

YORK COLLEGE

Higher Education Student Protection Plan May 2022

1. Introduction

This document is an assessment of the range of risks to the continuation of study for Higher Education students. Appendix 1 is an identification of the key risks that may impact upon Higher Education students' ability to undertake, or complete, their chosen courses. Alongside the risks is a judgement about whether the risks are rated as High, Medium or Low. There is then an indication of the factors that contributed to that risk rating and also an indication of the actions taken by York College to mitigate the risks.

York College works closely with a number of validated partners these include,

- 1 Pearson Higher National Qualification
- 2 The Open University for Foundation Degrees and BA top Ups
- 3 The University of Huddersfield for Certificate in Education and Professional Certificate in Education

2. Refunding tuition fees and other relevant costs to students

Students should refer to the following York College documents, both of which are available on the York College's website.

Higher Education Student Terms and Conditions document.

<http://www.yorkCollege.ac.uk/student-life/funding-information.html#he>

Tuition Fees Policy

<http://www.yorkCollege.ac.uk/student-life/222-student-services/2884-fees-and-funding-information.html>

3. How will York College ensure staff and students are aware of its Student Protection Plan and that the plan is up to date?

York College will:

- Publicise our student protection plan to current and future students by promoting it in a variety of ways including: York College website; information sent to applicants and new students; and in York College's Higher Education Prospectus. This is consistent with the information provided as part of York College's Access Agreement to the Office for Fair Access (OFFA):

Provision of Information to Students

York College is committed to providing clear and transparent information to students about the fees for HE programmes and the bursary support that available to them.

This includes the York College website, UCAS and the Student Loans Company database. Funding information is provided during outreach activities with signposts provided to the relevant support. Further information is contained within the Terms and Conditions information issued to prospective students.

- Ensure that staff are aware of the implications of our student protection plan when they propose course changes by ensuring all relevant staff undertake annual [refresher] training and by ensuring that any decisions that may lead to significant changes to provision are taken as early as possible in the York College's planning cycles.
- Ensure that the student protection plan is available on the staff intranet.
- Review our student protection plan on an annual basis, prior to publicising any public facing information in advance of a recruitment cycle. This will be done through the York College's standard policy review framework which means that the student protection plan will be reviewed by the Senior Management Team and approved by the relevant committee of the Governing Body.
- Involve students in our review by ensuring that York College's Higher Education Student Representatives framework consider the student protection plan alongside the Senior Management Team's review (in terms of timing). The student governors will then have a further opportunity to participate in the plan's approval by the relevant committee of the Governing Body. This is consistent with the information provided as part of the York College's Access Agreement to the Office for Fair Access (OFFA).

Consulting with Students

York College routinely consults with students on a range of issues. This includes surveys, participation in focus groups, attendance at meetings and the Cross York College Higher Education and Access Student Forum. This latter group contains representatives from across York College and was the main form for the consultation on this access agreement. The members of this group are able to consult with others on their programme in order to inform discussions. The Higher Education and Access Student Forum will continue to be used as a vehicle for the monitoring and evaluation of this access agreement but focus groups will be held to identify the impact on particular groups of students. The outcome of these will be reported through the meeting structure identified above.

4. How will York College communicate with students if it needs to implement aspects of its student protection plan?

Wherever possible, the following arrangements will take place to communicate with affected students should York College need to implement any aspect of its student protection plan.

- York College will inform our students if there are to be material changes to their course by writing to individual students at the earliest possible opportunity. York College will also endeavour to talk directly to individual students to explain the changes and listen to their views/concerns.
- Wherever possible, York College will give students 30 days' notice when we need to make material changes to their course.
- If York College needs to implement the measures in our student protection plan we will: hold a collective meeting with all current students concerned to discuss the reasons for implementing the student protection plan. This will include, but not be limited to: the reasons for implementation, what actions York College has already taken prior to making the decision to implement the plan and what alternative actions are still available for consideration. Through that meeting, students' views will be gathered for further

consideration by relevant York College staff. Where necessary, students will be offered opportunities to discuss the proposed actions individually. This will include accessing York College's student support services e.g. finance or welfare related staff.

For applicants not yet enrolled: This would be via both written communication and telephone communication. Where appropriate, this would also be raised through the York College website. Wherever possible this would be done as soon as York College becomes aware of the need for a proposed change. Outcomes of this communication would be determined by the impact on students.

- York College has an impartial approach to Careers Information, Advice and Guidance:

If any prospective student is looking for assistance or support to help them make that journey into education, then York College support services are able to offer impartial Information, Advice and guidance on a full range of services, including specialist staff to advise and support prospective Higher Education students. The York College's Student Services team provide Advice and Guidance and support to complete application forms for Disabled Students Allowance. The Learning Support Team support both FE and HE students on programme and in transition to other courses and into employment.

York College holds the Matrix Award, for the provision of an impartial Information, Advice and Guidance service. At the latest Assessment of York College (April 2018) this key strength was noted: *The Advice and Guidance service is delivered impartially. Students speak favourably about options and choices that are not just about York College offer but staff inspire students to think about "what's right for me".*

Support for students also includes pastoral provision through tutorial programmes, additional learning support for students with Learning Difficulties and/or Disability D, English for Speakers of other Languages (ESOL) and/or basic skills needs, central Student Services and the Learning Centre is a strong feature of York College. In addition to the Cross York College support services, higher education students have a dedicated Head of Higher Education and International to oversee their pastoral support and to ensure that individual needs are being met.

- During this process, applicants and/or current students will be reminded about the existence of the York College's Complaints and Compliments Procedure. Where requested, student will also be given a copy of this procedure. This procedure includes reference to the Office of the Independent Adjudicator (OIA).

Risk Assessment

	Risk	Rating	Rationale	Mitigation	Contact
1	York College is unable to operate due to financial performance.	Low	York College financial performance has been judged by the Education and Skills Funding Agency (ESFA) as 'Outstanding'.	York College would seek to transfer students to another provider, but only if all other solutions have been exhausted. This would include discussing with validating institutions, who also have a responsibility for ensuring the continuity of study for students on their awards.	Lee Probert <i>Chief Executive and Principal</i> lprobert@yorkcollege.ac.uk York College Sim Balk Lane, York, YO23 2BB Tel: (01904) 770 215
2	Unable to deliver on campus.	Low	York College is a single campus institution. During the last 10 years York College has only closed for 3 days – each being in relation in inclement weather conditions. No individual parts of York College have ever been closed.	<p>York College has a Business Continuity Plan (BCP) in place. York College's Business Continuity Plan has sections relating to:</p> <ul style="list-style-type: none"> Roles and responsibilities Communications Incident specific procedures Flu or general Pandemic outbreaks Incident checklists and logs Resources and contingencies Key contacts <p>The Business Continuity Plan [elements of] has been tested, with a number of desk based activities being undertaken, any areas for improvement are identified and acted upon. The last 'test' was carried out in February 2018 (response to adverse weather conditions).</p> <p>York College has arrangements with two local Higher Education providers and an FE York College such that in the event of a significant loss of part of York College's building then</p>	Lee Probert <i>Chief Executive and Principal</i> lprobert@yorkcollege.ac.uk York College Sim Balk Lane, York, YO23 2BB Tel: (01904) 770 215

				<p>teaching and services may be re-located elsewhere within 3 miles of the York College's campus. This would clearly be dependent upon when during the academic year such an occurrence takes place. Should this take place then York College would work with the students affected to determine the scale of any additional costs that may be incurred by students and York College would then make a decision about the scale of any reasonable costs they would cover.</p>	
3	<p>Unable to deliver programmes in highly specialised areas.</p>	Low	<p>York College undertakes a series of curriculum development discussions each year, which form the basis of York College's future plans and activities.</p>	<p>Should York College decide to close a course whilst there are still students studying then York College will 'teach out' those students. York College would also discuss this situation with the validating institution(s), who also have a responsibility for ensuring the continuity of study for students on their awards. However, in the unlikely event that there are significant barriers to undertaking the 'teach out' approach and sourcing an alternative provider is the most appropriate action, then York College will make every effort to support individual students to find an alternative course/provider. Should this course of action have to take place York College would work with the students affected to determine the scale of any additional costs that may be incurred by students and York College would then make a decision about the scale of any reasonable costs they would cover.</p>	<p>Lee Probert <i>Chief Executive and Principal</i> lprobert@yorkcollege.ac.uk York College Sim Balk Lane, York, YO23 2BB Tel: (01904) 770 215</p>

	Risk	Rating	Rationale	Mitigation	Contact
4	Unable to deliver material components of courses.	Low	York College designs course modules to be taught by a range of academic staff with relevant skills. At York College an appropriate number of tutors teach across both further and higher education. This allows for short-term cover for staff should the situation require it.	<p>Should this option not be available York College has a number of alternative solutions it can explore; these include: working with the validating Higher Education Institute (HEI) to access cover staff; use of staffing Agencies; covering student learning through more directed use of the York College's Virtual Learning Environment (VLE).</p> <p>Should the staffing loss be more long term, then the approaches identified above will be explored whilst a formal recruitment activity was implemented.</p>	Lee Probert <i>Chief Executive and Principal</i> lprobert@yorkcollege.ac.uk York College Sim Balk Lane, York, YO23 2BB Tel: (01904) 770 215
5	Significant IT systems failures.	Low	Within the York College's Business Continuity Plan there is an associated document which is owned by York College's IT Systems and Support Team and ensures that the possibility of IT systems failures are appropriately managed. York College is also part of the JISC Super Highway, which offers a high degree of protection.	That document includes provision for, and responses to, the following incidents: loss of whole York College building; loss of York College IT system; loss of key IT components; loss of key staff and/or student-based resources.	Lee Probert <i>Chief Executive and Principal</i> lprobert@yorkcollege.ac.uk York College Sim Balk Lane, York, YO23 2BB Tel: (01904) 770 215
6	Loss of validation.	Low	The outcomes from all of its periodic reviews has always been strong with no conditions imposed by the validating institution.	York College has a system for considering Periodic Review information before it is submitted to the validating institution before it is formally reviewed. Furthermore, York College's robust quality assurance framework ensures that all courses are self-assessed annually and where any areas for improvement are identified then these are incorporated into a Quality Improvement Plan (QIP). Progress against any actions identified within these QIPs is monitored during the subsequent academic	Lee Probert <i>Chief Executive and Principal</i> lprobert@yorkcollege.ac.uk York College Sim Balk Lane, York, YO23 2BB Tel: (01904) 770 215

				<p>year.</p> <p>Furthermore, the outcomes from all of its annual reviews and periodic reviews have always been positive with no conditions imposed by the validating institution.</p> <p>Finally, York College would work with the validating institutions to address any issues arising through the quality processes that might lead to loss of validation. However, if there was a loss of validation then processes are in place for protecting the student experience through teach out and/or sourcing an alternative provider.</p>	
7	No longer able to deliver one or more modes of study.	Low	<p>All of York College's Higher Education provision is offered as either a full-time course or part-time. Students undertaking either of these modes of study are taught together for significant parts, or in some instances all, of their courses. The risk that York College will remove either of these options is low because the resources that York College allocates to both of these modes of study are the same.</p> <p>Likewise, International students in-fill into existing York College provision. There are no courses undertaken only by International students at this level. Recruitment of International students is low and is not material to the economic operation of any of York College's Higher Education courses. Therefore, the risk of any Higher Education course being</p>	<p>Should York College wish to change: the day of the week, time during the day when modules are delivered, or module sequence between the period of student application and formal enrolment then this will be discussed with the students concerned. This would be via both written communication and telephone communication. Wherever possible this would be done as soon as York College becomes aware of the need for a proposed change.</p> <p>If a student wasn't able to work with the proposed approach York College would discuss other options such as to transfer to a different but similar course internally or facilitate their transfer to another institution.</p>	<p>Lee Probert <i>Chief Executive and Principal</i> lprobert@yorkcollege.ac.uk York College Sim Balk Lane, York, YO23 2BB Tel: (01904) 770 215</p>

			withdrawn due to low, or no, recruitment of International students is low.		
8	Examination Contingency.	Low	York College operates a comprehensive Examination Policy, which is supported by an Examination Contingency Policy and an Examination Contingency Plan.	<p>York College's plans examine potential risks and issues that could cause disruption to the management and administration of the exam process at York College. The plans include the identification of potential issues and what York College's response to these would be. Examples of potential issues include, but are not limited to:</p> <ul style="list-style-type: none"> • Exam Officer extended absence at key points in the exam process (cycle) • Teaching staff extended absence at key points in the exam cycle • Invigilators - lack of appropriately trained invigilators or invigilator absence • Exam rooms - lack of appropriate rooms or main venues unavailable at short notice • Failure of IT systems 	<p>Lee Probert <i>Chief Executive and Principal</i> lprobert@yorkcollege.ac.uk York College Sim Balk Lane, York, YO23 2BB Tel: (01904) 770 215</p>

				<ul style="list-style-type: none"> • Disruption of teaching time – York College closed for an extended period • York College unable to open as normal during the examination period as a result of crisis or an unforeseen emergency • Candidates unable to take examinations because of a crisis or an unforeseen emergency – York College remains open • Disruption in the distribution of examination papers • Assessment evidence is not available to be marked • York College unable to distribute results as normal <p>Furthermore, where specific conditions are required by the validating institution these will be adhered to.</p>	
9	Loss of Tier 4 status.	Low	York College has a robust set of procedures for dealing with funding eligibility and qualification assessments of International applications as well as for monitoring the attendance of those International students who enrol on courses at York College.	<p>York College registers students' attendance at every session and non-attendance is followed up promptly resulting in an average attendance of International students of around 94%. All other aspects of the Tier 4 registration are also met.</p> <p>Key members of York College staff dealing with International students participate in regular updating to ensure their knowledge base is current.</p>	<p>Lee Probert <i>Chief Executive and Principal</i> lprobert@yorkcollege.ac.uk York College Sim Balk Lane, York, YO23 2BB Tel: (01904) 770 215</p>

10	Loss of OfS registration.	Low	York College's self-assessment of the evidence presented to support its registration is strong and a robust quality assurance framework is in place to ensure it does not fall below the standards required for registration.	York College has a robust monitoring framework for items identified as its KPIs (Key Performance Indicators). These are risk rated and progress against these are monitored by the Senior Management Team on a monthly basis, and by the Governing Body on a termly basis. This acts as an early warning system for when performance is not up to the required standard and therefore improvement actions can be implemented in a timely manner.	
11	That York College is no longer available to deliver courses in one or more subject areas and/or departments.	Low	Planning for new validations and closures of programmes is made at least one year in advance and decisions are made in accordance with the agreements with our validating partners and awarding bodies.	<p>The continued viability of programmes is assessed annually through a methodical curriculum planning process.</p> <p>That York College is no longer able to deliver one or more courses, particularly if we are considering course closures in the next three years.</p>	Lee Probert <i>Chief Executive and Principal</i> lprobert@yorkcollege.ac.uk York College Sim Balk Lane, York, YO23 2BB Tel: (01904) 770 215
12	Support students to transfer their Student Finance Loan to another provider if the students need to transfer.	Low	<p>If student is transferring into York College from another provider, they need to ensure that their previous provider has completed a transfer Change of Circumstance form with Student Loan Company to show them transferring to another institution. This will ensure that tuition fee payments are transferred to new institution and that maintenance payments continue to student.</p> <p>If a student is transferring out of York College Student Data will complete a transfer Change of Circumstance form</p>	<p>Finance will ensure that correction tuition fees are charged – we may only receive part payment of tuition fees as previous provider is able to keep first payment if they have already attendance previous institution. We are likely to lose at least 25% of potential tuition fee income for this student.</p> <p>Finance will credit outstanding tuition fees owed once Change of Circumstance form has been submitted to Student Loan Company, we will keep at least the first payment of tuition fees 25% if it has been made, as per Service Level Agreement with Student Loan Company. If student withdraws after starting second term</p>	Lee Probert <i>Chief Executive and Principal</i> lprobert@yorkcollege.ac.uk York College Sim Balk Lane, York, YO23 2BB Tel: (01904) 770 215

			with Student Loan Company, once notified by tutor by electronic submission of Enrolment Alteration Form. This will ensure that any tuition fee loan payments will stop and that maintenance loan payments to student continue with new institution.	of study then we can keep up to 50% of the tuition fees collectable, as per Service Level Agreement with Student Loan Company. If student withdraws after we have received final payment of 50% of fees, no fees will be returned.	
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The premise of 'Force Majeure' will also apply i.e.

'Force Majeure' means any cause preventing a party from performing any or all of its obligations which arises from or is attributable to acts, events, omissions or accidents beyond the reasonable contemplation and control of the party so prevented including, without limitation, strikes, lockouts or other industrial disputes (in each case whether involving the workforce of the party so prevented or any other party), protests, act of God, war or national emergency, an act of terrorism, riot, civil commotion, malicious damage, compliance with any law or governmental order, rule, regulation or direction, accident, breakdown of plant or machinery other than caused by a failure to maintain by such party, fire, explosion, flood, storm or epidemic.

If either party is prevented or delayed in the performance of any of its obligations under York College's standard Terms and Conditions Agreement for Higher Education students, that party may serve written notice on the other party specifying the nature and extent of the circumstances giving rise to Force Majeure.