

TITLE: HE Student Protection Plan	REF: HESPP	VERSION:1
APPROVED: By Group Executive Team	DATE: 21 <sup>st</sup> May 2018	REVIEW DATE: 21 <sup>st</sup> May 2019
LEAD PERSON: Bill Hunt – Director of Higher Education		
EQUALITY IMPACT ASSESSMENT:		
STRATEGIC PRIORITIES: To protect the interests of higher education students and applicants		

<b>Main points of policy</b>	<ul style="list-style-type: none"> <li>To respond to the requirement to maintain a Student Protection Plan under the Higher Education and Research Act 2017.</li> <li>Activate Learning is committed to protecting the interests of students in the event of any disruption to their studies.</li> </ul>
<b>List of procedures for implementation</b>	<ul style="list-style-type: none"> <li>Obtaining approval to withdraw a programme</li> <li>Notification of decision to outside organisations</li> <li>Notification of decision and arrangements for current students</li> <li>Notification of decision and arrangements for prospective students</li> </ul>
<b>Related policies, documents and strategies</b>	<ul style="list-style-type: none"> <li>Risk Management Policy</li> <li>Fees Policy</li> <li>Business Continuity Policy</li> <li>Closure of a Programme Policy and Procedure</li> <li>Collaborative Agreements with University partners</li> <li>UK Quality Code for Higher Education: chapter B8: <i>Programme Monitoring and Review</i> and chapter B10: <i>Managing Higher Education with others</i></li> </ul>

<p><b>Equality and diversity statement</b></p> <p><i>It is the policy of Activate Learning to recognise and encourage the valuable and enriching contribution from all who work and learn here and the rights of all individuals who come into contact with the organisation such as prospective students and job applicants.</i></p> <p><i>We believe that people from a range of backgrounds and experiences can enhance the life and development of the institution and that all individuals should be treated on the basis of individual merit and without prejudice. Activate Learning will, therefore aim to provide an education service which actively promotes equality of opportunity and freedom from discrimination on grounds of age, cultural background, economic status, disability, ethnicity, gender, religion/belief, marriage/civil partnership or sexual orientation in both education and employment. We will strive vigorously to remove conditions which place people at a disadvantage and will actively combat bigotry and discrimination. Activate Learning expects all employees, students, and associated partner organisations to adopt this policy.</i></p> <p><i>Activate Learning is committed to carrying out Equality impact Assessments on its policies and procedures in order that some measurement is made of the contribution that the policy/procedure makes towards equality and diversity objectives.</i></p>
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## **Background to the plan**

The Higher Education and Research Act 2017 requires higher education providers to maintain a Student Protection Plan to protect students' interests in the event of material change, e.g. programme changes, suspensions, closures, or institutional closure.

These events may be triggered by situations such as (but not limited to) the following:

- Institutional closure
- A strategic decision by Activate Learning to close a course or campus;
- Withdrawal of designation for student support purposes;
- Removal or suspension of the Tier 4 Sponsorship Licence;
- Notice given by awarding body to close a course;
- Loss of accreditation from regulatory bodies e.g. PSRB;
- Industrial action by staff or third parties;
- The unanticipated departure of key members of staff
- Changes to regulatory framework affecting a specific course

### **1. Scope of the Plan**

This plan covers all Higher Education programmes awarded by Edexcel and provided by Activate Learning, including those delivered as part of a higher apprenticeship and all current and prospective students. Students studying on an HE qualification which is delivered by Activate Learning under a sub-contracted arrangement with a University partner will be covered by the University's Student Protection Plan.

### **2. Student Protection Plan Statement**

Activate Learning is committed to protecting the interests of students and applicants in the event of any disruption which may adversely affect their studies, including the closure of a Higher Education programme. These procedures have been established to provide a clear statement of the arrangements to secure both the quality of provision and the student experience. In addition, Activate Learning has set aside adequate financial reserves to underwrite the likely costs that may result from any disruption which adversely affects the continuity of study for students. Activate Learning's Fee Policy provides examples of the refunds and compensation students may be entitled to, and is available on the Groups' website via the following link [Fees Policy](#)

### **3. Communication of the plan to key stakeholders**

Activate Learning will ensure that all key stakeholders have access to and are familiar with the Student Protection Plan by undertaking the following:

- Publishing the plan on the institution's website
- Publishing the plan on the students virtual learning environment (ALO)
- Including the plan alongside other material provided to applicants
- Publishing the plan on the staff intranet
- Including coverage of the plan in the induction of new staff and other relevant staff training activities
- Including coverage of the plan in the induction of new student representatives
- Informing employers of the plan, where relevant.
- Ensuring that all key stakeholders are aware of Activate Learning's Customer Comments, Suggestions and Complaints policy in the event of any concerns related to the implementation of the student protection plan.

Activate Learning will also ensure that the Student Protection Plan is reviewed on an annual basis and updated appropriately, ensuring that students are also involved in its review through programme committees and annual programme review processes.

#### **4. Measures to Inform and Protect Students**

Activate Learning is committed to communicating any material changes to students as soon as possible, with clear information and options.

All reasonable steps will be taken to minimise disruption to affected students by, for example:

- Offering affected students the opportunity to move to another course;
- Delivering a modified version of the same course;
- Ensuring that students with protected characteristics continue to receive appropriate support;
- Providing assistance to affected students to switch to a different provider.

Where a student transfers courses or moves to another provider there are likely to be implications for student finance arrangements. The Higher Education Learning Partnerships (HELP) office will provide detailed information, advice and guidance to students based upon their individual circumstances.

#### **5. Significant Material Change**

##### **5.1. Institutional closure**

Institutional failure will be monitored and reported through risk management in accordance with Further and Higher Education regulatory bodies and any instance of this will be managed in accordance with Activate Learning's policies<sup>12</sup> and procedures.

Where Activate Learning has no option, other than to close, it will consider measures such as those below to protect the student experience:

- Where possible, closing in a gradual way, over a period of time that would allow current enrolled students to complete their studies;
- Where the above is not possible, in supporting students to transfer to appropriate programmes at other providers and by compensating students where because of disruption to their studies they suffer demonstrable, material loss;
- Merging with another institution to maintain all or part of the current provision.

##### **5.2. Institutional Closure of a Campus or Part of a Campus**

Where a campus or part of a campus is rendered unusable for activities involving students, Activate Learning will notify students within 10 working days and typically consider remedies such as:

- Where possible, managing the timeframe for closure of a campus to allow students to complete their studies;
- Relocating provision to an alternative location, this may include hiring spaces for programme delivery and/or installing temporary buildings.
- Revising the timetable to allow all of the teaching to take part in the available facilities.

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<sup>1</sup> Activate Learning Risk Management Policy

<sup>2</sup> Activate Learning Business Continuity Policy

- Delivering programmes via alternative means, such as distance or blended learning. Where such an approach is taken, Activate Learning will consider whether this is appropriate for the enrolled students who would be affected;
- 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 due to disruption of their studies;
- Providing students with access to independent advice services such as the Student Union, Careers, Counselling and Welfare.

### **5.3. Withdrawal of Designation**

In the event of de-designation of its courses by the Office for Students for 'Student Support' purposes, resulting in the withdrawal of statutory student finance, Activate Learning will take all reasonable steps to minimise the resulting disruption to students by, for example:

- Working with the Office for Students to allow enrolled students to complete their year of study/programme;
- 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 due to disruption of their studies;
- Considering assistance for affected students by providing evidence/letters/statements in support of continuation of their studies
- Providing students with access to independent advice services such as the Student Union, Careers, Counselling and Welfare.

### **5.4. Suspension or Closure of a Course**

Activate Learning has established procedures in place in the event of suspension/closure of a course. For sub-contracted provision the procedure is detailed within the awarding body's institutional agreement, and for validated provision Activate Learning has its own 'Closure of a Programme' policy<sup>3</sup> and procedure which is overseen by the HE Academic Board. Where there is material impact on students, the effect will be mitigated by:

- Oversight from the HE Academic Board who will receive a clear statement of the rationale for closure and the arrangements to secure both the quality of provision and the student experience following the decision to withdraw the programme (*see appendix 1 for details*)
- Communication with current students within 10 working days of the decision to close or suspend a programme of study to provide assurance that they will not be adversely affected by the decision, and provide assurance that they are able to complete their studies;
- Where possible, provision will be made to allow for the completion of studies where 'mitigating circumstances' have been presented;
- Consultation with stakeholders (including employers where relevant) who may be affected to ensure appropriate quality impact assessments will also be undertaken;
- Future applicants will be notified within 10 working days of a decision to close or suspend a programme of study, allowing time for students to source an alternative suitable programme.
- Providing students with access to independent advice services such as the Student Union, Careers, Counselling and Welfare.

### **5.5. Suspension of Tier 4 Sponsor Licence**

In the event of suspension of Tier 4 Sponsor status, Activate Learning will take all reasonable steps to minimise the disruption to those services and to affected students by, for example;

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<sup>3</sup> Activate Learning Closure of a Programme policy

- Working with UKVI to allow enrolled students to complete their year of study or programme;
- Allow students already in receipt of a VISA based upon an allocated CAS from Activate Learning to enrol and commence their studies;
- Offer students who have not completed their application, the opportunity to postpone their application pending the resolution of the suspension.
- Providing students with access to independent advice services such as the Student Union, Careers, Counselling and Welfare.

### **5.6. Revocation of Tier 4 Sponsor Licence**

In the event of revocation of Tier 4 Sponsor Licence, Activate Learning will take all reasonable steps to minimise disruption to affected students by, for example;

- Providing assistance to affected students to switch to an alternative provider.
- Providing students with access to independent advice services such as the Student Union, Careers, Counselling and Welfare.

## **6. Changes to Regulatory Framework Affecting a Specific Course**

In the event of Activate Learning losing PSRB accreditation for a specific course, Activate Learning will consider the following measures to protect the student experience;

- Offering affected students the opportunity to move to another course;
- Delivering a modified version of the same course;
- Providing assistance to affected students (and employers where relevant) to switch to a different provider who holds the relevant accreditation.
- Providing students with access to independent advice services such as the Student Union, Careers, Counselling and Welfare.

## **7. Disruption to College Activity**

Where events result in term-time programme disruption, Activate Learning will normally consider whether it is practicable to make changes to programme delivery, rather than closing or suspending an affected programme.

Actions to minimise disruption may include:

- 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 impact on students;
- Changes to the programme delivery location or method, which may include elements of distance learning;
- Changes to the staffing of a programme, for instance through a review of internal staff resources, including recruitment of area specialists, where appropriate;
- Offering students the opportunity to transfer to an alternative programme;
- Provision of reasonable support to students for accessing a programme delivered by another provider, including making arrangements for the transfer of credit and information about academic progress.
- Providing students with access to independent advice services such as the Student Union, Careers, Counselling and Welfare.

### **7.1. Industrial Action**

Activate Learning is 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.

Where industrial action does occur, Activate Learning will seek to:

- Ensure that normal operations and services are maintained as far as possible;
- 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.

## 7.2. Loss of key staff

Where possible, Activate Learning will:

- 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;
- Where Activate Learning cannot avoid closing a programme due to the loss of key staff, then the procedures outlined in section 5 will apply.

## 8. Risk Assessment

	Specific Risk	Impact (L / M / H)	Likelihood (L / M / H)	Key actions taken or controls already in place
1.	<b>Institutional closure</b>	H	L	<p>Routine monitoring of finance, QA and performance against KPIs at faculty, SMT and Corporation level.</p> <p>The Corporation operates a risk management policy which forms part of the Group's internal control and corporate governance arrangements.</p> <p>Activate Learning also operates a Business Continuity policy which addresses unavoidable risks and events which can cause disruption to business operations.</p>
2.	<b>Institutional Closure of a Campus or Part of a Campus</b>	L	L	<p>As a multi-campus organisation Activate Learning are able to relocate resources as appropriate to ensure continuity of study.</p>

				Routine monitoring of finance, QA and performance against KPIs at faculty, SMT and Corporation level.
3.	<b>Withdrawal of Designation</b>	H	L	Staff are trained and updated on all statutory requirements for student returns, funding, and audits, and maintain accurate records which comply with those requirements.
4.	<b>Suspension or Closure of a Course</b>	L	L	Routine monitoring of applications and acceptances on a weekly basis throughout the UCAS cycle.  Academic Board decision by June for suspension or closure of programmes prior to clearing.  Existing programme closure policy and procedure which has been tested.
5.	<b>Suspension of Tier 4 Sponsor Licence</b>	M	L	Assessment of students' eligibility to study prior to entry.  Routine monitoring of attendance and reporting to UKVI if below 85%.  Alerts and reports from UKVI.
6.	<b>Revocation of Tier 4 Sponsor Licence</b>	H	L	As above.
7.	<b>Changes to Regulatory Framework Affecting a Specific Course</b>	M	L	Routine monitoring of performance against PSRB and other regulatory requirements.  Maintaining links with PSRB and other regulatory bodies through membership and attendance at meetings and wider internal and external

				dissemination events.
8.	<b>Disruption to College Activity</b>	L	L	<p>Staff cover rota in place within each faculty for short-term absences.</p> <p>Annual programme of environmental and facilities development designed to minimise disruption.</p>
9.	<b>Industrial Action</b>	M	L	<p>Activate Learning maintains open, honest and transparent communications with all staff and has a joint consultation and negotiation committee to help mitigate any industrial action.</p>
10	<b>Loss of key staff</b>	M	L	<p>Working in partnership with local HEI to share/contract staff.</p> <p>Working with recruitment agencies to fill specialist posts.</p> <p>Staff cover rota in place within each faculty for short-term absences.</p>

## Appendix 1.

### **Additional requirements for the closure or suspension of a programme.**

The Higher Education Academic Board will expect to receive the following information as a minimum requirement in the event of closing or suspending a programme:

- a) A clear statement of the rationale for the programme's closure;
- b) A clearly defined phasing-out period which includes start and end dates;
- c) The arrangements for providing students enrolled on the programme and all staff with information on the proposed closure
- d) The arrangements for providing UCAS applicants with timely advice and guidance to enable them to apply to another institution
- e) A clearly defined list of options available to students to enable them to either complete their original programme of study or transfer with their agreement to an alternative programme or institution;
- f) The arrangements to ensure that the quality of the student learning experience will continue to meet awarding body and QAA expectations during the phasing-out period;
- g) Careful consideration and support for any student with additional learning needs, or other characteristics which require specific consideration;
- h) The mechanism to ensure that any proposed reduction in overall staffing levels will not impact unreasonably on the student experience, particularly with regard to ensuring that the intended learning outcomes of the programme will still be achievable by current students;
- i) The mechanism to ensure that adequate resources continue to be provided to maintain the quality of the student experience during the phasing-out period;
- j) The assessment and re-assessment arrangements for any students, particularly part-time students, who will not have completed their intended programme by the closure date;
- k) Evidence of consultation internally and/or externally with key stakeholders

### **Notification of decision to outside organisations**

Once a closure recommendation has been approved by the Group Higher Education Academic Board, the Director of Higher Education must ensure that all publications and websites are amended.

UCAS will be notified by the College's UCAS Correspondent when the closure recommendation has been accepted.

Partnership agreements: The College is required to notify the University partner of its intention to suspend a programme in writing, giving no less than six months' notice before the end of the academic year during which the notice is given.

### **Notification of decision and arrangements for current students**

All communications with current students about the closure of their course must be undertaken by the appropriate Director.

Current students must be allowed to complete their designated period of enrolment on the programme unless they give their explicit written consent to the contrary. Such consent must not be sought until a closure recommendation has been approved by the Group Higher Education Academic Board.

Where a programme is being closed to recruitment, the proposed arrangements for students currently enrolled on the programme (including those who have suspended studies), must include the following:

- Discussion about student options in regard to transferring to another programme within Activate Learning or to another institution, and arrangements for doing so
- Confirmation of the student timetable for the remaining period of the programme
- Arrangements for the staffing and resourcing of the programme for the remaining period
- Written confirmation to all students clarifying any amendments to the programme regulations regarding assessment and progression, with particular reference to:
  - a) Students who have temporarily withdrawn
  - b) Students who have failed modules and would normally be allowed to retake these the following year
  - c) Students under mitigating circumstances who have been granted an extension beyond the end of the academic year
  - d) Students planning to progress from a Foundation Degree to an Honours Degree

### **Notification of decision and arrangements for prospective students**

All communications with applicants on the following matters must be undertaken by the Higher Education Admissions Coordinator, or delegate.

Applicants who have accepted offers should not be contacted until a closure recommendation has been approved by the Group Higher Education Academic Board. These applicants should then be informed of their options in regard to transferring their application to another programme or institution.

All Public Information relating to the programme should be either removed or amended by the Higher Education Liaison Coordinator to inform potential applicants that the programme has been withdrawn. The following list provides a reference as to where this information is currently published:

- College websites
- Higher Education Programme Guide
- Programme leaflets – web based and hard copy
- UCAS listing
- Awarding body website and prospectus
- Third party e.g. Employer or PRSB

### **Marketing**

Once a closure recommendation has been approved by the Group Higher Education Academic Board, the Director of Marketing and Communications will, where appropriate, prepare and publish a press statement.