To act as a Friend, you must be a registered student of the University of Birmingham, an academic member of staff or full-time (Sabbatical) Officer of the Guild.

During the hearing, you may either be in the same room as the Student you are supporting (subject to appropriate social distancing) or can also attend by video-conferencing, provided you have given the Student you are supporting your contact details (see below).

If the Committee is to be held by Zoom, we could provide the facility for you to have a virtual break-out room so you could speak to the other student privately during any adjournments in the Committee hearing.

Please be aware that you cannot also act as a witness. The role of the Friend is to support the Student during the hearing. You can make statements and ask questions for the Student, but you cannot answer questions on their behalf.

The proceedings are conducted in English and if you wish to speak with the Student during the hearing and whilst the Panel is present, this should be in English. A Friend cannot translate questions or answers during the hearing.

Before the Committee

If you are asked to attend a Committee as a Friend you will need to:

- provide your contact details to the student you are supporting (such as name, Student ID Number, email address, and Skype ID, if relevant) at least 5 days before the meeting, so that they can provide the details to the University
- ensure that you have a confidential space in which to participate in the meeting, or be able to use devices (such as headphones or earphones) which would help maintain confidentiality, if you are attending by video-conferencing.

If the Committee is taking place by video-conferencing, you will be asked to confirm:

- that you will be in a private location on the day of the hearing (that means a place where nobody should be able to overhear you)
- that you have a secure internet connection (that is you have a secure WiFi connection or are using a VPN)

If you have any concerns, then you should raise these at the earliest opportunity, such as in your response to these queries.

Further information about secure internet connections can be found on the Information Commissioners' Website: <https://ico.org.uk/your-data-matters/online/wifi-security/>

Technical Arrangements

If the hearing is by Skype for Business or Zoom, then a meeting invite can be sent to you in advance of the meeting. You should not forward the meeting invitation on to anyone else – they will not be allowed to join the meeting as all participants will be verified before being permitted to join. The Secretary will allow you into the meeting at an appropriate time.

Absence from the meeting

If you realise that you will not be able to support the other student at the Committee, you will need to tell them so that they know they need to find another Friend to accompany them.

On the day of the hearing

If the meeting is taking place by video-conferencing, you should ensure that:

- You will be in a room where you can be on your own and have privacy;
- the volume of your device is appropriate, so that you can hear and participate during the whole of the meeting, but not so loud that the meeting may be heard elsewhere;
- You have some note paper and a pen with you so that you can write down any questions you may want to ask (or some other means of noting important points or questions you may wish to ask);
- You have anything else you may need, such as a glass of water, headphones or earphones, or some tissues.

During the hearing

The hearing will proceed in the order as outlined in the Guidance for Misconduct and Fitness to Practise Committee.

At the start of the hearing, the Chair will explain to everyone present how it will be conducted and how, for example, you can indicate if you are experiencing any issues.

You should inform the Chair as soon as possible if:

- you are having any technical difficulties;
- you cannot hear something or need a question/statement to be repeated;
- you encounter issues with maintaining confidentiality.

If anyone experiences any difficulties, the meeting should immediately stop and efforts will be made to resume the hearing.

If technical difficulties start to unreasonably impact on the progress of the hearing, the Committee will need to decide whether to:

- adjourn the hearing briefly and attempt to re-connect to all parties and proceed as normal
- adjourn the hearing, with the aim of reconvening (preferably with the same panel) at a later date, or
- proceed with the hearing.

After the end of the hearing

After the final statements, you, the Student, and the Case Presenter will leave the hearing. You will not be allowed back into the hearing.

Confidentiality

The meeting should not be recorded digitally or in any other way by you, the Student, the Committee members, the Case Presenter or any witnesses. However, you are welcome to take written notes during the hearing.

Further information

Information about the College Misconduct and Fitness to Practise Committee can be found on this webpage: <https://intranet.birmingham.ac.uk/as/registry/policy/conduct/CMC/College-Misconduct-and-Fitness-to-Practise-Committee.aspx>

Further information about being a Friend can be found in the 'Guidance for Friends' document:

<https://intranet.birmingham.ac.uk/as/registry/policy/conduct/documents/public/friends-guidance-pdf-20kb.pdf>