

Student Protection Plan

Student Protection Plan

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ELT	Yes	21 February 2023
CMT		
Unions		
Students		
Employees		
Employers/Stakeholders		

Any Associated Documentation, for Reference:

Fees and Charges Policy

ELT SIGN-OFF: Marie Haworth – VP Quality, Teaching Learning & Learner Support



Introduction

Preston College, alongside every other Higher Education (HE) registered provider, is required by the Office for Students to have in place a student protection plan. Student protection plans set out what students can expect to happen should a course, campus, or institution close. The purpose of a plan is to ensure that the college has considered how students can continue and complete their studies or can be compensated if this is not possible.

The student protection plan covers all courses, awards and types of provision awarded and delivered at level 4 and above. This includes all taught courses at any level from level 4 to level 7 as well as higher apprenticeship provision. This student protection plan covers events such as no longer being able to operate as a college, losing our degree awarding partner, closing a campus, or changing your location of study.

General approach to continuation of study risks

The College is a stable organisation with good financial health, and maintains good relationships with all of its key stakeholders, including funding bodies and bank. As a result, risk to continuation of study for our learners in terms of overall financial performance is low.

In addition to effective overall financial management procedures, evidenced by both internal and external audit reports, the College takes a proactive approach to risk management. The College's Board approves and reviews the risk management policy, with the risk register produced as part of that policy regularly reviewed and updated by College management and the Governing Body. This policy and register is further augmented by clearly documented business continuity plans, backed up by training and dialogue with College insurers. These processes are important in minimising any risk to continued College activity.

The College is a single site provider, with no immediate plans to undertake any significant estates works, other than usual maintenance and improvement works. The College has a HE Centre, providing HE students with a dedicated space for their sole use in order to safeguard the quality of the learning experience. Estate risks are low, and in fact the changes proposed should enhance the quality provision already offered. If, for any reason, any part of the College site or buildings became inoperable for a period, there is adequate additional space in other buildings to accommodate potential relocations, with ample space on the whole estate to bring in temporary buildings if necessary. In the extremely unlikely event that the entire estate became inoperable, the College has good relations with a wide range of other local public sector and educational establishments that would allow temporary arrangements to be put in place.

The College has an established relationship with the University of Central Lancashire as its main HE awarding partner. This provides a further level of reassurance that the College has both the capacity and capability for its HE provision. The collaboration between the College and University of Central Lancashire is a long-standing partnership of over 30 years with the College being rated as a key partner. Preston College was one of the first further education (FE) colleges to partner with UCLan, when the University became the

first in the sector to franchise HE courses to FE colleges with a view to widening access to HE. The risk of the partnership being dissolved is low.

Where appropriate courses are designed to ensure commonality of units within curriculum areas. In this way, even if enrolment numbers are low on any particular course, grouping together enables continued viability and enhances the student experience. On rare occasions, even appropriate merging together of teaching groups still potentially leads to unviable provision. Where this happens, the College communicates with all potentially affected learners to offer additional advice and guidance, with the aim of finding suitable alternatives either within the College or with other institutions. More rarely, similar issues could arise prior to Year 2 of a course commencing – the same approach would be followed, but students would not be disadvantaged. Where students have commenced a programme of study, the College has a track record of fulfilling obligations.

The risk of non-delivery of part-time courses is low due to both the structure of the modules and the established links with employers. Modules are merged across courses to create an enhanced learning opportunity and strong links with local employers ensure that the market is buoyant. The College has been delivering part time courses to specific sectors for a number of years, mainly Construction and Engineering, with excellent facilities and resources to support the delivery. The teacher education programme attracts internal staff who are undertaking their teacher training and therefore the risk to this course not running is low. Full-time provision predominantly attracts progressing learners from current curriculum at Level 3 in addition to external learners. The risk to recruitment in this area is moderate due to the changing demographics, some reduction in learner numbers at level 3 and local competition. However, curriculum structure remains strong, and due to the strong employability theme throughout the programmes, demand is still high and the delivery model is efficient which enables the curriculum to be run on small numbers.

The College has a proactive and established Learner Services team, offering a range of additional support packages to learners across the full range of provision. Access to additional support mechanisms is given to HE students depending on assessed need, and is designed to ensure equality of experience in the College.

Risk mitigation measures

In the rare event that a programme is withdrawn or suspended, best endeavours will be used to teach the existing students to the end of their programme and therefore facilitate completion of their studies.

Whilst risk is low, if in exceptional circumstances, it is not possible to teach-out the course in this way, the College has a clear set of principles to be followed in the event that any crystallise:

- Prompt and open dialogue would be opened with potentially affected students to identify acceptable solutions;
- Alternative College or University provision would be offered where appropriate;
- Early and transparent dialogue with partner institutions about potential solutions.

Discussions with other providers would take place where appropriate, and support given for students to transfer to other providers through the transfer of credit and academic progress.

Where teaching cannot be completed, or where none of the above proposed options are acceptable to the student, the student may request a refund of all or part of paid fees depending on the amount of credit/academic progress achieved. This is covered in more detail in the Refund and Compensation section of this plan.

If a decision is made to suspend recruitment to a course, the College will contact all applicants to discuss appropriate alternative courses or transfer arrangements. The College recognises its responsibilities to all applicants and will ensure the applicants are supported to transfer to another course at the College, University or local providers.

Loss of teaching staff can occasionally take place, but the College will always ensure continuity of learning for our students, utilising either other suitably qualified and experienced staff, or if necessary, by bringing in staff on a temporary basis through Agency or similar arrangements. The College has never had to cancel provision as a result of unavailability of staff, therefore this risk is low.

Refunds and Compensation

This section sets out the arrangements for the refund of tuition fees that apply to learners or their employers on further education (including apprenticeships), higher education or commercial (full-cost) programmes. This also outlines the circumstances when the College may consider the payment of compensation to students or their employers; it is not intended, in the first instance, to be used to resolve academic disputes relating to learner success. It aims to provide a clear and simple framework, so that learners can understand when they may be entitled to compensation or a refund of tuition fees or another type of remedy and how to make a claim. Learners and students are interchangeable terms within this policy as the former tends to apply in the further education sector and the latter in higher education.

The College has a separate Tuition Fee and Other Charges Policy.

The funding and regulation of higher education in England changed in April 2018 when the Office for Students (OfS) became fully operational. The OfS has a remit to create and oversee a regulatory environment in higher education which puts the interests of students at the heart of the system, focusing on choice and competition. The OfS requires a Student Protection Plan incorporating an assessment of the range of risks to the continuation of study for the College's students and risk mitigation measures and information about the policy in place to refund tuition fees and other relevant costs to the College's students and to provide compensation where necessary in the event that the College is no longer able to preserve continuation of study.

Refunds

The College aims to deliver a high quality further and higher education provision, in line with the requirements of learners, employers, awarding bodies and, for HE programmes, the validating partner universities.

The College will provide students with as much clarity as possible about the content of their further or higher education programme, location of their studies and timetable prior to the commencement of each academic year and will aim to minimise changes to programmes of study which result in disruption to learners during the academic year.

This approach applies to all College students, irrespective of the funding arrangements for their further or higher education programme, including:

- Students in receipt of a tuition fee loan from the Student Loans Company.
- Students who pay their own tuition fees.
- Students whose tuition fees are paid by an employer or another sponsor.

Refunds will be made where it is necessary to close a class due to insufficient numbers or where the attendance of learners is made impossible or inappropriate by some action of the College. Should this action prove necessary, the refund will be processed as part of standard procedures, there should be no need to contact the College to request this.

In the event of a course closure, refunds will not be paid to those learners who have:

- Voluntarily left the course
- Not attended for a period of four weeks prior to closure without previously agreeing a period of planned absence with their course tutor.

Refunds will not be made for any personalised kits or materials which are being retained by the learner or any registration fees which have been paid to another party by the College on behalf of the learner.

The College will honour requests for a refund made in writing within 14 days of enrolment, where a student or their sponsor changes their mind and they withdraw from their programme of study, with the exclusion of short courses of less than one month. Fees will not be refunded where course closure is temporary or due to circumstances beyond our control, including but not exclusive to fire, flood or other force majeure, adverse weather conditions, failure of public utilities or transport systems/networks, restrictions imposed by the government, terrorist attack or threat of, epidemic or pandemic disease, temporary staff absences or changes including those due to industrial action.

For a refund request in response to an issue or problem with your College course, the Complaints and Compliments Policy and Procedures document found in the Student Handbook should be followed.

Financial compensation/refund will not always be the appropriate response to a complaint and it is unlikely that most issues will be resolved in this way. Alternatives to financial compensation might include an apology or goodwill gesture, an offer of alternative learning methods if the course cannot be delivered in the way it was originally intended or repeat delivery of the relevant course element may be offered where possible.

Where a refund or credit note is agreed, an administration fee may be charged. This does not apply to course closures.

If a refund is agreed through either course closure, within the 14 day enrolment period, or as a result of an investigation through the Complaints and Compliments Policy and Procedures, the following refund process will apply:

- Where the original payment method was by cheque, refunds will be by cheque.
- Where the original method was by cash, refunds will be made by cheque (the College does not hold large cash sums and adheres to the money laundering regulations covering the handling of cash).
- Where the original payment was by credit/debit card, a refund will be made back to the same credit/debit card, unless the card has expired and we are unable to contact the payer for a new expiry date, in which case the refund will be by cheque.
- Where the original payment was made directly into the bank, a refund will be returned to the account from which the original payment was received.
- Where the original payment was received from the Student Loan Company, refunds will be made to the Student Loan Company. The Student Loan Company will reclaim fees as a result of the College completing a change of fee notification. The Student Loan Company will then be responsible for amending the student's repayments to reflect the reduced loan amount.
- Where fees were invoiced to and payment received from an Employer/Sponsor, refunds will be returned to the Employer/Sponsor by the same payment method.

Transfers

The following rules apply to transfers where a student:

- Transfers from a course the College has closed to an alternative higher fee College course, the difference will be paid by the College.
- Transfers to a College course with a similar tuition fee, no charge will be made.
- Decides to transfer from a College course to another College course with a higher tuition fee, the student will pay the difference between the course tuition fees.

Compensation

In the event that it is not possible to preserve continuation of study necessitating a transfer to an alternative College course, the arrangements outlined above will apply.

Where it is necessary as a result of action by the College (such as course closure) for students to transfer to an alternative provider or there is a change in the location of the course (which was not notified to the student prior to the commencement of the academic year) the College will consider appropriate compensation for additional travel or other costs directly attributable to the non-preservation of continuation of study.

The College's priority will always be to ensure that students receive the education experience outlined in College course information (whether on-line or in hard copy format) and their learning agreement. Where as a result of an investigation through the Complaints and Compliments Policy and Procedures it is concluded that this has not been the case appropriate financial or other compensation may be offered.

The College is aware of OIA guidance on considering whether it is appropriate to recommend compensation payments to higher education students for distress and inconvenience and the following guidelines will apply in in such cases:

Indicative Compensation Bands Distress and Inconvenience Awards for Higher Education Students	
Level of distress and inconvenience	Indicative compensation
Moderate	Up to £300
Substantial	Between £301 and £1,250
Severe	Between £1,251 and £3,000

The above amounts are indicative only and any compensation payments will be determined by the specific circumstances applicable to the student. Any payments over £3,000 will only be considered in exceptional circumstances.

Moderate:

- An act or omission of the College which has caused some distress and inconvenience in the short term (e.g. less than 6 months).
- Moderate delays (i.e. less than 6 months) or other procedural irregularities on the part of the College where there is evidence to suggest the student suffered material disadvantage.

Substantial:

- An act or omission of the College which has caused some distress and inconvenience in the long term (e.g. more than 6 months).
- Substantial mishandling of the complaint by the College which has resulted in or caused unreasonable or avoidable substantial delay (e.g. over 6 months) where there is evidence to suggest the student suffered material disadvantage.

Severe:

- Cogent and contemporaneous evidence to suggest that as a result of the College's acts or omissions the student has suffered from ill health.
- Major maladministration, procedural flaws, delays or other breaches of natural justice in the College's internal process resulting in material disadvantage to the student.
- Where there has been a clear material disadvantage to a student as a result of the College's acts or omissions, but a practical remedy is inappropriate or impossible.

Communication of Student Protection Plan

We will publicise our student protection plan to current and future students on the College website, as well as within the student handbook and through induction processes.

We will ensure that staff are aware of the implications of our student protection plan when they propose course changes through regular staff development, publication on the College intranet and via Heads of School. This will form part of induction for new staff as appropriate.

We will review our student protection plan through management team meetings, followed by Board approval. Student governors will be involved in this process.

Our students will be involved in our review through ongoing learner voice mechanisms. Learner feedback will be sought from higher education students as part of formal policy reviews. Arrangements are in place for full and part time learners to share their views through the learner voice mechanism. HE students are represented on the Quality and Standards Committee through the student governor for HE who will feed into the committee any changes or thoughts from the students. Students have the ability to attend meetings or utilise technology through the Virtual Learning Environment to express their views which ensures that all students are able to engage with discussions.

We will inform our students if there are to be material changes to their course by personal contact between the relevant Head of School and learners, either as a group or on an individual basis.

We will give students adequate notice when we need to make material changes to their course, always ensuring that sufficient time is allowed for comment and identification of acceptable options for continuation. This timescale is likely to vary depending on the scale of any proposed change, but the principles of transparency and consultation will always be applied.

As a last resort, the College publicises its Complaints & Compliments Policy through its website, and students can use this mechanism if they feel that no other acceptable remedy has been put in place.