

## Student Protection Plan

### Introduction

As a registered provider of higher education, the University is required by the Office for Students to publish a Student Protection Plan. The Plan sets out what students can expect to happen should a course, campus, or institution close. Its purpose is to ensure that students can continue and complete their studies, or can be compensated if this is not possible.

This plan, which has been submitted to and approved by the Office for Students as part of our conditions for registration in 2018, applies to all students. It sets out the University's assessment of, and mitigation for, the risks which could affect the continuation of study for our students.

- 1. An assessment of the range of risks to the continuation of study for our students, how those risks may differ based on our students' needs, characteristics and circumstances, and the likelihood that those risks will crystallise.**

Overall, the risks to the continuation of study for our students and the likelihood that these risks will crystallise are low. The reasons for this assessment are presented below against relevant circumstances set out in the following guidance from the Office for Students: *Regulatory Advice 2: Registration of current providers for 2019-20, Guidance for providers about the application process, paragraph 63*:

**Risk a: That Loughborough University as a whole is no longer able to operate, or has decided to cease operating.**

The risk in this area is close to zero and therefore does not require specific mitigation. Our financial performance and business continuity plans mean that Loughborough University as a whole is very unlikely to cease to operate. This is confirmed in the latest annual assessment of institutional risk undertaken by HEFCE in regard to the annual accountability return submitted in December 2017.

**Risk b: That Loughborough University has lost the power to award degrees**

The risk in this area is close to zero and therefore does not require specific additional mitigation. We have a strong track record in relation to our academic performance, most recently confirmed by the award of a TEF Gold Award in June 2017, and in the latest annual assessment of institutional risk undertaken by HEFCE in regard to the annual accountability return submitted in December 2017.

**Risk d: That one or more of the locations at which we deliver programmes to students is no longer available.**

The University operates across two campuses: Loughborough in the East Midlands, and at the Queen Elizabeth Olympic Park, London.

As we own our Loughborough campus this risk is close to zero for the majority of our

programmes and therefore does not require specific mitigation.

In principle, the potential risk under this heading in respect of the London Campus is higher because we lease the facilities. However, we judge the residual risk to be minimal due to the long-term nature of the lease contract as well as our effective planning and governance arrangements, as confirmed in the latest annual assessment of institutional risk undertaken by HEFCE in regard to the annual accountability return submitted in December 2017. The governing body receives reports on the London campus at least three times each year and therefore maintains close direct scrutiny of its development. The majority of taught students in London are on one year postgraduate programmes and therefore alternative arrangements could readily be put in place if required, in conjunction with operation from our Loughborough campus.

**Risks e, f, g and h: That we are no longer able to deliver programmes to our students in one or more subject areas and/or departments or that we are no longer able to deliver material components of one or more programmes or we are unable to deliver one or more modes of study.**

As part of maintaining an up to date portfolio of programmes for which there is a viable level of student demand, we do decide to discontinue programmes on a regular basis and we also make appropriate changes to individual modules. There can be a number of reasons for this including new academic developments, the expertise of our staff, student feedback and changes in student demand. Due to our scale of operation and approach to delivery we are usually able to manage the timing of implementation of these decisions so that they do not impact on individual students (see below). We do not normally offer part-time undergraduate study and this means the length of time we need to “teach out” programmes is reduced. The circumstances in which this risk is most likely to crystallise is in respect of part-time postgraduate provision, including where we wish to make changes to the delivery model (e.g. from Semester long to block taught and vice versa) and in ensuring there are repeat/resit opportunities for undergraduates who have fallen behind their original cohort for reasons such as ill health. We also have a small number of students who are following full-time programmes on a part-time basis as a result of disability and other adjustments.

The risk that we are no longer able to deliver components of our programmes to current students or modes of study is generally low because we design our programmes and modules to be taught by integrated teams of academic staff. However, occasionally an individual optional module may have to be withdrawn due to specialist staff not being available at short notice for reasons beyond our control (see below). Such changes should not mean that students cannot achieve the overall learning outcomes of their programme.

**Risk i: That we no longer able to recruit or teach a particular type of student, such as international students.**

The risk of no longer being able to recruit or teach particular types of students is low due to our strong position in student recruitment, albeit student demand inevitably shapes decisions about the future programme portfolio which we will offer. Our governing body, through its Audit Committee, regularly seeks assurance from our internal auditors that our arrangements for student immigration compliance are robust. The most recent audit will be reported to Audit Committee in June 2018 and raises no major areas of concern. We therefore do not see the ability to recruit international students in principle as high risk. The international market does change quite rapidly, however, and this is part of the context for frequent review of our programme portfolio.

**That we are no longer able to deliver programmes or modules due to circumstances beyond our control.**

As noted above, sometimes circumstances beyond the control of the University may mean that it cannot deliver its programmes and / or modules as anticipated. Examples of such circumstances include the list below and this is made to clear to applicants and students in our Terms and Conditions of Study:

- a) industrial action by University staff or third parties
- b) the unanticipated departure of key members of University staff
- c) power failure
- d) acts of terrorism
- e) damage to buildings or equipment
- f) the acts of any governmental or local authority or
- g) where the numbers recruited to a programme are so low that it is not possible to deliver an appropriate quality of education for students registered on it.

We judge the risk in relation to individual modules to be medium and low in relation to whole programmes prior to the mitigating actions referred to below. However, we do not guarantee delivery of specific module content at a detailed level in the material information we agree with prospective students during the admissions process.

## **2. The measures that we have put in place to mitigate those risks that we consider to be reasonably likely to crystallise**

In many cases, decisions to close a programme will be taken when there are no current applicants or students and therefore the discontinuation can have no impact on individuals. This is most often the case for postgraduate taught programmes. However, where there are current students and/or applicants, but we conclude that it is the right decision (or the only decision available to us) to close a programme, our standard practice is to close it to new applicants and to honour our responsibilities to individuals who are already “in the system”. Where this is not possible in respect of current applicants, we will offer them related alternative programmes (the nature of our provision means this is usually possible) or will support them (e.g. in dialogue with UCAS) to find an alternative programme elsewhere.

Our policy is normally to “teach out” remaining students on a programme which is due to close. Occasionally, however, where there are overwhelming practical barriers to “teaching out” the remaining students, we will explore the following with affected individuals, depending on the specific circumstances:

- A commitment to deliver a modified version of the same programme.
- A commitment that we will offer other, alternative, programmes from our portfolio to affected students. In such circumstances we will be mindful of Competition and Markets Authority guidance in seeking to implement such a change of programme.
- A commitment that we will make every effort to support individual students to find an alternative programme at another provider. Support for such ‘transfer of study’ is likely to include, but not be limited to, certification of credit or a record of academic achievement to facilitate admission to the receiving provider.
- Where a transfer or withdrawal is the student’s preferred course of action our refund and compensation policy may be applicable.

We recognise that a single measure to allow students to continue their studies might not be uniformly appropriate for each student in each instance. Students from different backgrounds will have different needs; for some students alternative programmes will be acceptable, while others will wish to transfer. Some students will need tailored support whatever measure is adopted. Therefore the University will consider each students’ circumstances on a case-by-case basis and seek to take mitigating action in agreement with each student.

### **3. Information about the policy we have in place to refund tuition fees and other relevant costs to our students and to provide compensation where necessary in the event that we are no longer able to preserve continuation of study**

#### **Refund and Compensation Policy**

Exceptionally, there may be circumstances in which it is not possible to preserve continuation of study for one or more of our students. In these circumstances, the University may decide that, in addition to other mitigating actions that it will take, it is appropriate to refund a student's fees (in full or in part) and other relevant costs, and /or to pay compensation to students. The process for setting and paying refunds and / or compensation is overseen by the Academic Registrar, with due regard given to Competition and Markets Authority guidance and the University's Terms and Conditions of Study.

Where a circumstance is known in advance (for example, the planned closure of a programme), the University will be responsible for contacting students to agree mitigating actions and these mitigating actions will aim as far as possible to ensure the impact on students is minimal and that any issues are resolved quickly and amicably by mutual agreement. The discussions will be conducted in the context of the University's contractual commitments (for example, through the Terms and Conditions of Study for applicants and current students). In such circumstances, a refund or compensation is therefore unlikely to be applicable. Should there be an unavoidable occurrence which places the University in breach of its contractual responsibilities to one or a group of students, it will consider provision of a refund or compensation or some form of goodwill gesture, as appropriate to the circumstances.

Where an individual student regards the mitigating actions and any related offer from the University to be insufficient and they wish to seek additional financial redress, they should use the formal Student Complaints Procedures, as set out in Ordinance XXXVIII.

If a refund of tuition fees which have already been paid is considered to be the appropriate outcome of a student complaint, such refunds will be provided by returning the sum concerned to the original source of the fees whether that source was:

- A tuition fee loan from the Student Loans Company
- The student (where they have paid their own tuition fees)
- The student's financial sponsor

We will not normally change the location of programme delivery. However, should a student incur additional travel or relocation costs which are beyond the student's reasonable control as a result of a change in the location of their programme delivery, the University will consider payment of any such additional costs on provision of documentary evidence of those costs. A compensation payment may also be appropriate if the student can demonstrate they have been caused significant inconvenience.

The majority of our scholarships and bursaries for students taking taught programmes are not specific to the programme on which the student is registered. Where a student has to transfer to a related programme within the University because the University is not able to provide the student's original programme, their eligibility for scholarship or bursary support will therefore not normally be affected. However, should there be any difference, the University will ensure the student is not financially disadvantaged.

Where a student can demonstrate a financial loss, and/or there is evidence of significant distress and inconvenience as a result of a programme change in breach of the University's contractual responsibilities, the University will consider compensation payments to students in line with good practice guidance provided by the CMA and OIA. This might be applicable, for example, should there be a significant delay in delivery of the student's studies or they decide to withdraw without

achieving credit for their studies should their intended qualification aim no longer be available.

Loughborough University's financial performance and business continuity plans mean that Loughborough is able to provide refunds and compensation for those students for whom we have identified an increased risk of non-continuation of study due to circumstances beyond their control.

#### **4. Information about how we will communicate with students about our student protection plan**

We publicise our Student Protection Plan to current and future students by:

- publication on our website
- inclusion with the material we provide to applicants when we make an offer to study on a programme
- drawing the attention of current students to our plan on annual basis.

We ensure that staff are aware of the implications of our student protection plan when they propose programme changes by:

- publication on our website
- inclusion in our policy and process documents for programme changes and closure
- inclusion in relevant staff training activities.

We review our Student Protection Plan on an annual basis to ensure that it is a living document that is reviewed and updated appropriately should our risk assessment change. It will be reviewed by staff and student representatives, led by the Academic Registrar. It will be published by the start of every academic year.

Should the Student Protection Plan need to be implemented, the Academic Registrar will co-ordinate communication with affected students. Depending on the potential impact of the actions required, a decision will be taken to communicate with students formally via their University email address and in face-to-face meetings. As much notice as possible will be given but this may vary depending on the specific circumstances. Students will be guided to seek independent advice from the Student Voice service in the Students' Union in the first instance, and will be advised to follow the University's complaint procedures if they wish to make a complaint about the way that we are implementing the plan.

The Student Complaints Procedures are set out in Ordinance XXXVIII. We aim to resolve issues informally and by mutual agreement if at all possible. However, students who are not satisfied have the right to seek a formal review of their complaint and, if they remain dissatisfied after the formal stage of the complaints procedures have been completed, they may seek an independent review by the Office of the Independent Adjudicator for Higher Education.

Contact for further information:

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