



Institute for
Advanced Learning
& Metacognition

INSTITUTE FOR ADVANCED LEARNING AND METACOGNITION

Advancing the Science of Learning

Disciplinary Code

Disciplinary Code for Members

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1. Introduction

When a person becomes a member of the Institute for Advanced Learning and Metacognition (IALM), they agree to be bound by this Disciplinary Code (the “Code”), as amended from time to time. The Code sets a minimum standard and does not take precedence over national law; members must also fulfil any responsibilities set down in law or by recognised professional standards, and should report any conflict to the Institute.

The Institute may take disciplinary action against a member, up to and including the withdrawal of membership, where the Board of Trustees is satisfied that the member:

- has committed a material breach of the IALM Members’ Charter or any other code of the Institute;
- has failed to comply with any continuing professional development (CPD) requirements;
- is in arrears with their subscription or any other sum due to the Institute;
- has acted, or failed to act, in a way that has brought, or risks bringing, the Institute into disrepute;
- provided false or misleading information in their application for membership; or
- has been convicted of a serious criminal offence (other than a minor road-traffic offence resulting in a fine or non-custodial sentence).

2. The Disciplinary Committee

The Board of Trustees may appoint a Disciplinary Committee to investigate and handle disciplinary matters and complaints against members, and appeals connected with them, in accordance with this Code. The Committee makes recommendations to the Board, which takes the final decision.

- The Committee comprises members of the Institute, and may include up to two independent (non-member) members.
- The Committee may appoint a legal adviser to advise on law and procedure; any such adviser does not vote on the cases under consideration.
- Committee members must declare any conflict of interest as soon as it becomes apparent, and will stand down and be replaced where necessary.

3. Making a complaint

Any person, including a member of the public, may make a complaint about the conduct of a member. A complaint must:

- be made in writing (which includes email), describing in detail the nature of the complaint;
- be sent for the attention of Chair of Trustees at the Institute’s registered office;

- give the name and address of the complainant;
- identify the member complained about (by name and, where known, address, or a sufficient description); and
- set out the circumstances of the complaint and any relationship between the complainant and the member.

The Institute itself may be the complainant — for example, where it becomes aware of unprofessional conduct, a failure to meet the requirements of membership, or any action that may bring the Institute into disrepute.

4. Handling complaints

Receipt of a complaint will be acknowledged to the complainant within 14 days, together with a copy of this Code. At the same time, a copy of the complaint will be sent to the member complained about, who will be invited to make a written statement within 28 days.

The complaint will be reviewed to ensure it is made in good faith. Where the complaint is found to have been made in bad faith, or maliciously or vexatiously, or to be manifestly false, it may be struck out; the complainant will be informed and may appeal under section 7.

Otherwise, the complaint and the member's statement will be considered in accordance with section 5. The member may be required to attend a hearing, and will be given at least 14 days' written notice. The member has the right to attend and to be heard, and may bring a colleague or representative. If the member does not attend, the matter will still be considered and a decision taken. If it is decided that the complaint does not amount to a disciplinary matter, both parties will be notified in writing. Where a complaint is upheld, the Institute may, at its discretion, seek to recover its reasonable costs from the member concerned.

5. The disciplinary hearing

The Disciplinary Committee will normally meet to consider the complaint within three months of its receipt. The quorum is three members of the Committee.

The Chair will ensure that the Committee is quorate, name the member concerned, and ask members to declare any conflict of interest. The Chair will ensure the complaint is presented fairly and that all relevant information is before the Committee, including:

- the original complaint, or the reason for the hearing;
- the member's written statement;
- the member's membership grade;
- a copy of this Code; and
- a copy of the IALM Members' Charter.

A written report of the proceedings and outcome will be prepared and approved by the Chair. The Committee's recommendations are then considered by the Board of Trustees, and notification of the decision will be sent to the member and the complainant within 28 days of

the hearing. Where a member is convicted of a criminal offence that, in the view of the Committee or Board, renders them unfit to remain a member, a recommendation to that effect will be ratified by the Board at the earliest opportunity; in urgent cases this decision may be taken by the Chair of the Board on the Board's behalf.

6. Actions available to the Board

Any action taken must be proportionate to the seriousness of the matter and determined only when the Board has all available evidence, including the member's statement (unless none has been provided within the period allowed and no acceptable reason has been given). The Board may:

- dismiss the complaint — where it is unjustified, where the member has adhered to the Institute's codes, or where the matter is beyond the scope of those codes;
- require the member to give a written undertaking as to their future conduct;
- reprimand the member, and may require conditions such as further assessment or training to retain their grade of membership;
- suspend membership for a specified period; or
- withdraw membership, either for a specified period or for life.

Where the member's conduct is serious and has brought, or is likely to bring, the Institute into disrepute, membership may be terminated (or suspended), with all privileges of membership forfeited and without reimbursement of any fees or subscriptions paid. Failure by a member to comply with a decision under this Code is itself a disciplinary matter.

7. Appeals

A member may appeal against a disciplinary decision within 28 days of being notified of it. An appeal is considered by the Board of Trustees, or by a panel constituted for the purpose, made up of people who were not involved in the original decision. The decision on appeal is the final stage of the Institute's internal process.

A complainant whose complaint has been struck out may appeal within 28 days. The appeal will be reviewed by a different person or persons from those who made the original decision, and if the complaint is found to have been made in good faith it will proceed under sections 4 to 6.

Appeals against decisions about membership admission or grading are dealt with separately, under the IALM Appeals Code.

8. Re-application by former members

A former member whose membership was withdrawn for a specified period may re-apply once that period has elapsed. The application will be reviewed in light of the circumstances

of the original decision, and then processed in accordance with the Institute's normal admission procedure.

9. Confidentiality and data protection

All materials relating to a complaint are treated as confidential and retained securely by the Institute. Personal data is processed in accordance with the Data Protection Act 2018, the UK GDPR and the IALM Privacy Policy. The member concerned has the right to see the papers relating to the complaint, subject to data protection law. The decision and the reasons for it will be recorded in the report of the proceedings, which will be non-attributable.

10. Compliance and finality

Members and complainants agree to accept and comply with decisions and disciplinary sanctions made under this Code. Such decisions represent the final stage of the Institute's internal procedures. Nothing in this Code excludes or limits any rights that a person may have in law.

11. Publicity

At the discretion of the Board of Trustees, a statement may be issued concerning the withdrawal of membership or other sanctions imposed on a member. Any such statement will normally be issued in a publication of the Institute, with wider publication only where the Board considers it necessary and proportionate.

12. Related documents

- IALM Bye-laws and Members' Charter;
- IALM Appeals Code;
- IALM Complaints Policy;
- IALM Conflicts of Interest Policy; and
- IALM Privacy Policy.

13. Review of this Code

This Code will be reviewed by the Board of Trustees at least every two years, or sooner if required by changes in law or the Institute's circumstances, to ensure it remains fair and effective.