

Legal advice and guidance
for the education sector:
Higher Education





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We help universities and colleges deal with legal, compliance and related issues, so that you can get on with what you do best – providing a great quality further and higher education to your students.

Whether it is planning a staff restructure, resolving sexual misconduct complaints between students, consulting on pension changes, dealing with contentious campus free speech issues or sponsoring non-UK students and staff – we understand that such issues can be particularly hard to navigate, high-profile and costly to get wrong.

How we can support you

Our experienced team of education lawyers can assist with safely navigating the challenges your institution may face, and with planning in advance for key developments.

We support further and higher education institutions to manage all legal, compliance and related issues:

- HR support
- Immigration and visa sponsorship
- Free speech and academic freedom
- Health and safety
- Student disputes
- Data protection
- Pensions



HR Support

Navigating the complexities of employment law and HR issues can be challenging and take up valuable time and resources. We specialise in advising on all aspects of employment and workplace law, and our education specialists can support on a wide range of issues, including:

Employer protection

- Policies
- Handbooks
- Contracts; and
- Training.

Managing staff

- Long-term sickness
- Grievances
- Dispute resolution and mediation
- Disciplinary; and
- Poor performance.

Change management

- Restructuring
- Outsourcing
- Redundancy
- TUPE; and
- Changes to contractual terms.

Employee disputes

- Defending Employment Tribunal claims; and
- Negotiating settlements.

Immigration

We know the ability to recruit non UK staff and enrol international students is of critical importance to your education institution. We recognise that Home Office sponsor licences are a valuable asset and our immigration advice services help our education clients protect their licences.

Areas where we can support your institution include:

Home Office sponsor licences

- Initial applications (Student and Worker);
- Ongoing licence management; and
- Visa sponsorship support.

Sponsor compliance

- Right to Work and Right to Study Checks;
- Sponsored Student and Staff Record keeping and reporting; and
- UKVI Mock Compliance Visits.

Staff Training

- Sponsored Visa Routes; and
- Sponsor Compliance.



Free speech and academic freedom

All higher education providers registered with the Office for Students (OfS) must comply with the Higher Education (Freedom of Speech) Act, as well as their constituent colleges, schools, halls and similar institutions:

Compliance for institutions with campus free speech law

- Governing documents
- Codes
- Policies; and
- Training.

OfS free speech complaints scheme

- Advice for institutions

Disputes

- Complex litigation matters
- Grievances; and
- Disciplinary.

Health and safety

Creating and maintaining a safe environment for staff and students is a priority for all education providers, and we help to enable our clients to deliver this:

Keeping staff & students safe

- Policies and Procedures;
- Compliance with the Regulatory Framework for Higher Education in England; and
- Good Practice Guidance.

Health and safety management

- Risk assessments
- Audits; and
- Training.

Student disputes

Unfortunately, sometimes the relationship between an education provider and student can break down, and legal advice is required to navigate the complexities of student disputes:

Dispute handling support

- Duty of care issues.

Complaints, appeals, disciplinary issues, and discrimination

- Dealing with the Office of the Independent Adjudicator for Higher Education.



Data protection

Higher Education institutions hold and process a large range of data, including student and staff personal data. We support clients with their data privacy obligations, ensuring they have the correct systems and processes in place:

Data security

- GDPR compliance.

Data subject access requests

- Staff; and
- Students.

Data Protection Training

- General awareness training for staff; and
- Specific training for Data Protection Officers and Data Protection Managers.

Pensions

Pensions remain a key element of any employer's reward strategy, and education providers are no exception to this. The education sector continues to grapple with the challenge of providing staff with competitive and valuable pension benefits, and we support clients in navigating the pension related legal challenges which they may face:

Managing pensions costs

- Defined benefit pension schemes (Teachers' Pension Scheme and Universities Superannuation Scheme)
- Alternative pension provision
- Pensions auto-enrolment
- Pension changes; and
- Employee consultation.

Pensions disputes

- Pensions litigation; and
- Complaints via scheme internal dispute resolution procedure or Pensions Ombudsman appeals.



About Doyle Clayton

We offer legal and advisory support to clients on issues arising in the workplace, and provide realistic and effective solutions on employment, business and personal immigration, and corporate and commercial law issues.

We have expert knowledge of the higher and further education sector, including lawyers who are academics or who have been governors or worked in house at a licensed student sponsor. We work closely with education associations, including the UK Council for International Student Affairs. UK Council for International Student Affairs, enabling us to advise our clients more effectively. Ranked highly by Chambers and The Legal 500 both at team and individual level, our experienced team of specialist education lawyers can assist with safely navigating the legal and regulatory challenges your institution faces and with planning in advance for key developments.



Our Team



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