



# Higher Education Act 2004

## 2004 CHAPTER 8

### PART 5

#### MISCELLANEOUS AND GENERAL

##### *Staff disputes: jurisdiction of visitor*

#### **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- (4) Section 206 of the Education Reform Act 1988 (c. 40) (which is superseded by subsection (1)) shall cease to have effect.