

Anthony's binding contract?

Dear Prof. Wakeford,

I was informed that you have some experience with students complaining about universities. I was wondering if you can give me some advice regarding my situation. I was enrolled as PhD student at one of the University of London colleges. After having hard time with my supervisor who apparently does not have any previous experience in PhD supervision, he left the college without informing me. The Board of Graduate Studies asked me to submit a MPhil and when I've asked for a supervisor, they told me they cannot supervise me and therefore I have to withdraw from the college. After wasting time going through university complaint procedure, now I've decided to take them to the court to get my fees and costs back.

I really appreciate if you let me know what to do. Is there a possibility of having legal aid to take my case to the court.

Your advice would be very helpful to me and thanks indeed for your time.

Before turning the page, discuss the issues raised and the points you would make in your response

2

Dear John,

Thanks a lot for your reply. Here are the answers to your questions:

1. *Were you 'registered' as well as 'enrolled'? If so, what did the letter say?*

I was registered and enrolled when my supervisor left the college. I have it in my student card (stamped every academic year).

2. *Did you ever have formal letter of notification of the name of one (or more) supervisors?*

The whole department during my studies there has two people. One is my supervisor. No second supervisor provided then.

3. *Did you have the admission in writing that they do not have a replacement supervisor? Was this after they told you that you could only do an MPhil?*

After having a board meeting, the graduate board of studies advised me formally to submit an MPhil. But after, I've asked the only member left in the department for a supervisor. The board of graduate studies sent me a formal letter informing that they changed their decision of submitting an MPhil. Now since they cannot provide me a supervisor they advise me to withdraw.

4. *I would need to see how they phrased their request that you submit For an MPhil, and whether this followed an opportunity to present your work to a review panel*

This is very complicated as I had problems with my supervisors which prompted me interrupting twice. (The issue was that my supervisor asked me to change my topic of research after he accepted it prior to my registration and this happened after 17 months of working on this topic.) Although I re-enrolled on the mid of academic year, (and paid fees again), I have not seen my supervisor since. What happened after that, he sent me a letter asking to attend a meeting with the board although he knew I have changed my topic.

5. *On what grounds did you complain? Exactly how did they respond?*

Initially I complained about my supervisor, then not having a supervisor. After receiving a letter from the board of studies I realised the head of my department influenced the initial decision of the board (to submit for an MPhil). So I asked for my fees back although they asked me to carry on with my studies later. Now, I concentrate

on getting my fees back and other costs as a result of their decision (that I should) withdraw from the college, a decision which is by all means unfair.

6. *Do I assume that your registration has now ended and that you have given up the hope of pursuing a higher degree?*

Yes my registration has ended but the issue is not resolved although it has been now more than three years since my initial complaint. I have just started my PhD this year (at another college) hoping to get some money from my previous college to pay for fees next academic year as I will be crippled with having all these loans.

If you have not already done so, you might also be able to get further free advice from the London Union of Students postgraduate rep, the National Postgraduate Committee (if your College is a member) and possibly the Office of Independent Adjudication for Higher Education. I doubt if you could get legal aid but it might be worth following up.

I have asked for advice everywhere, student union, legal centres... I think there is a possibility of getting some legal aid as one of students did it.

But I have to tell you the other half of the story.

After my supervisor left, the College does not reply to my letters or complaints effectively. I went through litigation with a solicitor. In doing so, the College appointed me a new supervisor but I refuse to carry on my studies at the same College after I went through. So, I've asked for my fees to be transferred to another university, but they refused. So I went through Office of Independent Adjudicator, but they cannot deal with it as three years, since my initial complaint, has elapsed. Again my solicitor asked for my fees and other costs but they still refuse and he advised me to go the court. Now I am trying to get some financial help as I already took a loan to pay for my fees in other university.

Sorry for this long email. I have a lot of documents from the university. You will be puzzled how the university will try to avoid take responsibility for their students.

Please keep me going by offering some hope,
Kind regards
Anthony

Before turning the page, discuss the issues raised and the further points you would make in your response

3

Dear Anthony,

Clearly this is a very long and complicated case which makes it very difficult for me to advise, and impossible without seeing all the relevant documentation. First, I would need a full diary from when you first applied through to the present day indicating dates of the crucial points, decisions etc. Then, to avoid me misleading you, I would need to identify all the relevant letters, emails etc and see copies of them. Many things you say need checking against letters you were sent etc. Is that feasible?

Best wishes

John

Dear John,

Thanks for the email. I actually don't have the whole file with me now as it is with my solicitor. This will not be available very soon as my solicitor is in London and I am not.

But meanwhile, is it possible to advise, assuming I have all these documents, that I can have some legal aid or any other possible means to get my fees from the university?

I will provide with a diary as you requested once I get the file.

Team task

On the acetate provided indicate the lessons here for

- 1. Postgraduate research students**
 - 2. Supervisors**
 - 3. Institutions**
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