

Student Protection Plan 2018-19

1. Introduction

The College's Student Protection Plan explains the events and situations that have the potential to prevent a student from completing their course. It sets out how the College manages these so that the risk to students is very low. In the rare event that the College is unable to preserve the delivery of courses, the Plan refers to the College's *Higher Education Fee Policy 2018-19*, which sets out the students' fee liability and the College's duty to provide refunds and compensation. This seeks to reassure students in relation to the College's ability to meet such costs, should they become due.

The College's Student Protection Plan is reviewed annually by the Higher Education Committee.

The table in the pages below outlines the risk events identified by the College, their likelihood of occurring, a reason for such rating of risk and the mitigations (i.e. minimising of risk) in place should the risk events arise.

Risk event	Gravity of impact	category of student impacted	Likelihood of event occurring	Reason	Mitigations
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Institutional Level					
College insolvency	Extreme	All	Very unlikely	<p>The College is near the end of its action plan for ‘notice of concern’ with the ESFA and has undertaken a number of restructures in order to secure its financial position.</p> <p>The College has sustainable growth plans underpinned by stakeholder support and good working relationships with its creditors.</p> <p>Its growth plans will further secure its capital position. Short-term risks, such as cash flow, are being effectively managed (see “cash flow issues” below).</p>	<p>The College’s financial health with ESFA was rated as ‘Satisfactory’ for 2016-17, is projected as ‘satisfactory’ for 2017-18, with a 3-year business plan projecting 2018-19 as ‘Good’. The Policy and Resources Committee of the College, which reports to the Board of Governors, considers the College as a going concern and recommended accordingly to the Board of Governors, which signed-off the College Financial reports as a going concern with regard to the mitigations noted in this section and in the ‘cash flow issues’ section below.</p> <p>Sufficient cash reserves in place.</p> <p>Revolving credit facility with Barclays Bank.</p>
Cash flow issues	Major	Mainly FE	Unlikely	<p>The College is regularly reviewing its cash flow position and mitigating risks accordingly.</p>	<p>Revolving credit facility with Barclays Bank.</p> <p>ESFA 16-18 funding is on a lagged learner basis, giving any issues of under recruitment a full academic year before the reduction in funding.</p> <p>HE is financially stable and sustainable for the reasons noted in the ‘Higher Education Provision’ section below.</p> <p>The College has access to a private financial provider that is able to smooth cashflow by bringing forward grants or student loan company payments.</p>

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Campus closure of sites where HE is being delivered	Extreme	FE and HE	Very unlikely	The College is securing planned and sustainable expansion across FE and HE and is responsive to future growth in HE, working closely with the HE Team to consider, monitor and review growth projections, confirmed with validating partners for the next 5 years.	<p>The College has no plans to close the campuses where HE is being delivered.</p> <p>The College is increasing the size and number of its campuses, including where HE provision is likely to expand (see narrative below).</p>
Higher Education Provision					
Loss of Tier 4 sponsor licence or suspension	Major	FE and HE	Moderate	<p>The College's Tier 4 was previously legacy due to Ofsted and QAA outcomes (Grade 3 for Ofsted and 'Requires Improvement to meet UK expectations' for QAA HER). In order to retain or gain a Tier 4 Sponsor Licence, a provider was required to have a Grade 2 at the most recent Ofsted inspection and "Meets UK Expectations" for the latest QAA HER. For the College, these are now Grade 2, "Meets UK expectations" and "Meets requirements with an action plan" for HEFCE APR, with continued monitoring of the HEFCE action plan under OfS. These meet the requirements for a Tier 4 Sponsor Licence. The outcome of the last monitoring of the action plan earlier this year was positive and did not require any further steps to be taken beyond those already under way in the action plan. The College has exceeded several elements of the action plan, with further steps being taken as part of institutional approval and/or programme level validations with The OU, UEA and UAL.</p> <p>The HEFCE/OfS action plan does not relate to Tier 4, but has implications for it (as noted above).</p>	<p>All HE international student recruitment activities will be discussed and agreed with senior members of the HE Team within the Faculty of HE, who are currently in the process of arranging meetings with validating partners to discuss their expectations of the College in relation to international HE student recruitment and to share, adopt or adapt best practice in this area.</p> <p>These discussions will include consideration and mitigation of potential risks to OfS ongoing conditions of registration, including but not limited to Condition C2.</p>

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				<p>Tier 4 status is currently “Probationary Sponsor”</p> <p>No HE international student recruitment is planned for 2018-19.</p> <p>For these reasons, the likelihood of the event occurring has been noted as ‘moderate’.</p>	
Course closure(s)	Extreme	Students on programme	Very unlikely	<p>The College takes its contractual and ethical commitments to its prospective and existing students seriously. As such, it does not close courses once commenced. Where courses are to be discontinued, it ensures that prospective students are notified in good time so that they have sufficient time to find another HE provider to apply to.</p>	<p>The College does not close courses, but does discontinue them where there is insufficient demand or student outcomes are a major concern (see ‘course discontinuation’ risk event below). The College has run HE programmes in the past with as little as 3 students where students have already commenced studies. There are sufficient surpluses available to do this from other programmes, as evident from the 5 year course viability projections.</p>
Course discontinuation	Minor	Students on programme and prospective students	Moderate	<p>The College discontinues programmes where student outcomes are not acceptable relative to published benchmarks and internal targets (and following unsuccessful internal interventions). This is to ensure that it maintains its quality assurance and funding obligations to its regulators and meets the expectations of its validating partners. This should also contribute to the HE provision as a whole, meeting value for money expectations of its stakeholders, including, but not limited to, OfS.</p> <p>Following a review of programmes and now that there is a greater focus on adopting a data-led approach and course viability, course</p>	<p>Courses are reviewed for financial viability, currency, student demand and student academic experience and satisfaction, as well as student outcomes. Where a programme is to be discontinued, this is managed across the entirety of the student cycle, from recruitment to completion. The College now has over two years’ experience of successfully discontinuing a number of HE courses without adversely impacting the student academic experience and student outcomes. Close attention is paid to CMA requirements when considering and managing course discontinuation.</p> <p>The College liaises with its validating partners in relation to planned course discontinuation and they</p>

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				<p>discontinuations are likely to be a fairly rare occurrence from 2018-19 onwards.</p> <p>The approach adopted to course discontinuation is in line with CMA and consumer protection requirements, which are in the process of being further underpinned (see the consumer protection related self-assessment).</p>	<p>actively monitor any run-off in line with their protocols and Expectation B10 of the QAA UK Quality Code for Higher Education.</p> <p>Where a validating partner, such as Pearson, does not have course discontinuation protocols in place, the College has since 2016 put in place course discontinuation protocols, with permission to discontinue a programme being sought via the HE Committee. (This approach also applies where such protocols exist with validating partners.) See in particular paragraph 1.24 of the QAA HER report 2017 for the College, which notes that the “formalisation of internal programme approval is part of an overall strengthening of arrangements for Pearson programmes and covers the introduction and discontinuation of programmes, the changing of optional units and also the updating of programme specifications.”</p>
<p>Notice to terminate validation agreement by validating partner</p>	<p>Major</p>	<p>Students on impacted programme (especially where intermitting)</p>	<p>Very unlikely</p>	<p>The College does not anticipate another terminating event occurring with any of its validating partners, since it has good working relationships with the continuing and new validating partners, with far greater engagement than with its exiting partner (University of Essex). There is also a greater alignment of strategic goals and expectations with UAL, UEA and The Open University. This stopped being the case in 2016 with University of Essex, after a long-standing and successful partnership.</p>	<p>The College is currently at various stages of run-off of University of Essex programmes.</p> <p>In 2015, the Art & Design programme area started to recruit to UAL and to run-off students on University of Essex validated programmes. Both Partners are continuing to monitor the comparability of the student academic experience, and monitoring and oversight remain robust.</p> <p>In July 2016, University of Essex gave notice to terminate the partnership. The Principal negotiated a three-year run-off and a further year of student</p>

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					<p>recruitment for 2017-18 rather than immediate cessation of student recruitment, as per the contract terms and consequently two years run-off. This has ensured a relatively smooth transition, with all the programmes affected being validated by two new and one existing validating partner (The Open University, University of East Anglia and University of the Arts London respectively).</p> <p>University of East Anglia has provided verbal reassurances that it will consider favourably the validation of the portfolio of programmes currently validated by the University of the Arts London in the event they give notice to terminate the validation agreement.</p> <p>The HE Team and programme leaders successfully completed 9 programme validations in under 8 months in order to ensure student recruitment was not disrupted, although this has adversely impacted the timing and extent of some student recruitment onto these programmes due to legal reasons (i.e. restrictions on advertising and student recruitment during programme validation).</p> <p>Where students have intermitted on a programme during run-off and the programme is now validated by another validating partner, but student recruitment is insufficient to make the programme viable, the Faculty of HE has sufficient systems and resources in place and reasonable surpluses being generated to ensure that it fulfils its contractual commitments to the intermitting students, when</p>

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					<p>they return, to continue running the programme under the new validating partner and not to discontinue or suspend the programme. BA (Hons) Fashion Design is a live case in point. In all such cases the students in question have been fully informed as to their rights and options.</p>
<p>Inability to deliver specialist modules / units</p>	<p>Minor</p>	<p>Students on programmes affected</p>	<p>Moderate</p>	<p>The College regularly reviews programme resourcing, future resourcing and staffing needs. It has an effective staff recruitment cycle and has a good track record of managing this risk. Notwithstanding this, with relatively small student numbers on some of the HE programmes, the risk remains moderate, albeit mitigated.</p>	<p>The College has a reasonable turnover of academic staff and is able to find cover while staff recruitment is undertaken. In many of the programmes academic staff deliver modules / units across more than one programme and have experience of delivering a range of units / modules, thereby being able to provide cover for staff absences and during any delays in recruiting replacement academic staff.</p> <p>Most of the HE staff are permanent and full-time. Very few are long-term hourly paid.</p> <p>A market premium is considered for hard-to-fill, specialist subjects. The BA (Hons) Accounting and Finance Degree is a case in point, which is intended to be launched in 2019-20.</p> <p>Guest speakers are encouraged to provide specialist input and ensure subject currency on the programme.</p> <p>Programme Boards monitor the quality and consistency of delivery across the HE programmes by seeking candid and evaluative feedback from student representatives during these meetings. The</p>

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					<p>Programme Board is chaired by the Head of HE Strategic Quality and Outcomes, and the Dean of HE attends on a drop-in basis. Any issues raised are actioned promptly.</p>
Course viability	Major	Students whose courses are no longer financially viable	Low	<p>The College has introduced detailed course viability modelling in the form of a 5-year course viability analysis, where it can project and track financial implications of a range of variables, including income streams, student intermissions and withdrawals, success and consider/plan for expenditure accordingly. (This will inform aspects of the Value for Money Statement.)</p>	<p>At present there are three HE programmes that are not financially variable, based on this course viability model. This compares favourably to previous years. Where student recruitment makes the programmes unsustainable, the programmes are either discontinued (and existing cohorts run-off) or suspended pending a redesign.</p> <p>BSc (Hons) Sports Studies is a case in point, where student recruitment has been suspended for a year pending redesign to a BSc (Hons) in Sport, Health and Fitness. This was due to decreasing student numbers, very poor student satisfaction in 2017, reflected in the NSS scores and the lack of comparable sports facilities to competitor HE providers.</p> <p>In the case of BA (Hons) Fashion Design, redesign is being considered alongside continuation of the existing programme structure in order to honour the contractual commitments to the two intermitting students. Had it not been for these obligations, the programme would have been suspended also</p> <p>A 5-year course viability model / spreadsheet is being updated to consider a range of financial variables, course viability and resourcing</p>

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					implications. This also informs resource allocations and target setting for student recruitment and staffing.

2. Premises / campus expansion

The College is on the final phase of implementing the current Property Strategy having successfully redeveloped the Southend and Thurrock Campus hubs. The existing Nethermayne site in Basildon has been sold to Redrow homes as part of a wider housing scheme with the receipts being utilised to fund three new expansion developments:

1. Centre for Advanced Engineering & Construction: A new circa 9,000m² (GIA) facility on three acres in Leigh (Progress Road) providing facilities for studies across the engineering and construction spectrum. Course areas include mechanical, electrical, electronic, mechatronic and sustainable engineering. Construction, including zero carbon housing, sustainability and traditional trades are also being taught together with motor vehicle, motor cycle, PSV and HGV engineering. The centre will operate from September 2018.
2. Digital Technologies: A new 3,000m² (GIA) development in the heart of Basildon focussing on digital technologies ranging from IT networking to gaming, media and cyber security. The scheme will be located on the market square site directly opposite the train station and adjacent to the bus hub, and is programmed to open in September 2020.
3. Forum II: following on from the success of the Forum building which is the main hub of HE activity for the College in Southend, the College is in a joint venture with Southend Council to develop the circa 5,300m² (GIA) Forum II. Including catering, music, performance, media and other academic areas. Directly adjacent to the Forum and existing Luker Road campus, this facility will also free up space within the Luker Road campus for refurbishment and alternative academic provision. The scheme is projected to open in September 2021.

Aside from the above developments funded by the secured Nethermayne receipts, the College is also working with partners to secure funding and develop a new Institute of Technology in transportation and logistics to be based in Thurrock, and with Stobarts / Southend Airport to open an academy for travel and tourism at Southend Airport.

3. Refund and Compensation Policy

If the risk of non-continuation of study materialises, the College will inform students and applicants at the earliest opportunity and discuss options with them so that they can arrive at an informed decision within an appropriate timeframe. The options would include, for example, the transfer to another course of study or a supported transfer to another HE provider. The Dean of Higher Education, after liaising with the Principal and other relevant internal and external stakeholders (such as the Deputy Principal and validating partner(s) for the programme(s) impacted) will be responsible for communicating with students affected by any elements of the plan that have crystallised. Additional support and advice will be organised by the Faculty of Higher Education in conjunction with relevant associated support departments (such as Student Services), depending on the element of the plan that has crystallised.

The College's *Higher Education Fee Policy 2018-19*, which sets out the students' fee liability and the College's duty to provide refunds and compensation can be found by clicking/tapping [here](#).