

Condition C3: Student Protection Plan

Provider's name: Cornwall College

Provider's UKPRN: 10001696

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Student protection plan for the period 2018-2019

- 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**

The Cornwall College Group delivers higher education in a further education setting to students who, in many cases, have no family history of higher education, with a significant percentage from deprived neighbourhoods and for whom leaving Cornwall to study is impossible due to family commitments or travel constraints. The Group understands how important that commitment to their study is for these students, and makes every effort to avoid any risk to their continuation of study, and to mitigate any risk through careful consideration of all aspects of management.

Financial risk

Despite financial concerns over the period 2014-15 until 2015-16 the risk that the Cornwall College Group as a whole is unable to operate is very low. The College is in receipt of a short term Exceptional Financial Support facility from the ESFA, which was approved prior to approval of the 2016-17 financial statements, and Lloyds Bank continues to support the College, with both parties collaboratively working towards revised covenants, delays in which have been mutually agreed due to the need for the College to apply for a Restructuring Facility from the Transactions Unit. The application has been submitted and due diligence is complete. The due diligence report states "the forecasts appear generally to have been prepared on a reasonable basis. The budgeting process appears to have been comprehensive and robust and the assumptions incorporated are relatively cautious". This successful restructuring fund application will secure the long term financial sustainability of the Group.

The 2017 Annual Report was approved by order of the members of the Corporation Board on 13 December 2017 and is included in full at <https://www.cornwall.ac.uk/governance/wp-content/uploads/sites/4/2018/01/Cornwall-College-Further-Education-Corporation-Final-Financial-Statements-201617.pdf>. The report demonstrates that the Group has significantly

improved its financial performance in the reporting period. The March 2018 Group management accounts continue to predict a small surplus for the financial year to July 2018.

Risk of course closure

The risk that we are no longer able to deliver material components of our courses is also low because we design our programmes and modules to be taught by integrated teams of academic staff. This is verified during both the internal programme approval process and also the validation process with our university awarding bodies, where all resources, including that of teaching staff, are rigorously assessed for suitability, including staff academic qualifications, quality and longevity. Other factors which may result in the need to change, suspend or close a course are discussed later in this plan.

2. The measures that you have put in place to mitigate those risks that you consider to be reasonably likely to crystallise

Risk Management Policy and Process

The College's Risk Management Policy is a detailed and annually reviewed policy, currently due for approval by the Board for the next academic year in July 2018. The Policy states, *inter alia*, that the risk management policy forms part of the Group's internal control and corporate governance arrangements and explains the underlying approach to risk management, documents the roles and responsibilities of the Board of Governors, the Senior Post Holders and other key parties. It also outlines key aspects of the risk management process and identifies the main reporting procedures. In addition, it describes the process the Board of Governors will use to evaluate the effectiveness of the Group's internal control procedures. The Audit Committee, in its annual report to the Corporation Board on internal controls, alerts Governors to any emerging issues. In addition, the committee oversees internal audit, external audit and management as required in its review of internal controls. The committee is, therefore, well-placed to provide advice to the Board on the effectiveness of the internal control system, including the Group's system for the management of risk. The Board has responsibility for overseeing risk management within the College as a whole and the following key principles outline the Group's approach to risk management and internal control:

- An open and receptive approach to solving risk problems is adopted by the Board of Governors;
- The Senior Post Holders support, advise and implement policies approved by the Board of Governors;
- The Group makes conservative and prudent recognition and disclosure of the financial and non-financial implications of risks;
- Senior Post Holders are responsible for reinforcing the risk management policy in the organisation and communicating its importance;
- Senior and middle managers are responsible for encouraging good risk management practice within their designated managed area on an operational basis;
- Key risks will be identified and closely monitored on a regular basis.

We do not consider there to be a current risk of the College's ability to deliver any higher education programmes of study. However, the HE Terms and Conditions have been compiled with the advice of the College solicitors, and state that while the College makes all reasonable efforts to deliver the programmes of study described in all publications, it may on occasion be necessary to change, suspend or close programmes, for example in order to comply with changes in law or comply with the instructions of the awarding university or organisation, or a professional body.

Measures taken in the event of course suspension or closure

Should change, or even suspension or closure be deemed necessary, the Terms and Conditions set out the measures the College will take to inform and compensate affected students. It is College policy to 'teach out' all students currently registered on a course prior to closure, unless this is impossible due to loss of staff or other unforeseen occurrence. Although the circumstances giving rise to the need to 'teach out' are rare, when they do occur, 'teach out' will usually be realistic and achievable. An example of exceptional circumstances where we might not be able to 'teach out' would be if issues relating to standards or the quality of the academic experience arose, or if a student or students had suspended study and not re-enrolled, but was still within the maximum period of registration according to the academic regulations of the awarding body. In such a case we would seek to protect continuation of study by offering a transfer to a similar or replacement programme or by giving support to transfer to an alternative provider (for example, providing certification of credit or a record of academic achievement). Such instances are necessarily treated on a case by case basis, whilst adhering to the College's policies and procedures and the regulatory framework of the awarding bodies or organisation.

Transfer to alternative course or institution

In this instance, the College will first offer other, alternative courses from its portfolio to affected students. This may not be an appropriate approach for all students, and the College has a reciprocal agreement with the other Further Education College in Cornwall, Truro and Penwith College, that if a course were to close and a similar course was available at the other college, and if learning outcomes were able to be satisfactorily mapped, the other college would agree to a student transfer. Transferring students would be provided with certification of credit achieved or a record of academic achievement to facilitate transfer to the receiving college.

Financial arrangements between institutions would ensure that the remaining pro rata fee would follow the student, and any difference would be paid by the originating institution. If the option of formal accreditation of prior learning was required, the process would be undertaken by the originating institution. The originating institution would take all responsibility for arranging the transfer and notifying the relevant bodies.

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

HE Course Closure, Refund and Compensation Procedure

The procedure, for which the Principal/CEO has responsibility, is designed to ensure continued support/reimbursement to a student in the event that TCCG should make the decision to close a programme, campus or College or relocate a programme unexpectedly which may impact on a student's continuation of study or progression.

Principles of Refunds and Compensation Payments

In the unlikely event that the College or the Awarding Body or organisation discontinues or does not provide a programme of study or significantly changes the syllabus of a programme, method of delivery or method of assessment of a programme:

- The College will always aim to teach students to the end of their programme unless there is cause to cease teaching midway through due to mitigating circumstances;
- The College will consider and implement any mitigation measures it concludes are reasonable and proportionate in the relevant circumstances, to minimise any disruption to students' studies and experience;
- The College will inform the relevant individuals at the earliest possible opportunity;
- The College will seek to offer the individual a suitable replacement programme at TCCG, subject to the individual student meeting relevant conditions for the programme;
- If the individual does not wish to accept the College's offer of a replacement programme or if the College is unable to offer a replacement programme, an individual will be entitled to withdraw (i) his or her application; or (ii) from the programme (as appropriate) by notifying the College in writing;
- In the event that the individual student withdraws in the above circumstances, the College will make an appropriate refund of tuition fees, and review any additional payments already made by the student, including any deposits, for example for accommodation.

We ensure that we can deliver the financial implications of our refund and compensation policy as follows:

The Group is in the process of agreeing a refinancing through an application to the Restructuring Facility. Once the facility is agreed (anticipated by September 2018) the Group will have cash reserves of in excess of £6m which would be sufficient to provide for refunds and compensation for any students not covered by alternative arrangements in place under the regulations relating to the Further Education Sector. Under the recently enacted insolvency regulations for Further Education (<http://www.legislation.gov.uk/ukpga/2017/19/part/2/enacted>), the interests of students, including exiting students, are placed first in any considerations involving potential cessation of provision. The regulations ensure that such interests are properly safeguarded.

4. Information about how you will communicate with students about your student protection plan

We will publicise our student protection plan to current and future students by ensuring it is published on the College website, with links from the University Hub. It will also be included in the student enrolment and induction process, as with other student protection policies, including the Complaints Policy.

We will ensure that staff are aware of the implications of our student protection plan when they propose course changes by including the plan in all documentation associated with course and module changes.

We will review our student protection plan annually for each subsequent academic year at the appropriate sub-committee of the HE Academic Board. The HE Academic Board reports to the overarching Board of Governors via the Excellence and Experience Committee. All of these fora have student representation.

Our students will be involved in our review by means of communication to student representatives prior to discussion at the HE Academic Board sub-committee. Student representatives at the committee will be asked to input the views of the overall HE student body.

We will inform our students if there are to be material changes to their course by means of a written communication and also an in-person communication to the whole group, backed up by one to one communication where required, by the programme manager and the Director of Higher Education.

No changes are made in-year. As per the HE Course Closure, Refund and Compensation Procedure any changes are fully discussed in the relevant fora before a decision to change or close a course or programme is implemented. It is the College's policy to teach out all currently registered students on a programme before closure, and the HE Terms and Conditions and HE Course Closure, Refund and Compensation Procedure are adhered to in all circumstances.

If we need to implement the measures in our student protection plan we will support students collectively and individually via personal tutors, programme teams and the HE Senior Tutors, and via the Cornwall College Student Union.

We will also put in place measures to ensure that our students have access to independent advice if we need to implement the measures in our student protection plan.

Further information

HE Terms and Conditions <https://www.cornwall.ac.uk/documents/policies/higher-education-terms-and-conditions-he-prescribed-programmes-2018.pdf>

HE Course Closure, Refund and Compensation Policy

<https://www.cornwall.ac.uk/documents/policies/higher-education-course-closure-refund-and-compensation-procedure-2018.pdf>

HE Course Transfer Procedure <https://www.cornwall.ac.uk/documents/policies/higher-education-course-transfer-procedure-2018.pdf>

Complaints Procedure <https://www.cornwall.ac.uk/governance/complaints-procedure/>