

Higher Education Act 2004: Limitation of the jurisdiction of the Visitor

One of the purposes of this Act (stated in its preamble) is “to limit the jurisdiction of visitors of institutions providing higher education” and St Peter’s College is such an institution within the meaning of the Act. The two relevant sections are given below. Click [here](#) for the full text of the Act.

20 Exclusion of visitor’s jurisdiction in relation to student complaints

- (1) The visitor of a qualifying institution has no jurisdiction in respect of any complaint which falls within subsection (2) or (3).
- (2) A complaint falls within this subsection if it is made in respect of an application for admission to the qualifying institution as a student.
- (3) A complaint falls within this subsection if it is made by a person—
 - (a) as a student or former student at the qualifying institution, or
 - (b) as a student or former student at another institution (whether or not a qualifying institution) undertaking a course of study, or programme of research, leading to the grant of one of the qualifying institution’s awards.

46 Exclusion of visitor’s jurisdiction in relation to staff disputes

- (1) The visitor of a qualifying institution has no jurisdiction in respect of—
 - (a) any dispute relating to a member of staff which concerns his appointment or employment or the termination of his appointment or employment,
 - (b) any other dispute between a member of staff and the qualifying institution in respect of which proceedings could be brought before any court or tribunal, or
 - (c) any dispute as to the application of the statutes or other internal laws of the institution in relation to a matter falling within paragraph (a) or (b).
- (2) In subsection (1) “qualifying institution” has the meaning given by section 11.
- (3) In determining whether a dispute falls within subsection (1)(b) it is to be assumed that the visitor does not have jurisdiction to determine the dispute.
- (4) Section 206 of the Education Reform Act [1988 \(c. 40\)](#) (which is superseded by subsection (1)) shall cease to have effect.