



College

Higher Education Student Protection Plan

| Policy Details | |
|----------------|---------------------------------|
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1. Statement of Intent

- 1.1 This Policy responds to the requirement to maintain a Student Protection Plan under the Higher Education and Research Act to protect student experience in the event of programme changes or closure.

2. Introduction and Purpose

- 2.1 USP College (the college) is committed to helping to ensure students achieve the best academic outcomes from their studies. Events may occasionally occur which mean that unforeseen changes must be made to modules or programmes (provision for such events is detailed within the college Admission and Enrolment Policy).
- 2.2 The student protection plan intends to assess the range of risks to non-continuation of study and provide the student with an overview of the measures the college has in place mitigate those risks.
- 2.3 This plan protects the college's registered students including students registered to the college as part of formal sub contractual arrangements.
- 2.4 For more information regarding this policy please contact the Head of Higher Education, emailing info@uspcollege.ac.uk.

3. Legislation and Guidance

- 3.1 [The Higher Education and Research Act 2017](#) requires Higher Education Institution's (HEI) & Further Education colleges to maintain a Student Protection Plan to protect students' interests in the case of material change, e.g. programme changes, suspensions, closures, or institutional closure.
- 3.2 This plan was written in accordance with [Regulatory Advice 2: Registration of current providers for 2019-20 guidance](#) published by Office for Students February 2018.

4. Risk to Non-Continuation

- 4.1 The college assessment of risk to non-continuation have been as considered for a period of two years, equivalent to the normal pattern of study of its funded provision.
- 4.2 The college has identified the following risks to non-continuation of courses (but not limited to):
- a. Institutional closure
 - b. Institution closure of part of a campus
 - c. Cancellation of a higher education course
 - d. Loss of eligibility as a registered provider of higher education
 - e. Loss or restriction of validation arrangement with Pearson Education limited
 - f. Working with sub contractual partners
 - g. Major changes to in year course content
 - h. Industrial action by college staff or third parties
 - i. The unanticipated departure of key members of college staff

- 4.3 The college will use its system of risk management to calculate the risk to non-continuation. The systematic process of risk management and mitigation is summarised visually using a 4-point Likert Scale as shown in Table 1 to measure the probability of the risk to non-continuation. Risks and their likelihood of crystallisation will be reviewed on an annual basis. A summary of the risk to non-continuation and their likelihood can be found in Appendix 1. The full risk assessment process is available upon [request](#).

Table 1 4-point likelihood rating scale

| | | | |
|-----|--------|-------------|------|
| Low | Medium | Significant | High |
|-----|--------|-------------|------|

- 4.4 For every risk assessed in this student protection plan, the college will justify its reason to ensure transparency for its students and prospective students.

5. Measures to Inform and Protect Students

- 5.1 Students are referred to the college Admissions and Enrolment Policy. The college is committed to communicating any changes to students as early as possible, with clear information and options.
- 5.2 All reasonable steps will be taken to minimise the resultant disruption to those services and affected students by, for example:
- offering affected students, the chance to move to another course;
 - delivering a modified version of the same course;
 - aiding affected students to switch to a different provider.
- 5.3 The college's Admissions team will be notified of students affected in the event of any of the above steps being taken. The Admissions team will contact affected students and provide detailed information, advice and guidance based on their individual circumstances in line with guidance provided in the Student Protection Plan.
- 5.4 In the event that the college had to implement its Student Protection plan, the Student Services team would be on hand to provide bespoke support for each student that is affected by this. This would include assisting in identifying alternative relevant provision, assisting with contacting the new provider and ensuring that relevant references were forwarded to the new provider in a timely fashion so as to facilitate a smooth transition.

6. Significant Material Change

6.1 Institutional Closure

Rating:

Low Risk

Justification: The risk to institutional closure is rated low, the college's financial health is currently rated as Good, by the Education and Skills Funding Agency (ESFA) and is forecasted as good for the next financial year. The college currently meets all its statutory requirements to provide higher quality Higher Education.

- a. Institutional failure will be monitored through risk management in accordance with HE regulatory bodies and any instance of this will be managed in accordance with college policies.
- b. Where the college has no option, other than to close, it may consider measures such as those below to protect student experience:
 - i. where possible, closing gradually, over a period that would allow currently enrolled students to complete their studies at the Institution;
 - ii. where the above is not possible, in supporting students to transfer to appropriate programmes at other providers and (where appropriate financially) by compensating students where because of disruption to their studies they suffer demonstrable, material financial loss;
 - iii. merging with another institution to maintain all or part of the current provision.

6.2 Institution Closure of Part of a Campus

Rating:

Low Risk

Justification: The risk to institutional closure is rated low, the college's financial health is currently rated as Good, by the ESFA and is forecasted as good for the next financial year. The college current meets all its statutory requirements to provide higher quality Higher Education.

- a. Where part or all of the campus is rendered unusable for activities involving students, the college will typically consider remedies such as:
 - i. relocating provision to an alternative location, this may include hiring spaces for programme delivery (where possible nearby) and / or installing temporary buildings on the college's land (where available);
 - ii. revising timetabling to allow all of the scheduled teaching to take part in the available facilities. This may include student contact sessions being held outside of normal office hours. Where such an approach is taken, appropriate consultation will normally be conducted with stakeholders who may be affected; appropriate equality impact assessments will also be undertaken;
 - iii. delivering programmes via alternative means, such as Distance Learning. Where such an approach is taken, the college will consider whether this it is appropriate for enrolled students who would be affected.

6.3 Cancellation of a Higher Education Course

Rating:

Medium Risk

Justification: The college operates on small cohort sizes, where student numbers determine viability. The college has mitigating processes in place to measure risk to course closure.

- a. Where the college decides for strategic reasons that a course is not viable to run; the college will consider the following:
 - i. communicating any changes to students as early as possible, with clear information and options;
 - ii. offer suitable information advice and guidance (IAG).

6.4 Loss of Eligibility as a Registered Provider of Higher Education

Rating:

Medium
Risk

Justification: The college is regulated by the Office for Students (OfS) and is aiming to comply to the ongoing conditions of registration. The OfS is a new regulatory body, and whenever working with a new regulator, and a new regulatory framework the risk to the provider not meeting regulatory compliance increases. The college has a well governed and managed Higher Education provision with processes to mitigate these risks.

- a. In the event of loss or restriction of college's status as a registered provider of Higher Education, the college will work with the regulatory body to:
 - i. ensure all reasonable steps are taken to minimise the resultant disruption to affected students;
 - ii. ensure that, as far as possible, changes are made in a transitional manner.
- b. In the event of loss or restriction of the college's status as a registered provider of Higher Education for 'Student Support' purposes (resulting in the withdrawal of statutory student finance for its courses) the college, will take all reasonable steps to minimise the resulting disruption to students by, for example:
 - i. working with relevant funding bodies to allow enrolled students to complete their year of study/programme;
 - ii. where the above is not possible, supporting students to transfer to appropriate programmes at other providers and, where appropriate, financially compensating students where they suffer demonstrable, material financial loss because of disruption to their studies;
 - iii. considering assistance for affected students by providing evidence/letters/statements in support of the continuation of their studies;
 - iv. partner with another institution to maintain all or part of the current provision.

6.5 Loss or restriction of validation arrangement with Pearson Education limited

Rating Low Risk

- a. In the event of loss or restriction to the relationship with Pearson education limited the college would look to implement the following measures for students:
 - i. Where possible, we will ‘teach out’ current students expected to complete based on original expected end date, ensuring the course can be completed by all students that are currently enrolled.
 - ii. We will offer individualised support to assist in finding an alternative provider with whom the course can be completed.
 - iii. We will accurately record the amount of credit/academic progress achieved and support you in using this as credit transfer to another provider
 - iv. In the event that none of the proposed options are acceptable, the college will give full consideration to refunding all or part of paid tuition fees.

6.6 Working with Sub Contractual Partners

Rating: Low Risk

Justification: The college operates with three sub contractual partners, Writtle University College, University of Hertfordshire, and Simply Alliance Limited, trading as Docklands Academy London (DAL). The college rates the risk to non-continuation as low, due well established partnerships and effect quality assurance mechanisms that exists as part of ongoing sub contractual arrangements.

Students registered with Writtle University College and University of Hertfordshire are covered by the awarding bodies student protection plan, these can be found on the respective websites.

- a. Dockland Academy students

Engaging in this sub contractual activity as the lead partner brings some risk of partner, programme and module closure. The unplanned closure of a partner is low risk. From time to time across the portfolio it is possible for the risk of a programme or module closure to materialise.

- b. However, these risks are mitigated by our internal governance arrangements:
 - i. At the inception of a relationship, all partners undergo a due diligence process which requires formal sign-off by the college academic board;
 - ii. The due diligence process is repeated every year as part of formal Partner re-approval processes.

- d. Our Memorandum of agreement with DAL includes a requirement for the partner institution to teach out a sub-contracted programme should either party initiate a termination of the partnership. If DAL were, for reasons outside its or the colleges control, unable to continue to deliver a programme (or if the college had significant concerns over the partner's ability to deliver the programme), then the college would initiate one of the following:
- I. Initially, the college would consider offering support to allow the partner institution to teach the programme until all current students have completed the course (depending upon the circumstances, this could include financial support, the provision of college staff to contribute to teaching, and/or additional student support). Where there are concerns about quality, standards and student's academic experience on the course, it may not be possible to 'teach out'.
 - II. Student recruitment will be discontinued, in accordance with the legal agreement
 - III. Failing that, the college, in consultation with the partner institution, would investigate the possibility of an alternative HE provider continuing to teach the programme, with students ideally continuing on the same programme, or with their consent transferring to a similar programme.

6.6 Major changes to in Year Course Content

Rating:

Low Risk

Justification: The college has a process to ensure that the delivery of programmes are provided as advertised. The programmes are reviewed annually and are agreed in advance of teaching.

6.7 The college will use all reasonable endeavours to deliver the programme in accordance with the description applied to it in the college's prospectus for the academic year in which a student began their programme. However, in the event of major in-year changes to course content, the college will ensure that:

- i. changes are restricted to the minimum necessary to achieve the required quality of experience, and affected students are notified and consulted with as appropriate;
- ii. it works with students to ensure the offer is still acceptable;
- iii. where necessary it allows students the opportunity to withdraw from the programme;
- iv. where required students will be offered reasonable support to transfer to another programme at the college, or to another provider.

6.8 Disruption of College Activity

Rating:

Low Risk

Justification: There has been no history of previous events that have caused disruption to the normal operating patterns to the college, and good management and governance process mitigate any in year risk of disruption.

- a. Where events result in term-time programme disruption, the college will normally consider whether it is practicable to make changes to programme delivery, rather than closing or suspending an affected programme.
- b. Actions to minimise disruption may include:
 - i. temporary short-term suspension of programme delivery (e.g. where there is a change in the programme delivery location or staffing, with appropriate actions to mitigate the impact on students);
 - ii. changes to the programme delivery location or method, which may include distance learning;
 - iii. changes to the staffing of a programme, for instance through a review of internal staff resources, including recruitment of area specialists, where appropriate;
 - iv. offering students, the opportunity to transfer to an alternative programme;
 - v. provision of reasonable support to students for accessing a programme run by another provider, including making arrangements for the transfer of credits and information about academic progress.

6.9 Industrial Action by College Staff or Third Parties

Rating:

Low Risk

Justification: The college has a settled higher education teaching staff with low turnover.

- a. The college has established frameworks for consultation and negotiation with the recognised trade unions. It is highly committed to maintaining an effective employee relations culture and working with trade union colleagues to achieve reasonable solutions to matters that may arise from time to time.
- b. Where industrial action does occur, the college will seek to:
 - i. ensure that normal operations and services are maintained as far as possible;
 - ii. take all reasonable steps to fulfil its responsibilities to students in ensuring that any disruption is minimised, and students are not, as far as is possible to determine, disadvantaged by the action.

6.10 The Unanticipated Departure of Key Members of College Staff

Rating:

Low Risk

Justification: The college does not have a high turnover of HE staff. All staff have a three-month notice period, to terminate employment.

- a. Where possible the college will:
 - i. seek to fill gaps as quickly as possible, by moving other current members of staff with appropriate skills and experience, into the vacant post(s) or recruiting externally, to avoid disruption.

7. Refunds and Compensation

7.5 Where a student is required to transfer course or move to another institution there are likely to be implications for student finance arrangements. The college's Fees & Refunds Policy outlines information on the refund of tuition fees if the college is no longer able to preserve the continuation of study.

7.6 The college will incorporate provisions within its annual budget for the potential payment of tuition fees and other refunds and compensation payments to students. A combination of cash reserves and (where appropriate) insurance policies will be designated for those students where an increased risk of non-continuation of study has been identified.

7.7 If a student feels they have been disadvantaged because of any significant material change listed in the student protection plan, they can apply for compensation through the college Complements and Complaints Process. Each application will be an individual evidence-based assessment.

- 7.8** The college will consider compensation claims for:
- d. additional travel costs for students affected by a change in the location of their course;
 - e. commitments to honour student bursaries;
 - f. maintenance costs and lost time in the unlikely event that it is not possible to preserve continuation of study; and
 - g. tuition and maintenance costs where students have to change course or provider.
- 7.9** All compensation claims are considered in context, and take into account:
- d. What mitigation the college has already put in place to satisfy the complaint;
 - e. The contract with the student; and
 - f. How much of the contract is unfulfilled.
- 7.10** Decisions about how much compensation is appropriate are taken on a case-by-case basis. We always aim to satisfy a complaint and refund claims at the earliest stage possible. This early resolution culture extends to compensation claims.

8. Communication Feedback and Review

- 8.5** This [Student Protection Plan](#) is available to current and future students and staff on our external website, as is our current practice with the [Fees and Refunds Policy](#).
- 8.6** The college will operate a minimum notice period of 20 working days to inform students in the event of course, campus or planned provider closure.
- 8.7** Should the Student Protection Plan need to be implemented, affected students will be contacted in a variety of methods. This will include, but not limited to; direct telephone communication, personal written correspondence, and email. Indirect communication will be presented through the college website.
- 8.8** Students wishing to provide feedback regarding the college's student protection plan should follow the college's [Compliments and Complaints Process](#). Students will also be given the opportunity to shape the way the college mitigates risks to non-continuation, through the input at course level programme committee meetings.
- 8.9** This policy will be reviewed annually. The risks will be re-rated using the student protection plan risk register tool. The updated risk to non-continuation will be validated by the academic planning committee, with the Policy being signed off by Policies and Procedures committee. The Final Student Protection Plan will be agreed for publication at Higher Education Academic Board.

**Appendix 1 Student Protection Plan Risk Register Summary
2019/2020**

| No. | Area | Ref: | Risk associated with: | Current score | Current Risk for Academic Year | Risk for Previous Academic Year | Responsible | Mitigated Risk |
|------------|-------------------|-------------|--|----------------------|---------------------------------------|--|--------------------------|-----------------------|
| 1 | Senior Management | 6.1 | USP College Closure due to insolvency | 8 | Low risk | N/A | Principal & CEO | Low risk |
| 2 | Senior Management | 6.2 | College Campus Closure | 4 | Low risk | N/A | Principal & CEO | Low risk |
| 3 | Senior Management | 6.3 | HE Education Course Cancelation | 15 | Medium risk | N/A | Vice Principal Funding | Medium risk |
| 4 | Senior Management | 6.4 | Loss of eligibility as a registered provider of Higher Education | 10 | Medium risk | N/A | Vice Principal Quality | Low risk |
| 5 | Senior Management | 6.5 | Loss or restriction of validation arrangement with Pearson education limited | 2 | Low risk | N/A | Head of Higher Education | Low risk |
| 6 | Senior Management | 6.6 | Major changes in year to course content | 8 | Low risk | N/A | HoL | Low risk |
| 7 | Senior Management | 6.7 | Loss of accreditation from regulatory bodies, e.g. Ofsted, OfS, Franchised Lead provider | 6 | Low risk | N/A | Head of Higher Education | Low risk |
| 8 | Senior Management | 6.8 | Disruption of College activity (e.g. temporary disruption within term-time not covered by any of the above); | 3 | Low risk | N/A | Head of Higher Education | Low risk |
| 9 | Senior Management | 6.9 | Industrial action by College staff or third parties | 8 | Low risk | N/A | Principal & CEO | Low risk |
| 10 | Senior Management | 6.10 | The unanticipated departure of key members of College staff | 12 | Medium risk | N/A | HoL | Low risk |