



STUDENT PROTECTION PLAN

Approved By the Office for Students (OfS) June 2019

Introduction

Brockenhurst College is fully committed to ensuring that all students achieve the best academic outcomes from their studies and it takes very seriously its responsibilities to support and protect the interests of its current and future students. As a condition of being a registered provider with the Office for Students (OfS) the College must publish an approved Student Protection Plan (SPP) which sets out what students can expect to happen should a course or the College close. The purpose of this plan is to ensure that students can continue and complete their studies or can be compensated if this is not possible.

Risks to the continuation of study for students at Brockenhurst College

As a College we are profitable. The College generates an EBITDA (earnings before interest, taxes, depreciation and amortisation) in excess of 4% of its income each year which would be sufficient to provide refunds and compensation for those students for whom we have identified an increased risk of non-continuation of study

The financial risk that the College will be unable to operate is moderate. Historically, the College had financial difficulties - in 13/14 it was issued with a Financial Notice of Concern from the Skills Funding Agency. It has now implemented a recovery plan, which has resulted in the College being graded as having satisfactory financial health for the last two years. The Notice of Concern has now been lifted by the Education and Skills Funding Agency (ESFA).

Governance is strong through the Vice Principal: Director of Finance, Audit Committee, and ESFA providing regular oversight. At the start of the year the governing body approves the annual budget and at the end of the year, they approve financial statements which are prepared on the basis that the college is a going concern.

On 31 January 2019 the further education insolvency regime came in to force. Under this new regime, the expectation is that a college will enter into insolvency proceedings where there is no viable solution for managing the college and it is clearly in financial distress. Whilst this potentially increases the risk of an institution being unable to operate, the College believes that it has mitigated against this risk with the aforementioned governance controls. In addition, within this regime the education administration arrangements include a statutory requirement to protect the interests of existing students and those who have accepted places on courses. The appointment of an educational administrator rather than an insolvency practitioner supports course continuity for existing students.

The risk that we will no longer be able to deliver the key components of our programmes is low because of the breadth of expertise within the department and across the College as well as our close links with the University of Chichester whose programmes we deliver. The College has effective recruitment and selection policies and practices in place. Recruitment

of staff is strong and sickness and turnover are well below sector averages. There is a clear workforce development plan which is approved by the Employment and Personnel Committee of the Corporation on an annual basis.

The College operates a Risk Management Policy and has a RAG (red, amber, green) rated register which is reviewed and updated by the Senior Management Team on a monthly basis where the levels of risk are identified as having changed. The risk assessment register and plans ensure that the College is able to respond to the following:

- Disruption to College activities (including but not limited to extreme weather, health and safety issues, damage to buildings or equipment, industrial action, legal restrictions and construction work

In addition, there is a Health and Safety Committee which is overseen by the Corporation and a Health and Safety Specialist.

A Disaster Recovery Plan is in place as is the necessary insurance to ensure that, for example, teaching can continue in temporary accommodation.

The risk that the College's operation will be disrupted to the extent that its operations are significantly impaired is very low. The College operates robust policies and procedures with regard to the quality and standards of its programmes, the admissions of students to those programmes and the support that students can expect to receive from our professional services. The College, despite having a small HE provision has established track records with the relevant regulatory authorities (Office for Students - formerly HEFCE; Quality Assurance Agency UK; UK Visas and Immigration; Education and Skills Funding Agency; European Social Fund; Ofsted; all Awarding Organisations) that provide students and the wider community with confidence that we are able to operate effectively.

The College carries out an annual review of its provision to ensure that quality is high and financial contribution is maximised. From time to time, the College will make the decision to close a programme to new students or that it cannot offer a programme during a particular academic year. In such circumstances the College will take every measure to safeguard the interests of its students, including those who are intermitting and where appropriate those who have applied to study the programme. The College will always consider every other option before closing or suspending a programme whilst students' studies are in progress and such action would be a last resort. The risk of students not being able to complete their programme is therefore very low. The risk that the College will permit a significant change to a programme following admission to the extent to which the student's ability to complete the programme is impaired is similarly very low.

The risk that the College will permit a significant change to programme following an offer of admission is moderate. The College is aware of its obligations to applicants at all stages of the admissions and process as mandated by the Competition and Markets Authority. As mentioned previously, the College has established an annual review programme of its courses and it has an approval and change procedure to ensure that changes are made only when there are compelling reasons. Where significant change is agreed for implementation in future iterations of a programme, applicants holding offers or who have accepted an offer will be informed of these changes at the earliest opportunity and given access to a range of advice and guidance from specialist staff.

As the College itself does not have Degree Awarding Powers it will deliver its foundation and degree programmes with a partner institution. The College has its own Student Protection Plan in place. However, it works very closely with its lead partner at the point of approval, at subsequent approval events and through the range of monitoring activities to ensure that the risks mentioned previously are low.

The risk of the lead partner withdrawing its validation of the courses the College runs is low. In addition to its own quality policies and procedures, where the College works with a partner institution with Degree Awarding Powers it meticulously follows the quality processes required to ensure that it meets the lead partner's expectations and requirements.

Measures the College has put in place to mitigate against risk we consider reasonably likely to crystallise

Should any of the above become reality, our students can be assured that they will be treated fairly and as individuals as the College is aware that with such a diverse student population a single approach to the same type of incident may not be appropriate. In all of its activity the College pays due regard to the Equality Act 2010.

Closure or suspension of a programme

The following actions will be taken

- Communication at the earliest possible opportunity to any affected students and applicants by specialist College staff
- Students currently registered on the programme, including those who are intermitting will be allowed to complete their studies. Students will be assured that they will have the opportunity to meet the learning outcomes for the programme, through appropriate learning experiences of a high quality.
- Where the above measures do not provide a satisfactory resolution, the students will be enabled to transfer to another programme at another institution.
- Consultation with affected stakeholders to ensure that issues of equality and diversity are considered and acted upon where appropriate.
- Utilising established annual monitoring processes to protect and maintain the quality of the learning experience for the students and the standards of the programme that is closing.
- In the case of applicants offering a suitable alternative programme at the College or where this does not provide a satisfactory resolution, at another institution.
- Investigating whether it is appropriate to provide students with refunds of waivers in line with our Tuition Fees Policy if the above steps do not lead to a satisfactory resolution. The College will consider what financial compensation may be due to the students owing to demonstrable, material financial loss caused by disruption to their studies.
- Where students are registered on programmes validated by a partner institution, the partner will ensure that the College takes due regard in protecting the student interest and may intervene as necessary to ensure steps are being taken in a satisfactory manner.

Significant Changes to a Programme

In the unlikely event that this will occur in year the following actions will be taken

- Students potentially affected by the change will be consulted and the consent of each individual obtained prior to approving the change

- Changes will be restricted to the minimum necessary and all other proposed in-year changes will be deferred until the next iteration of the programme.
- When the above occurs both current students and applicants affected will be contacted at the earliest possible opportunity to confirm the change
- If appropriate the College will support students and applicants who feel that changes to a programme create a circumstance where they wish to withdraw from the programme and to transfer to an alternative programme or seek alternative provision at another provider.
- Investigating whether it is appropriate to provide students with refunds of waivers in line with our Tuition Fees Policy if the above steps do not lead to a satisfactory resolution. The College will consider what financial compensation may be due to the students owing to demonstrable, material financial loss caused by disruption to their studies.
- Where students are registered on programmes validated by a partner institution, the partner will ensure that the College takes due regard in protecting the student interest and may intervene as necessary to ensure steps are being taken in a satisfactory manner.

Policies in place to refund tuition fees and other relevant costs in the event Brockenhurst College may not be able to preserve continuation of study

The Brockenhurst College policies in relation to this can be found here:

<https://www.brock.ac.uk/the-college/college-starter-standards-feedback/>

The Terms & Conditions provides information on the following:

- Refunds for students in receipt of tuitions fee loan from the Student Loans Company.
- Refunds for students who pay their own tuition fees.
- Refunds for students whose tuition fees are paid by a sponsor.

In addition to refunds set out in our Tuition Fees Policy (<https://www.brock.ac.uk/the-college/college-starter-standards-feedback/>) we will consider on an individual basis, the following:

- The payment of additional travel costs for students affected by a change in the location of their course.
- Commitments to honour student bursaries.
- Compensation for maintenance costs and lost time where it is not possible to preserve continuation of study.
- Compensation for tuition and maintenance costs where students have to transfer courses or provider.

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How will we publicise this plan

We will publicise our student protection plan to current and future students by:

- Providing a clear link to the plan on the College's main webpage from July 2019
- Including clear reference to the plan in our Higher Education brochure
- Providing students with a copy of the plan when they receive an offer of admission for 2020 entry and all new students with a copy of the plan in September 2019 when they enrol on year 1 and all current students in September 2019
- Including links to the plan from webpages dealing with admissions, programme information, quality and student finances for 2020 entry
- Sending an email to all students when the plan is updated to provide students with the most current version from 2019 onwards

Following publication of each version of the plan, we will ensure that all College staff are contacted directly in order to introduce them to the commitments contained within the plan and training so that they identify its relevance to their roles.

The student protection plan will be reviewed by our HE cohort as well as the College's Students Union Committee. They will be consulted on the content and format of the plan on an annual basis. The plan will also be approved by the College's Planning and Advisory Board as well as the Governors' Finance and Standards Committee. Students or applicants wishing to comment or make a complaint regard the plan should contact the Assistant Principal: Director of Learning and Quality Judith Munro on **01590 625514** or jmunro@brock.ac.uk

If the College is required to initiate its student protection plan, the College will communicate what is happening and what assistance students can expect from the College. Initial contact will be by email with further communication being made by different media depending on the nature of the event.

In the event of the College having to permanently or temporarily close, students and applicants will be given 90 days' notice unless there are reasons outside of the College's control that prohibit such notice being given.

Any closures, suspensions or substantial changes to programmes that are approved will be communicated to students and applicants at the earliest possible opportunity.

Students who are affected by significant changes to their programme will be consulted at least 30 days before the change is planned to take effect, unless there are reasons outside of the College's control that prevent such notice being given.

The College will do its utmost to provide students and applicants with all the information they need should one of the risks mentioned above materialise. However independent advice may be sought via the Brockenhurst College Students' Union in the first instance who will be able to provide advice or gain access to suitable advice from another organisation.