

*Hereford College of Arts*  
*UKPRN: 10003022*  
*Folly Lane, Hereford, HR1 1LT*

## ***Student Protection Plan (SPP) 2022-23***

### **1. Introduction**

- 1.1 Hereford College of Arts (HCA) is committed to helping to ensure students achieve the best academic outcomes from their studies. Events may occasionally occur which mean that changes have to be made to courses or modules that impact on a student's ability to enrol onto or complete a programme of study.
- 1.2 HCA would expect significant changes or closures to programmes to happen only in exceptional circumstances. The Student Protection Plan (SPP) is to protect the student's interests if these circumstances arise and HCA's response to those changes.
- 1.3 This SPP incorporates HCA's Refund and Compensation Plan.
- 1.4 The SPP applies to the following groups:
- a person who has applied to a Higher Education course at HCA who has been offered or has accepted a place on a course which has been closed or suspended.
  - a person who is currently enrolled on a Higher Education course but has not yet completed it.
- 1.5 The SPP may be triggered by the following events:
- a decision to close the College has been taken
  - a strategic decision by the College to close a course;
  - a decision to suspend a course for one or more academic years;
  - withdrawal of designation for student support purposes;
  - a decision has been taken not to run a course for the subsequent year;
  - removal of the Tier 4 Sponsor Licence (the Home Office issued licence which allows a provider to teach international students);
  - changes to regulatory framework affecting a specific course;
  - loss of accreditation from regulatory bodies, e.g. Ofsted, OfS
  - loss of accreditation of validating institution, e.g. University of Wales Trinity Saint David
  - disruption of College activity (e.g. temporary disruption within term-time not covered by any of the above);
  - major industrial action by College staff or third parties;
  - the unanticipated departure of key members of college staff.

The above list is not exhaustive.

## 2. Measures to Protect and Inform Students

- 2.1 The College is committed to communicating any changes to students as early as possible, with clear information and options.
- 2.2 All reasonable steps will be taken to minimise the resultant disruption to those services and the affected students by, for example:
- offering affected students the chance to transfer to another course;
  - delivering a modified version of the same course;
  - teaching out the course if it is decided to not to enrol new students to the course;
  - providing assistance to affected students to switch to a different provider.
- 2.3 Where a student is required to transfer course, or move to another institution there are likely to be implications for student finance arrangements. The Student Finance Team will contact affected students and provide detailed information, advice and guidance based on their individual circumstances.

## 3. Significant Material Change

### Institutional Closure

- 3.1 Institutional closure will be monitored through risk management and managed in accordance with College policies.
- 3.2 Where the College has no option, other than to close, it may consider measures such as those below to protect student experience:
- where possible, closing in a gradual way, over a period that would allow current enrolled students to complete their studies at the College;
  - 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;
  - merging with another institution to maintain all or part of the current provision.

The College financial health is monitored by the Education and Skills Agency (ESFA), the College's regulatory body. The College's financial health is currently graded as 'Outstanding' by the ESFA. At this point the risk of institutional closure is assessed as low. If the College's financial situation deteriorates the FE Commissioners Office would work with the College to consider a variety of options for improving the Colleges financial health.

#### Closure of Part of Campus

3.3 Where part or all of the campus is rendered unusable for activities involving students, the College will typically consider remedies such as:

- 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);
- 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 and appropriate assessments also undertaken.

#### Loss or Restriction of Higher Education Provider Status

3.4 In the event of loss or restriction of status, HCA will work with the regulatory body to:

- ensure all reasonable steps are taken to minimise the resultant disruption to affected students;
- ensure that, as far as possible, changes are made in a transitional manner.

#### Withdrawal of Designation

3.5 In the event of de-designation of its courses 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:

- working with relevant funding bodies 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 because of disruption to their studies;
- considering assistance for affected students by providing evidence/letters/statements in support of continuation of their studies;
- merging with another institution to maintain all or part of the current provision.

#### Suspension of Course

3.6 In the event of suspension/closure of course where there is a material impact on the students the effect will be mitigated by:

- communication with current students to provide assurance that they will not be adversely affected by the decision, and provide assurance that they are able to complete their studies at HCA;

- where possible, provision will be made to allow for the completion of studies where 'mitigated circumstances' have been presented.
- consultation with stakeholders who may be affected;
- future applicants will be notified in accordance with UCAS deadlines, allowing time for students to source an alternative suitable programme (where relevant) at the College or at another Higher Education Provider.

#### Suspension of Tier 4 Sponsor Licence

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

- working with UKVI to allow enrolled students to complete their year of study/programme;
- allow students already in receipt of a visa based upon an allocated CAS from the College to enrol and commence their studies;
- offer students who have not commenced their travel to the College the opportunity to postpone their application pending the resolution of the suspension.

#### Revocation of Tier 4 Sponsor Licence

3.8 The College, in the event of revocation of Tier 4 Sponsor Licence will take all reasonable steps to minimise the resultant disruption to affected students by, for example:

- providing assistance to affected students to switch to an alternative sponsor.

#### **4. Changes to Regulatory Framework Affecting Specific Courses**

##### Loss of accreditation by validating body

4.1 In the event of the College losing accreditation with the University of Wales Trinity Saint David, the College will consider measures to protect student experience, such as those listed below:

- delivering a modified version of the same courses;
- providing assistance to affected students to transfer to a different provider who holds the relevant accreditation.
- working with other institutions to deliver a similar provision

#### **5. Critical Disruption to College Activity**

5.1 Where events result in critical term-time programme disruption such as major fire damage to the estates, the College will normally consider whether it is practicable to make changes to programme delivery, rather than closing or suspending an affected programme.

5.2 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;
- 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 run by another provider, including making arrangements for the transfer of credits and information about academic progress.
- 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);
- 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 and appropriate assessments also undertaken.

##### Major Industrial Action

5.3 The College 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.

5.4 Where major industrial action does occur, the College 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.

#### Loss of Key Staff

5.5 Where possible the College 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 the College cannot avoid closing a programme, the policy as outlined in section 3.6 will apply.

## **6. Refund and Compensation**

In the unlikely event that the SPP is triggered and the College cannot teach out the course, the College will make the following minimum commitments for students registered on the course:

- 6.1 The College will ensure that the students on the course will receive the award they are entitled to for the academic level they have reached e.g. a certificate or a diploma.
- 6.2 The College will offer student advice and support to help them decide on the best option for them, including a transfer to another course or to an alternative HE provider.
- 6.3 Offer to pay reasonable costs for students to visit an alternative provider.
- 6.4 Will work with goodwill with students affected to put in place a refund and compensation plan relevant to the circumstances of those students.

Those students who have been offered or accepted a place on a course will be offered guidance on whether to accept a place on a different course at HCA or a place at a different provider.

As there could be many different scenarios that trigger the SPP and the circumstances of all students affected are likely to be different this will affect the refund and compensation options available.

All enrolled students identified as affected will be told what is being put in place and ensuring students are not disadvantaged and the process is fair and proportionate.

The plan will take into consideration:

- Travel costs as a result of relocation of provision
- Student fee refunds in cases where the SPP is triggered mid-year.

- Bursary entitlement – if a student would have received a bursary at HCA if the course continued, then the College will continue to pay that bursary as long as that student is enrolled on a different course whether at HCA or an alternative provider, assuming no equivalent bursary is available on the new course.
- Compensation for additional tuition and maintenance costs where a student has to transfer courses or provider and as a result the time to complete the course is extended.
- The College will also consider other forms of action beyond refunds and financial compensation.

Relevant guidance published by Competition and Markets Authority (CMA), the Quality Assurance Agency (QAA), the Office for students (OfS) or the Office for the Independent Adjudicator for Higher Education (OIA) will be taken into account when preparing such plans.

The College has sufficient cash reserves to fund the SPP if it is triggered.

## **7. Payments**

7.1 No payments or refunds will be paid in cash.

## **8. Communication to Applicants and Students**

8.1 This Student Protection Plan will be published on the Colleges website.

8.2 The electronic copy of the Plan will be the definitive copy.

8.3 If the SPP is triggered, the SPP will be shared with those students affected by the event.

## **9. Feedback and Questions**

Any questions relating to the SPP should be addressed to [complaintsadvise@hca.ac.uk](mailto:complaintsadvise@hca.ac.uk) in the first instance.

If you wish to make a complaint about your experience under this plan, this can be done using the College Complaints procedure. The link to the policy is below:

<https://www.hca.ac.uk/wp-content/uploads/2020/03/student-complaints-policy-and-procedure.pdf>

