

Status: Point in time view as at 01/11/2004.

Changes to legislation: Higher Education Act 2004, Paragraph 3 is up to date with all changes known to be in force on or before 15 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 2

CONDITIONS TO BE MET BY STUDENT COMPLAINTS SCHEME

Referral of qualifying complaints

- 3 (1) Condition B is that the scheme provides that every qualifying complaint made about the qualifying institutions to which it relates is capable of being referred under the scheme.
- (2) A scheme does not fail to meet condition B only because it contains some or all of the following—
- (a) provision that qualifying complaints are to be referred under the scheme within a time limit specified in, or determined in accordance with, the scheme;
 - (b) provision that, where a qualifying complaint is made about a qualifying institution which provides an internal procedure for the review of complaints, the complaint is not to be referred under the scheme until the complainant has exhausted the internal procedure;
 - (c) provision that a qualifying complaint is not to be referred under the scheme if—
 - (i) relevant proceedings have been concluded, or
 - (ii) relevant proceedings that have not been concluded have not been stayed.
- (3) In sub-paragraph (2)(c) “relevant proceedings” means proceedings relating to the subject matter of the qualifying complaint that have been brought at first instance before a court or tribunal.

Commencement Information

II Sch. 2 para. 3 in force for E. at 1.11.2004 by S.I. 2004/2781, art. 2

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