**Student Protection Plan**

**Applicable with effect from: 22 September 2022**

Provider’s name: Bath Spa University

Provider’s UKPRN: 10000571

Legal address: Newton Park, Newton St Loe, Bath, BA2 9BN, United Kingdom

If you have any queries about this Student Protection Plan, you can contact the nominated senior contact for the Plan, The Pro Vice-Chancellor (Academic Planning) on (01225 875875 or vice-chancellor@bathspa.ac.uk)

|  | **Section** | **Content** | |
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| 1. About Our Student Protection Plan | | | |
| 1.1 | What is a Student Protection Plan? | The University’s core purpose is to provide high quality courses that inspire you and provide you with opportunities to achieve success in your studies and prepare you for rewarding careers.  As a registered provider of higher education, we are required to develop and publish a Student Protection Plan as agreed with our regulator, the Office for Students. A Student Protection Plan (SPP) protects your interests when events materialise that pose a risk to you continuing your studies. It describes how we manage those risks we can foresee and sets out in advance what you can expect from us as a regulated provider in the event we need to activate our Student Protection Plan to support you.  In England, the higher education regulatory body is the Office for Students and they have approved this Student Protection Plan prior to us publishing it. Find out more about Student Protection Plans on the OfS website at <https://www.officeforstudents.org.uk/> | |
| 1.2 | Who is covered by this Plan? | If you are a current student on, or are holding an offer of admission to, any course delivered by Bath Spa University, at any level, then you are covered by this Plan. This includes any students undertaking reassessment or on approved breaks in study for any reason.  If you are studying at a Bath Spa University partner institution which is also registered with the Office for Students, then you may be covered by that institution’s Student Protection Plan. | |
| 1.3 | Which principles and commitments underpin this Student Protection Plan? | We will only activate our plan when necessary to protect your interest when there is a serious risk of disruption to your continuity of studies. We will do so in accordance with any guidance set out by the Office for Students. When we need to activate our SPP, we commit to the following four principles and commitments that will give shape to our response:   1. The student interest will be first and foremost in the University’s considerations; 2. The University will communicate with affected students in a timely manner; 3. The University will promptly prepare a Student Protection Implementation Plan that is specifically designed to respond effectively to the scenario that emerges; 4. You will be made aware of appropriate sources of advice and support, including the independent support that is available from the Students’ Union. | |
| 1.4 | Which events might lead to the activation of this Plan? | This Student Protection Plan seeks to cover a range of foreseeable financial, regulatory and other risks setting out what we will do in the event that these risks materialise. Each situation will be unique and considered carefully. The foreseeable risks might include, but are not limited to:   * The financial sustainability of the University * The loss of the University’s ability to award some or all of the awards it teaches * The loss of the institution’s licence to sponsor international students * The closure of a campus * The failure of a partner institution or the ending of a partnership * A course or courses become unviable   Our current Assessment of Risk to Continuity of Study for Students represented by these and other events is provided as Annex 1. Please note that whilst some risks may overlap with those covered by the University’s Business Continuity and Emergency Management plans, they are distinct from the provisions set out in this plan. | |
| 1.5 | How will we communicate and review our Student Protection Plan? | Our Student Protection Plan is a public document, available to you at all times via our website. It is reviewed annually, and the current Plan is always available at:  <https://www.bathspa.ac.uk/about-us/governance/policies/>.  We make sure that relevant University staff are aware of the Plan and its contents on at least an annual basis. Course leaders and those in our partner institutions are given copies of the Plan, as are the Students’ Union who also contribute to our review of this Plan.  This Plan is related to a range of foreseeable risks. As such, it is reviewed on an annual basis to ensure the provisions contained in the Plan remain appropriate to our assessment of the range of risks encountered and the likelihood these might materialise during the period of time covered by that Plan.  The Plan is reviewed annually via the University’s Senior Leadership Group, consultation with the Students’ Union and through the scrutiny of our Board of Governors. The provisions of this plan also require that a lessons learned exercise is conducted whenever the Plan is required to be activated, with those lessons applied to the next annual review of the Plan. | |
| 2. What Happens When Our Plan is Activated? | | | |
| 2.1 | The preparation of a Student Preparation Implementation Plan | Our Student Protection Plan (SPP) provides an overarching framework for action and rests on a clear statement of principles and commitments which provide the basis for designing our response to any specific set of circumstances that require the activation of our SPP. Only the Vice-chancellor, as the University’s Chief Executive, can formally activate the Student Protection Plan.  Once the plan has been activated, the University will consider whether the events being responded to require the development of a full Student Protection Implementation Plan, including consideration of the following steps as appropriate to the situation (note that this list is not meant to be definitive):   * The Vice-chancellor will ensure the creation and maintenance of a continuous formal log and record of all relevant events, information and decisions that culminated in the activation of the SPP and everything that happens under its auspices until the satisfactory conclusion of the event and the closure of the SPP. * The Vice-chancellor will inform the Chair of the Board of Governors and the University Secretary of the activation of the SPP. * The University Secretary will formally notify the Office for Students of the activation of the SPP and act as the single point of contact with the regulator throughout the operation of the plan. * The Vice-chancellor will appoint a senior member of staff to act as Senior Lead with delegated authority to design an event-specific Student Protection Implementation Plan (SPIP) that is appropriate in scale and scope to the situation and is consistent with the principles and commitments identified in section 1.3 above.   The Senior Lead will then consider the following steps and options when forming a detailed Student Protection Implementation Plan - again, note this list is not intended to be exhaustive:     * The assembly of a response team which contains the appropriate skills and authority to act promptly to meet the University’s obligations to its students effectively. It is a requirement that student representation is included in this response team. * Ensure the development of an appropriately detailed communications plan that informs students and any other parties of the events and the University’s commitments under this Plan and likely next steps and timescales. * Ensure the formal log of activity and decisions made is maintained throughout the life of the SPIP. * The team developing the SPIP will consider a range of options to protect student interests. Examples might include: full teach out of existing course at existing location; transfer to another related BSU course at the same or different location; transfer to another partner or provider offering a similar course; offer of refunds and/or compensation. * Once the SPIP has identified the viable options available to students under this Plan, the Senior Lead and Students Union will jointly undertake an Equalities Impact Assessment of the proposed arrangements to ensure as far as possible that arrangements are consistent with our commitments to equality of opportunity.   The closing of a Student Protection Implementation Plan:   * The University Secretary, taking advice from the regulator as appropriate, and the Senior Lead will formally advise the Vice-chancellor when the commitments covered by this Student Protection Plan have been implemented by the SPIP and that the deactivation of the Student Protection Plan is appropriate. The Vice-chancellor will formally report the closure of the Student Protection Plan to the Chair of the Board of Governors. The University Secretary will confirm the deactivation of the Student Protection Plan with the Office for Students. * Following the deactivation of the Student Protection Plan, the University Secretary and Students’ Union will conduct a joint lessons learned exercise to understand the effectiveness of the University’s response and ensure this experience informs the next scheduled review of this Student Protection Plan. | |
| 3. Student Refunds and Compensation Policy | | | |
| 3.1 | How are student refunds and compensation managed? | The University’s policy on refunds and other liabilities (including for compensation) is contained within the University’s [Terms and Conditions](https://www.bathspa.ac.uk/media/bathspaacuk/about-us/policies/academic-and-student/Standard-Student-terms-and-conditions-2021-22.pdf), which remain the definitive document on such matters. The following extracts from the Terms and Conditions are provided as a general guide only and do not negate other clauses within those Terms and Conditions.  The University’s Terms and Conditions state that “We will refund pro-rata fees/deposit in the case of substantial variation or discontinuation or suspension if students opt to withdraw”. Refunds will be made to the body that paid the fees/deposits, whether they are an individual, or Student Finance England, or a third-party sponsor.  The University’s Terms and Conditions also state that “We are responsible for loss or damage that you suffer that is a foreseeable result of our breach of the Terms or our negligence”. Such loss may include the payment of additional travel costs or other costs that are incurred by unexpected changes to the location at which the course is provided or the way in which the course is delivered (including if that involves transfer to another provider). | |
| 4. Managing Risk | | | |
| 4.1 | Measures we use to mitigate against risk | All Bath Spa University courses undertake an annual process of programme review, which is informed by review of key performance data at course level and higher. This process identifies programme areas most at risk of closure or regulatory non-compliance; and operates a two tiered intervention and action planning process to address emerging risks. In circumstances where we identify that core changes may have to be made to best protect students or to improve their academic experience the University will consult with, and in some cases seek the consent of, students in alignment with the Modifications Process to address any concerns.  The University operates an established approach to risk management underpinned by a framework, a policy, and associated guidance. The University Risk Register is updated regularly, contains important risk mitigations and controls to help the University to prevent those risks from materialising, has assigned University Leadership Team owners and applies its risk appetite through a comprehensive scoring matrix. Risks are formally reviewed several times a year by the Senior Leadership Group and by the Audit Committee of the Board of Governors, which has structured discussions and challenge on focused areas. The Board of Governors also regularly reviews the University Risk Register. | |
| Annex 1: The University’s Current (April 2022) Assessment of Risks to the Continuation of Study | | | |
| No. | *Risk identified* | *Commentary* | *Assessment* |
| 1 | The financial viability and sustainability of the University means it can no longer operate | As a registered provider, the University is subject to Ongoing Condition of Registration D: Financial Viability and Sustainability. This means the Office for Students uses its regulatory powers to satisfy itself that any provider is financially viable, has the necessary resources to provide both for the courses it has advertised and to comply with all the other Ongoing Conditions of Registration.  As a business, we have robust and ongoing monitoring, assessment and review of our financial position, including the prudent management and availability of our financial reserves. We must satisfy external auditors annually that our financial statements mean we are a ‘going concern’. | Our financial position and satisfying the oversight of this key aspect of us as a regulated business means the risk to students here is **very low** |
| 2 | The loss of the University’s ability to make some or all of the awards it teaches. | The University is an established provider of higher education and has mature systems of governance, monitoring and oversight in place to ensure our provision exceeds the required expectations and thresholds and our awards  The Quality Assurance Agency independently reviews higher education providers and the most recently published report on the management of quality and standards is available [here](https://www.qaa.ac.uk/reviewing-higher-education/quality-assurance-reports/provider?UKPRN=10000571#.Wuhdp-8vxhE).  The University continually monitors its compliance with the regulatory requirements of the Office for Students through regular reports to the Board of Governors demonstrating how we meet these Conditions of Registration. This includes an annual report on the operation of quality and standards processes and the effectiveness of these in meeting the B Conditions which relate to way we maintain standards in management of awards. | Our academic management and performance mean the risk to students here is **very low** |
| 3 | The temporary closure of a teaching site | Like any business, it is possible that due to fire, flood or other disaster situations, a teaching site may be closed unexpectedly or at short notice, impacting students.  The University maintains its Estate to a very high standard which minimises the likelihood of such events occurring.  However, the possibility of such events always remains so the University maintains an Emergency Management Plan and a Business Continuity Plan which gives the University an advance measure of preparation so that we can return to normal service levels as soon as possible. | Unforeseen events are always a possibility, but the University is well prepared, just in case - the risk to students is **very low** |
| 4 | The permanent closure of a teaching site | In the event that a disaster/emergency event means a teaching site cannot be returned to use, the University’s Business Continuity Plan would seek alternative arrangements for the delivery of affected courses and student continuity as a matter of priority. Continuity of study could be maintained most immediately through use of different sites and/or remote teaching. Students impacted by the events would be consulted in the formation of longer term alternative arrangements. | The risk to students is considered **very low** |
| 5 | The loss of the institution’s licence to teach international students | The University holds and operates a licence to sponsor international students subject to the arrangements and requirements set out by the Home Office.  To remain on the [Register of Student Sponsors](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1069240/2022-04-14_-_Student_and_Child_Student.csv/preview), on which we hold the higher ‘track record’ status, we must satisfy all visa monitoring and compliance requirements set out by the Home Office, including an annual metrics based exercise called the Basic Compliance Assessment in which we must meet laid out thresholds of performance and compliance.  Our position against the Basic Compliance Assessment requirements is reported to the University’s Senior Leadership Group on a quarterly basis to ensure any mitigating actions to manage emerging risks can be taken in good time and reduce the possibility of any risks of non-compliance with the regulatory requirements materialising.  The University also asks its internal auditors to review our arrangements in this area from time to time to ensure our provisions here remain adequate to the changing policy environment.  In the unlikely event we were unable to maintain our licence, we would work with UKVI and our students to transfer them to a different provider where possible. If this were not possible, we would consider refunding students according to our Terms and Conditions (see section 3, above) | The risk to students is considered **low.** |
| 6 | The failure of a partner institution or the ending of a partnership | The University values highly the work it does through partner institutions, bringing the benefits of higher education to and expanding opportunities for different sections of the population. Many partner institutions may often be better placed to offer local and flexible learning experiences attractive to students.  We undertake extensive financial and academic due diligence on all our potential partners before we agree to any partnership. This process itself is designed to minimise at the outset the risks of a partnership ending prematurely or the partner failing to deliver our courses to you.  Some of our partners have a Student Protection Plan similar to this and also approved by the Office for Students. Others will not and in that case this Student Protection Plan will apply to you as it would to any Bath Spa University student.  However, partners come in all shapes and sizes, with different histories and structures as diverse as the number of providers in the market. Smaller, independent providers might offer something very distinctive, but their size might also mean that they are less able to handle rapid changes in market conditions or sudden changes in government policy. This could lead to instability and heightened risk to the continuity of study.  We work with all our partners to smooth out these flows to promote stability. We work in partnership with them to foresee any difficulties that might be coming towards us.  Where it might become necessary to intervene (for financial, academic or other reasons) we will work with our partners to protect your interests and with the priority being to secure as much continuity for you as possible. For example, we might support the provider to complete the delivery, or take over the teaching directly if that were possible for us to do so. We might offer to transfer you to another similar course, location or provider if that were possible, or we might offer to teach you at a comparable course taught by us or another of our partners. Where none of the above were possible or practical, we would consider refunds as per our Terms and Conditions (see section 3, above). | The risk to students here is considered **low to medium** |
| 7 | The University decides to close a course for business reasons. | From time to time the University does discontinue courses as demand for them changes. When this happens, the University may determine that the course should not continue to recruit students.  The University would not normally close courses with immediate effect. Rather, a course would be closed to new entrants and existing students would be supported to continue their studies, progressing as normal until the final cohort has completed their programme. The University would normally ‘teach out’ such programmes in the same location, to the same specification and same commitment to resources and student experience as before.  A decision to close a course on business grounds should not therefore adversely impact any existing students. In such cases a formal discontinuation plan is drawn up to ensure a plan is in place, allowing all students to complete their course, including those who might have or subsequently have appropriate mitigating circumstances affecting their continuation.  Any applicants to a course affected by such a decision would be notified as soon as practicable and offered an appropriate alternative course or courses. | The risk to students here is **low** |
| 8 | A course or courses are relocated from one campus to another | Like all Universities we develop our estate through time in order to provide the best possible facilities for students. Sometimes this may involve relocating the delivery of courses. Typically, estate development takes a number of years and the communication of such proposed changes will be given at the earliest possible time to affected current and prospective students. Any new buildings or facilities would be compatible with their intended use as identified at planning stage. | The risk to students is **low** |
| 9 | The University is unable to deliver key material components (core modules) of one or more courses | This risk is low and if core modules cannot be delivered then alternative solutions are sought; for example, rescheduling to a different semester or making alternative staffing or delivery arrangements. Where programme re-design or modification proposals include the removal of core modules, affected students are asked for their feedback and consent. Course design and review, as well as business planning processes ensure that there is sufficient staffing in place to deliver core modules. | The risk to students is **low** |
| 10 | Loss of service due to IT failure or cyber-attack preventing delivery of course material | This risk is increasing given the global rise in instances of cyber-attack, and has the potential to result in the loss of our core teaching, assessment, information and records systems.  The University has prepared for this growing threat by undergoing assessment for the UK government’s [Cybersecurity Essentials Plus](https://www.ncsc.gov.uk/cyberessentials/overview) accreditation, which was awarded in late 2021 and which requires us to maintain a very high standard of cyber-security.  Although this provides a high degree of assurance, the world of cyber security changes quickly so this must be perceived as a continual threat and one that requires constant vigilance and preparedness.  All University staff are required to undertake mandatory Information Security awareness training to minimise the possibilities for inadvertent access to our systems that could lead to data loss or unauthorised access. | Although the University has prepared well, the constant and evolving nature of this particular risk must be considered **low to**  **medium**. |
| 11 | The implementation of lockdown or similar restrictions such as those applicable during the Covid-19 pandemic | During the Covid-19 pandemic, the University responded promptly and effectively to support students and preserve continuity of study and proper student support throughout the period of national and local restrictions. We made rapid changes to our courses, our teaching and, in places, the way we assess your learning.  As these restrictions eased, we operated on a blended basis, with face to face learning gradually reintroduced with social distancing and other measures to ensure safe environments for students and staff. Our emergency management arrangements included the establishment of themed Pandemic Planning Groups each with a measure of decision making authority, and responsible for different areas of our activity, including a Student Experience group and one specifically dedicated to Learning and Teaching.  In the event of a further set of restrictions becoming necessary, all UK Government and public health measures and guidance would once again be followed. The experience of the Covid-19 pandemic is invaluable for our planning for the possibility of further similar disruptions. The University continues to invest in remote learning technologies for both smaller and larger group sizes and would be able to provide effective teaching and learner support if further restrictions made this necessary. | Although restrictions have now been removed, case rates remain high, so the assessment of risk here must be set at **medium** |
| 12 | The loss of Professional Accreditations applicable to particular courses | This risk is considered low. The University has institutional oversight of its accreditation with Professional, Statutory and Regulatory Bodies through a central PSRB register which is kept under review and includes outcomes and actions following accreditation visits. Re-accreditation exercises are owned by Schools and overseen by senior management.  Programme Modification processes require explicit confirmation that accreditation requirements continue to be met. | The risk to students is **low** |

Student Protection Plan (OfS Approved, 22 September 2022)