



CAROLINE SCHOOL OF LEGAL STUDIES  
THE CAROLEAN AGE

## Caroline School of Legal Studies - Complaints Procedure and Independent Arbitration Tribunal Protocol (2023-2025)

### Complaints Procedure Overview:

- 1) **Informal Resolution:** We encourage individuals with complaints to first attempt an informal resolution by discussing the issue with the Head Mistress of the institution. Open communication often leads to swift solutions and prevents misunderstandings from escalating.
- 2) **Formal Complaint:** In cases where an informal resolution is not feasible, the complainant may submit a formal written complaint to the designated Complaints Coordinator. The Complaints Coordinator will form a Complaints Committee which would include at least 2 board of director members. The written complaint should include a clear description of the issue, relevant evidence, and the desired resolution.
- 3) **Independent Arbitration Tribunal:** As a distinct feature of our complaint's procedure, we prioritize the use of an Independent Arbitration Tribunal as the first step in formal dispute resolution, in accordance with the laws of France.
  - a) **Arbitration Process:** Both parties (complainant and respondent) present their cases to the Tribunal. The Tribunal is composed of legal experts with an in-depth understanding of French employment law and regulations. The Tribunal examines evidence, listens to testimonies, and reviews relevant documentation. Following a thorough review, the Tribunal delivers a legally binding decision, based on French laws and regulations, within a reasonable timeframe.
  - b) **Legal Framework:** The arbitration process adheres to the provisions of the French Civil Code (Code civil) pertaining to arbitration, as well as the French Labor Code (Code du travail) for matters related to employment disputes.
- 4) **Forfeiting the Right to Sue:** To streamline the complaints process and promote efficiency, individuals who enter an employment contract with Caroline School of Legal Studies agree to forfeit their right to sue the institution for disputes arising from their employment, as permitted by French law. Instead, they commit to engaging in the Independent Arbitration Tribunal process as outlined above. (Read our appendix below)



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5) **Benefits of Our Approach:**

6) **Speedy Resolution:** The use of an independent arbitration tribunal allows for quicker dispute resolution compared to traditional legal proceedings, in line with the efficiency principles emphasized by French arbitration law.

7) **Cost-Effectiveness:** Arbitration is recognized under French law as a cost-effective alternative to litigation, saving both parties time and resources.

8) **Expert Decision-Making:** The tribunal consists of legal professionals with expertise in French law, ensuring informed and well-considered judgments consistent with the legal framework.

9) **Confidentiality:** The arbitration proceedings are conducted in compliance with French arbitration law, which emphasizes the confidentiality of the process, maintaining privacy for all parties involved. (Additionally, our non-disclosure policy will be construed in conjunction with this document).

10) **Promotes Accountability:** By engaging in arbitration, both complainants and respondents uphold a commitment to resolving disputes fairly and professionally, aligning with the principles of fairness and accountability under French employment law.

11) **Arbitration Process at Caroline School of Legal Studies**

12) Our commitment to resolving disputes in a fair, efficient, and legally compliant manner is exemplified through our distinctive Arbitration Process at Caroline School of Legal Studies. This process is designed to ensure a transparent and impartial resolution of conflicts while adhering to the legal framework of France.

## 13) Initiation of Arbitration:

14) Upon receipt of a formal written complaint from the complainant, the Arbitration Process is initiated. Both parties, the complainant, and the respondent, are notified of the commencement of arbitration.

15) **6. Appointment of Arbitrators:**

16) An Arbitration Tribunal is established, composed of a panel of impartial and experienced arbitrators with expertise in French employment law. Each party may appoint one arbitrator, and these two arbitrators will then select a third presiding arbitrator to chair the tribunal.



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17) **7. Preliminary Proceedings:**

18) The Tribunal will convene a preliminary meeting to establish the rules and procedures that will govern the arbitration. This may include defining the timeline for submissions, the exchange of evidence, and any other relevant matters.

19) **8. Submissions and Evidence:**

20) Both parties are given the opportunity to submit their respective cases, including relevant evidence and documentation, within the established timeline. The Tribunal ensures that all evidence presented is in accordance with the rules of admissibility.

21) **9. Hearings:**

22) The Tribunal holds hearings where both parties present their cases, provide testimonies, and respond to questions from the arbitrators. These hearings may be conducted in person or virtually, depending on the circumstances and parties' preferences.

23) **10. Expert Analysis:**

24) The Tribunal may engage external experts or consultants with expertise in specialized areas related to the dispute to provide additional insights and technical assessments, contributing to a well-informed decision.

25) **11. Deliberation and Decision:**

26) After the hearings and thorough examination of evidence, the Tribunal enters a deliberation phase. The arbitrators analyse the arguments, evidence, and legal principles before reaching a consensus on the decision.

27) **12. Legally Binding Decision:**

28) The Tribunal issues a legally binding decision, which is delivered in writing to both parties. This decision is based on the principles of French employment law and the evidence presented during the arbitration process.

29) **13. Enforcement of Decision:**

30) The decision of the Arbitration Tribunal is enforceable under French law. Both parties are legally obligated to comply with the terms of the decision, ensuring the resolution is effective and final.

31) **14. Confidentiality:**



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32) The entire arbitration process, including the hearings and deliberations, is conducted with strict confidentiality in accordance with French arbitration law. This ensures the privacy and integrity of the proceedings.

33) Protocol Appendix: Necessity and Rationale for Forfeiting the Right to Sue at Caroline School of Legal Studies Registered in France

34) At Caroline School of Legal Studies, we have established a unique and carefully considered policy that requires individuals entering an employment contract with us to forfeit their right to sue the institution for disputes arising from their employment. This policy is rooted in a range of reasons and aims to ensure a streamlined, efficient, and fair resolution of disputes while aligning with the legal framework of France.

a) Promoting Efficient Resolution:

35) By forfeiting the right to sue and opting for an Independent Arbitration Tribunal, we promote a more expeditious and streamlined resolution process. Traditional litigation can be time-consuming, involving lengthy court procedures and potential delays. In contrast, arbitration offers a more efficient mechanism, allowing for quicker resolution and enabling parties to focus on addressing the core issues.

a) Cost-Effectiveness:

36) Litigation can often incur substantial legal costs for both parties involved. By opting for arbitration and forfeiting the right to sue, individuals can avoid the financial burdens associated with traditional legal proceedings. This approach aligns with the principles of cost-effectiveness emphasized in both arbitration and French law.



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a) Expert Decision-Making:

37) Our Independent Arbitration Tribunal consists of legal experts with a deep understanding of French employment law. By engaging in arbitration, individuals benefit from the expertise of these professionals, ensuring well-informed and legally sound decisions. The Tribunal's composition guarantees that disputes are evaluated by professionals who are well-versed in the intricacies of relevant legal provisions.

a) Privacy and Confidentiality:

38) Forfeiting the right to sue in favor of arbitration helps maintain privacy and confidentiality. Arbitration proceedings are typically conducted in a private setting, ensuring that sensitive information and details remain confidential. This level of confidentiality can be particularly advantageous in cases involving personal or sensitive matters.

a) Preserving Relationships:

39) Arbitration focuses on finding solutions and preserving relationships, which can be crucial in an educational and professional setting. Forfeiting the right to sue encourages parties to engage in a constructive and collaborative manner, fostering an environment where disputes are resolved amicably and allowing individuals to maintain positive working relationships.

a) Legal Compliance:

40) The policy of forfeiting the right to sue aligns with the legal framework of France and international practices. It respects the autonomy and agreements between parties, while also promoting the principles of alternative dispute resolution, which are encouraged and supported by French law.



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a) Expediency and Finality:

41) Arbitration awards are typically final and binding, providing certainty and closure to disputes. This finality ensures that once a decision is reached by the Independent Arbitration Tribunal, the matter is resolved conclusively, avoiding prolonged legal battles and multiple appeals.

a) Encouraging Fairness and Accountability:

42) The policy reinforces the commitment of both parties to uphold fairness and accountability. By choosing arbitration and forfeiting the right to sue, individuals demonstrate a shared willingness to engage in a process that is impartial, objective, and just, fostering a sense of mutual responsibility.

43) The necessity of forfeiting the right to sue at Caroline School of Legal Studies is founded on a careful consideration of efficiency, expertise, cost-effectiveness, privacy, legal compliance, relationship preservation, and fairness. This policy underscores our commitment to providing a comprehensive and well-rounded approach to dispute resolution that serves the best interests of all parties involved while upholding the values and legal principles that guide our institution.