



## Student Protection Plan 2018/19

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

### **What is the risk of Holy Cross College being unable to operate (financially)?**

Holy Cross College (HCC) considers the risk of being unable to operate as very low given its strategies to budget appropriately. HCC controls expenditure carefully and has a prudent approach to financial management.

HCC places great emphasis on financial stability and is considered as good in terms of the ESFA calculation of financial status for the next two academic years 2018/19 and 2019/20. The college has corporate objectives to ensure continued financial viability. It has a robust Balance Sheet with cash reserves of £3.3M in July 2017. Strong controls in relation to cash management have enabled HCC to fund an extensive programme of capital work (£15 million over the last 10 years) without bank borrowing.

HCC regularly undertakes detailed financial modelling and sensitivity analysis on a range of scenarios. As a result it can respond quickly to changes in government policy or unexpected threats or opportunities. HCC budget process ensures that the minimum surplus position is protected while student facing services (academic and support) are prioritised.

The appointment of all staff is subject to a rigorous process and all appointments require the approval of the Principal and/or Governors. There is no automatic replacement of vacancies and all appointments are challenged, with resources directed to those areas of greatest need. Allocation of financial resources is directly linked to student requirements to ensure value for money and a high quality student experience.

### **What is the risk of our academic provider Liverpool Hope University (LHU) losing its degree awarding powers?**

LHU considers the risk of losing its power to award degrees as very low. LHU does not rely upon any partners to validate its undergraduate or postgraduate provision.

In December 2015, LHU underwent a higher education review conducted by the Quality Assurance Agency. The report is available here <http://www.hope.ac.uk/her/>. The QAA review team formed the following judgements about the higher education provision at LHU.

- The setting and maintenance of the academic standards of awards meet UK expectations.

- The quality of student learning opportunities meets UK expectations.
- The quality of the information about learning opportunities meets UK expectations.
- The enhancement of student learning opportunities is commended.

In 2017 HCCs academic provider LHU, was given the award of TEF Gold. The teaching excellence framework (TEF) is a system that assesses the quality of teaching in HE providers in England.

The conclusion is that the quality of teaching by LHU, and its academic standards are of a high quality and the likelihood of the university losing degree awarding powers is very small.

### **What happens if one of the campuses at HCC is not available?**

The two campuses are located in Bury and Blackburn.

Should either be subject to a major incident rendering the campus unable to operate, the provision could be taught at the other campus or alternative space within the respective locality. In the event of a major incident at HCC (one of the campuses), such as a fire, HCC has a business continuity plan in place which would be funded by our business interruption insurance. This would enable HCC to quickly find alternative facilities to ensure continuation of student studies.

HCC and SMC have no plans to close any part of their campuses. The buildings are well maintained and there are no concerns about the quality of any of the facilities or a need to close any of its buildings due to a poor state of repair. HCC has very secure financial status and consistent recruitment both in its sixth form and HE work. This would enable adequate off site accommodation to be secured for its HE commitments in the unlikely event of a temporary need arising.

### **What will happen if LHU is unable to deliver a programme in one or more subject areas or departments?**

LHU has undertaken a full risk assessment of all of its current provision at HCC and there are no courses that are considered to be at risk of closure. In the event of a course being terminated, HCC in consultation with LHU will use its reasonable endeavours to provide exit routes for all students enrolled on the Programme at the time of termination to enable them to receive in respect of that part of the Programme which has been completed either an award of the University or a record of achievement and to take reasonable steps to ensure that students enrolled on Programmes at the time of termination are placed on suitable courses at HCC or the University or at another institution in order to complete their studies. If LHU decides to remove a course from its portfolio this decision is made at the Vice Chancellor and Principals meeting and ratified at Senate. Normally and wherever possible, in the event of a

programme closure, LHU will operate a “teach out” policy so that students currently registered on the programme will continue to be taught as outlined in the legal agreement.

### **Is it possible that material parts of a programme may not be delivered?**

The risk that LHU is no longer able to deliver material components of its programmes is low because of the way the programmes are designed. LHU programmes are based on an integrated curriculum model. As such, the University does not have small modules in its UG programmes, all being based either on two 60 credit blocks or one 120 credit block. Thus each programme can be delivered by a range of academic staff rather than being reliant on specific individuals and the order of delivery of essential material can be easily changed if necessary. This reduces the risk for the student and provides stability for the teaching of the undergraduate courses.

### **What happens if a mode of study is no longer available?**

HCC students experience a blended learning model including face-to-face sessions and a Virtual Learning Environment (Moodle). If this mode of study were to be changed, HCC would seek to consult with students and LHU in the same way that it would with any material change to a programme. The focus of the discussion would be to reach an amicable decision ensuring the quality of the student academic experience.

## **2. The measures that you have put in place to mitigate those risks that you consider to be reasonably likely to crystallise. Please provide an evidenced statement of the measures you have put in place to preserve continuation of study for your students in those areas where you consider the risk to be increased.**

- (a) Degree offer changed before enrolment - In the event that a degree programme is changed or withdrawn including before enrolment, applicants will be contacted by a support tutor to discuss options/alternative programmes.
- (b) Course identified for closure - If a course was identified for eventual closure, HCC and St Mary’s in consultation with LHU would ensure the full quality of the academic experience, including teach-out for the remaining duration of the course, for all students enrolled.
- (c) Issues with staffing or accommodation at SMC – As SMC is an independent institution it is acknowledged that there is less control over staffing or accommodation there on the part of HCC. If any issues arose that might threaten the student academic experience these would be resolved jointly between the colleges and the university, however HCC accepts its responsibility to ensure an outcome that does not disadvantage its students.

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

Holy Cross College already has in place a refund policy which deals with circumstances when a student withdraws from a programme (see Appendix 1).

HCC "Refund and Compensation Policy" is currently under consultation. This policy includes information for the refund of tuition fees and other costs in the event that HCC can no longer preserve continuation of study (see Appendix 1). The policy will be submitted to the Governing Body for approval in October 2018.

HCC recognises that every case is different and that it is not possible to produce a pre-defined answer that would cover every possible situation where compensation may be sought. Therefore every case will be considered on its own merits, but within the principles of justice, equality and fairness that underlie our ethos.

**4. Information about how you will communicate with students about your student protection plan (SPP).**

The SPP will be published on HCC and SMC websites, and there will be a hyperlink in the online Student Handbook following Governors approval in October 2018. Information regarding the SPP will be communicated during student induction. For students applying for course starting from 2019, the SPP will form part of the Student Guide to Regulations and Policies. This will be sent to all applicants as part of the pre-contract information and students will also receive a paper copy during induction.

HCC and SMC staff will be made aware of the implications of the SPP via a communication and presentation to the College Leadership Team and Governors. Student involvement regarding the development of the SPP will take place via focus groups.

**What happens if the SPP needs to be implemented? How will the University communicate with its students?**

If any element of the SPP has to be implemented, students will be informed as soon as is reasonably possible. HCC will use all reasonable endeavours to provide students with at least 30 days' notice of any activation of the SPP but there will be some very rare occasions when this may not be possible.

All students affected will be taken into consideration when HCC decides how best to communicate with students over any implementation of the SPP. HCC UC

management team will be responsible for putting together a communication mechanism to ensure that all students, regardless of their circumstances, are able to actively engage with discussions. In most cases, HCC will seek to use a taught session (wherever possible) to speak to students on a group basis, and offer one to one meetings for individual concerns to be raised. HCC will also use the online learning portal and student email to convey messages but this will be in conjunction with other more personal methods of communication.

The Student Union will be made aware of any implementation of the SPP so that they can offer independent advice to students.

Students who have concerns regarding the way that the SPP has been implemented would be invited to discuss their concerns with a support tutor or member of the university centre management team. If this did not lead to satisfactory resolution the HCC complaints procedure would be followed.

### **Refund of Tuition Fees and other costs in the Event that Holy Cross College Can No Longer Preserve Continuation of Study**

HCC is required by the Office for Students to adopt a Refund and Compensation Policy setting out the circumstances in which HCC will refund tuition fees and other relevant costs to students and provide compensation where necessary if HCC is no longer able to preserve continuation of study for one or more students. The Student Protection Plan identifies this as an unlikely risk but HCC recognises that if it were to occur, affected students would need to receive a refund of fees and appropriate compensation in accordance with this policy.

HCC considers refunds and compensation to be a remedy of last resort and is committed to using its best endeavours to ensure all students are able to continue and complete their studies at HCC.

## Appendix 1



# Refund and Compensation Policy

<b>Owner:</b>	Director of Finance and Professional Services
<b>Date of Approval:</b>	10 October 2018
<b>Authoriser:</b>	Governing Body
<b>Review Interval:</b>	Annually
<b>Date of next review:</b>	October 2019

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## 1. Purpose of College Policy and National Context

- 1.1 The purpose of this policy is to set out the arrangements for the refund of higher education tuition fees that apply to students or their employers. This policy also outlines the circumstances when the college may consider the payment of compensation to students or their employers. This Policy 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.
- 1.2 The college has a separate Higher Education Tuition Fee and Other Charges Policy.
- 1.3 The funding and regulation of higher education in England changed in April 2018 when the Office for Students (OFS) became fully operational. The OFS will combine the existing regulatory functions of the Higher Education Funding Council for England (HEFCE) and the Office for Fair Access (OFFA). 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.

## 2. College Mission

- 2.1 The college's Mission statement states:

Holy Cross, founded by the Daughters of the Cross, is a Catholic Sixth Form College and University Centre, which exists to provide a high quality of education within a community based on Gospel values. We provide the opportunity for each person to develop spiritually, morally, intellectually and emotionally and we welcome students and staff of all faiths.

- 2.2 The July 2018 update to the college's Strategic Plan includes a number of quality and financial targets for 2018-19.

Key performance indicator	2017/18 Target	2017/18 Actual	2018/19 Target
New Students	141	145	147
Continuing Students	275	268	277
Retention of new students	93%	92%	93%
Retention of continuing students	93%	92%	93%
Achievement <sup>1st</sup> / 2:1 classification	70%	65%	66%

2.3 The college's Higher Education (HE) strategy was approved by the Governing Body on 9 May 2018 and is next due to be reviewed in October 2018. The college currently offers progression from level four to level six in the following main areas:

- BA (Hons) Education and Special Educational Needs
- BA (Hons) Education and Early Childhood
- BA (Hons) Education and English Literature
- BA (Hons) English Literature and History
- BA (Hons) Education and History
- BA (Hons) Business Management

The college's University Centre is responsible for the development and maintenance of all aspects of the quality of the college's HE strategy and provision to ensure it meets the requirements of its validating partner universities; awarding bodies; the higher education regulator, the Office for Students (OFS); the Office for the Independent Adjudicator (OIA); the Quality Assurance Agency; and the Competition and Markets Authority (CMA).

### 3 Tuition Fee Refund Policy

3.1 Students accepted on University degrees do so on their merits and academic achievements. However, it is important to note that there is competition for places to study locally on Liverpool Hope University Degrees and that the place they take could easily have been offered to another unsuccessful candidate. Should a student withdraw from their programme of study, this then places a financial burden on the Network of Hope, since their place is unlikely to be filled once they have left. The Network of Hope comprises Liverpool Hope University, Holy Cross Catholic Sixth Form College (HCC) and St. Mary's Catholic Sixth Form College (SMC) located in Blackburn. In these circumstances, the Network of Hope through Holy Cross College has no option but to seek reimbursement to cover any financial losses it may incur by the withdrawal of that student. In practice this means:

- that the student is liable to pay some of the costs for their early withdrawal, or
- that the Network of Hope may withhold some or all of the fees paid by that student, or
- that the Network of Hope may withhold some or all of the deposit paid by that student.

It should also be noted that any monies refunded will be returned to the account from which it was received.

3.2 What fees will be charged if a student withdraws from the Degree?

A student's fees will not be reduced, and the student will remain liable for the full amount, until an 'end date' has been agreed in consultation with Liverpool Hope University. Before this can be done, the student must complete a Withdrawal Form, submit it to the Head of the University Centre (or his/her nominee) at HCC or the HE coordinator at SMC (or his/her nominee) together with any supporting evidence necessary to support claims made in the form.

If the agreed 'end date' indicates that the student had withdrawn within the first two weeks of the start of term (the date stated on the current academic calendar), the student will not be charged and will be credited the full year's fees.

If the agreed 'end date' indicates that the student had withdrawn after the first two weeks, they will be charged 25% of the total fee if they had withdrawn in term 1, 50% of the total fee if they had withdrawn in term 2, and 100% of the total fee if they had withdrawn during the final term.

If a student had taken out a fee loan through the Student Loans Company (SLC) we will contact the SLC to advise them of the new fee and they will amend the student's loan accordingly.

### 3.3 What fees will be charged if a student interrupts studies?

A student's fees will not be reduced, and the student will remain liable for the full amount, until formal interruption dates have been agreed in consultation with Liverpool Hope University. Before this can be done, the student must complete an Interruption Form, submit it to the Head of the University Centre (or his/her nominee) at HCC or the HE coordinator at SMC together with any supporting evidence necessary to support claims made in the form.

If the agreed dates indicate that the student had interrupted within the first two weeks of the start of term (the date stated on the current academic calendar), the student will not be charged and will be credited the full year's fees.

If the agreed dates indicate that the student had interrupted after the first two weeks, they will be charged 25% of the total fee if they had interrupted in term 1, 50% of the total fee if they had interrupted in term 2, and 100% of the total fee if they had interrupted during the final term.

If a student had taken out a fee loan through the Student Loans Company we will contact the SLC to advise them of the new fee and they will amend the student's loan accordingly.

### 3.4 Exceptions to the Refund Policy

Exceptions will only be made, allowing for a refund to be considered, if the formal interruption or withdrawal procedures outlined above demonstrate one of the following extraordinary circumstances.

- Where, for any reason, the University discontinues the programme of study for which the student is registered, the decision as to whether to allow the student a full refund will be made by the HCC Principal (or his/her nominee) at his/her absolute discretion and only in extraordinary circumstances in accordance with this policy.
- Where the student withdraws or interrupts because of their own serious illness, or the serious illness (or death) of a close family member (e.g., Partner, Son/Daughter, Parent or Sibling), that portion of fees currently due may no longer be payable, or may be refunded. Such cases must be supported by medical evidence from a GP or medical consultant. The decision will be made by the HCC Principal (or his/her nominee) at his/her absolute discretion.

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 Appeals Policy, 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.

3.9 Overpayment refunds will be subject to a minimum ten working day clearance period.

#### **4. Transfers**

4.1 The following rules apply to transfers where a student:

- (i) Transfers from a course the college has closed to an alternative higher fee HCC course the difference will be paid by the college.
- (ii) Transfers from a course the University partner has closed to an alternative higher fee LHU course the difference will be paid by the college's University partner.
- (iii) Transfers to a HCC course with a similar tuition fee, no charge will be made.

#### **5. Compensation**

5.1 In the event that it is not possible to preserve continuation of study necessitating a transfer to an alternative HCC course, the arrangements outlined in paragraph 4.1 above will apply.

5.2 Where it is necessary as a result of action by the partner college or partner University (such as course or campus 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.

5.3 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). Where as a result of an investigation through the Non-academic Complaints Procedure it is concluded that this has not been the case appropriate financial or other compensation may be offered by HCC. In the case of an academic complaint the matter will be resolved in line with LHU Complaints Procedure, with the assistance of LHU, but under HCC overall responsibility.

5.4 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 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 by the college, unaddressed by the college, which has caused moderate 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 by the college, unaddressed by the college, which has caused substantial 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.

## 6. Financial Implications of Refund and Compensation Policy

- 6.1 The college will incorporate provisions within its annual budget for the potential payment of tuition fee and other refunds and compensation payments to students. A combination of cash reserves and (where appropriate) insurance policies will be designated for those students where an increased risk of non-continuation of study has been identified. The Principal at Holy Cross College will lead discussions to develop arrangements with the

current college FE partner St Mary's College and Hope University during 2018 and these will be in place by August 2019.

- 6.2 Given the extent of national policy and strategic change for both the sector (including qualification review and reform, regulatory change, college insolvency regime) this policy is subject to a further review in October 2019.