



## Policy on Consumer Rights with respect to academic programmes

### Document control table

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2. Approved by	Education Committee

### Policy development steps

3. Legal implications of this policy area.	Compliance with Consumer Rights Act, 2015
4. Consultation for this policy	Stakeholders: Academic Schools, Admissions and Applicant Experience, Education Quality, Enhancement and Development, Student Records, Marketing, Web Team
5. Related procedures/guidance	Terms and Conditions Marketing Guidelines Code of Practice on Programme Development, Approval and Modification Curriculum Planning Guidelines Programme Suspense and Withdrawal Guidelines
6. Version history	Version 2.0 (second)
7. Monitoring	Application of Policy to be monitored through the CMA Steering Group
8. Date of issue	October 2023
9. Review date	To be reviewed in 2025/26 academic year, or earlier if required to respond to statutory changes

### 1. Purpose

- 1.1 This policy sets out the requirements and principles which underpin the University's management of its activities that fall under Consumer Protection Law and is informed by the Competition and Markets Authority (CMA) advice to UK higher education providers published in March 2015, updated in May 2023 and subsequent guidance from the Office for Students.
- 1.2 The purpose is to ensure that the University has clear and transparent policies and procedures for:
- The provision of '**material information**' to prospective students, to include information about the University's programmes and associated costs

- Providing prospective students with the necessary **pre-contract information** to enable them to make an informed decision about whether they wish to apply to study at the University
- Ensuring that both **material** and **pre-contract** information remains up to date and accurate
- Ensuring a process is in place to communicate programme changes to offer holders and inform them of their rights to withdraw from the offer
- Highlighting to prospective students any terms and conditions which are surprising or otherwise important
- Making changes to programmes once students are registered and for communication and consultation with students regarding changes
- Enabling prospective and registered students to access the relevant complaints procedures

## **2. Roles and Responsibilities in relation to Consumer Rights Legislation**

- 2.1 Senate has ultimate responsibility for academic standards and the programmes the University delivers.
- 2.2 The Recruitment, Reputation and Performance Board sets policy and procedure with respect to Admissions and Marketing activity.
- 2.3 The Curriculum and Quality Sub-Committee (CQSC) approves new programmes and major changes to existing programmes on the advice of Programme Approval Panels, and the suspense or withdrawal of programmes on the advice of College Business Group (pr equivalent).
- 2.4 College Education Committees approve minor amendments to programmes as part of the annual curriculum planning process.
- 2.5 College Business Groups (or equivalent) recommend to CQSC the suspense or withdrawal of programmes of study
- 2.6 The CMA Steering Group monitors CMA activity across the University to ensure compliance with consumer protection law and issues guidance and advice to Schools on CMA related issues.
- 2.7 Education Quality, Enhancement and Development (EQED) is responsible for supporting the process of approving new programmes, major amendments and minor amendments and for ensuring that information on programme structures is accurately communicated to all internal stakeholders.
- 2.8 Admissions and Applicant Experience is responsible for issuing offers informing offer holders of material changes to programmes.
- 2.9 Marketing and Communications is responsible for ensuring that marketing content, online, hard copy or verbal accurately reflects approved programme structures.
- 2.10 Academic Schools are responsible for either consulting with or informing returning students regarding changes to curricula.

### 3. Provision of Information

- 3.1 The University aims to ensure that prospective students are provided with the information required to make an informed choice about whether they wish to study at the University and, following registration, with the necessary information to undertake their studies.
- 3.2 In accordance with CMA requirements the University must provide '**material information**' at pre-application and application stages, '**pre-contract information**' at the point an offer is made and when a student formally registers with the University (also referred to as enrolment in CMA documentation).
- 3.3 Where changes are proposed to programmes after students have registered, the University aims to ensure that these are communicated clearly to students, including the nature and purpose of the changes, and that students have the opportunity to discuss these with their schools.

### 4. Pre-Application and Application Information

- 4.1 The University will provide prospective applicants and applicants with the information required to ensure they are in a position to make an informed choice about whether they wish to study at the University.
- 4.2 All forms of information whether provided in writing or verbally by any member of the University form part of the material information on which prospective students may base a decision to apply to study at the University.<sup>1</sup>
- 4.3 The University will provide general information about studying at the University, including its facilities and services in its prospectuses and other online resources. It will ensure that this information is clear, accurate and accessible.
- 4.4 All printed material will carry a statement to confirm that it is accurate at the time of printing and applicants will be directed to the University website for the most up to date information.
- 4.5 The University will provide the following standard **material information** online regarding its programmes, for enquirers and applicants:
- Programme title, qualification and UCAS code (where applicable);
  - A course description;
  - Entry requirements;
  - Course fee and any additional costs;
  - External Accreditation (where relevant);
  - Programme structure by year of study, including core module titles and indicative list of optional modules;
  - An overview of learning and teaching methods on the programme, including academic support.
- 4.5 In all information it provides the University will ensure that:

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<sup>1</sup> University level marketing guidelines

- Reference is not made to specific staff who will contribute to the programme;
- It takes account of vulnerable groups of potential students, for example if access is limited this is clearly stated;
- All material information is provided upfront and not revealed at different stages of the admissions process, with the exception of where changes to programmes are necessary after the point of application or offer (see section 6 below);
- If a distance-learning, part-time or international cohort is the target audience additional information e.g. on English Language requirements, United Kingdom Visas and Immigration (UKVI), opening times of facilities etc. are provided;
- If a programme is accredited information and logos are up to date and the modules required for accreditation are stated clearly. Accreditation by a Professional, Statutory or Regulatory Body (PSRB) can only be stated when it is in place not when it is anticipated. A programme may advertise that it is seeking professional accreditation (see below);
- If a programme leads to an additional award or qualification explicit details of the cost involved and any additional assessments required are stated;
- Materials include a statement that optional module lists are indicative, but not definitive of what will be available to the student.
- Where significant changes are required as a result of variations to the programme, updates will be made to relevant information sources and highlighted to applicants

## **5. New Programmes**

- 5.1 New programmes can be advertised 'subject to approval' once the business case has been approved. No applications may be submitted or offers made until confirmation of approval in full is issued by EQED.
- 5.2 Where a programme is advertised 'subject to approval' any marketing materials should take account of the potential for programme details to change through the approval process. The following information should be provided in any advertisements or marketing materials:
- No formal programme structure, but description of the programme content with key areas of study and any unique selling points;
  - Entry requirements;
  - Tuition and any other fees;
  - Indicative module titles for each year of the programme.
- 5.3 Where a programme is approved by the University before it receives external accreditation, reference may be made to the fact that the programme is seeking accreditation, and the relevant PSRB. The University will clearly communicate the accreditation status of any programme, and where a programme is advertised as seeking accreditation which is not subsequently achieved students will have the right to withdraw their application with no penalty.

5.4 Once a programme is approved in full it will be subject to the standard requirements regarding marketing materials and provision of material information set out in section 4.

## **6. Information at Offer Stage**

6.1 The University will provide the necessary information to prospective students at the point it makes an offer to enable them to make an informed decision as to whether they wish to study a particular programme at the University.

6.2 The University will provide the following **pre-contract information** within a formal offer of a place for a programme of study:

- Programme title;
- Entry requirements, including English Language and typical offer level criteria;
- Length of programme;
- Core modules (i.e. those modules students must study) and an indication of likely option modules, including any examples of those typically offered every year;
- Information about any pre-requisites (where a module has to be passed in order to progress to another module or level of study);
- Programme structure, including the way it is delivered and where applicants can view specific information on learning and teaching for current modules;
- Overall methods of assessment at programme level;
- The award received at the end of the programme;
- Location of study, where this is not the UoL campus;
- Details of any accreditation;
- Details of any deposits;
- Tuition fee;
- Any additional costs associated with the programme (e.g. field work costs).
- The full Terms and Conditions of the Offer<sup>2</sup> which set out issue such as cancellation rates and deposits which may be payable. The University will highlight any particularly important terms to students.

6.3 When a potential student accepts an offer, the University has entered into a contract with them. Providing the prospective student meets the conditions of any offer, the University is obliged to accept the student to register on the programme for which they have received an offer, unless that programme has been withdrawn and applicants given notice as under Section 9. The University is required to notify prospective students of any significant changes to **pre-contract** information listed under 6.2 made to programmes after an offer has been made (see section 9).

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<sup>2</sup> [Terms and Conditions of Offer](#)

## **7. Registration**

- 7.1 The University is bound by the **pre-contract** information issued to a student, which includes the Senate Regulations and relevant University policies. Students are also required to reconfirm their acceptance of regulations and policies at the point they complete their formal registration with the University.
- 7.2 To move from applicant status to registered status students are required to accept the Senate Regulations and other associated policies including the Dignity and Respect Policy and the Code of Student Conduct. Students will be required to reconfirm acceptance of these policies and regulations as part of the annual re-registration process. The University reserves the right to alter these regulations and policies, but students will be informed of any significant changes.
- 7.3 All the relevant information will be available and referenced at pre-contract stage but at registration there is an explicit statement to ensure students are aware of their obligations and possible consequences when the Code of Student Conduct is breached.
- 7.4 Students register online and therefore have a 14-day cancellation right from their course start date, so they can withdraw from their studies up until that point without any penalty and receive a full refund.
- 7.5 Although students are required to re-register annually subject to satisfactory progress, they do not enter into a new contract each year as the Terms and Conditions a student receives with their offer letter cover the duration of their programme.
- 7.6 The University retains programme and module specifications and other relevant documents in relation to each cohort of students, which are published online. Programme specifications for previous years of entry are available from EQED.

## **8. Changing Programmes and CMA requirements**

### **Pre-registration**

- 8.1 The University will not make fundamental changes to programmes after offers have been made to prospective students but before these students commence, other than in exceptional circumstances. Changes should not be made to core elements of a programme, including title, length, core module or overall structure.
- 8.2 Changes to optional modules can be made, providing the way they have been previously advertised has been sufficiently flexible, for example by indicating that a range of optional modules will be offered each year on a programme with an indicative list of the topics that may be available.
- 8.3 Where any changes are proposed which significantly alter any of the contractual details set out in the Terms and Conditions sent with the Offer Letter (see para 6.2), the University will inform offer holders of the change, provide information on the rationale and benefits of the change, and advise them of their rights to withdraw from the contract at that stage if they wish. Notification of the change will take place a minimum of 25 days before the student was due to commence the programme.
- 8.4 Where an existing programme is undergoing major review this will be considered through the standard programme and development process. The process of review will be completed as

soon as possible but in the interim offers will continue to be made on the existing programme. Information on the review process will be published on the University website. Students will be notified through the offer process that there may be changes to their programme, how they will be informed of these in due course and their right to cancel their contract.

### **Post-registration**

- 8.5 The University seeks to ensure that the content and pedagogy within its programmes are continually reviewed and updated to ensure that they reflect the most current disciplinary practice. It may therefore be desirable to periodically update materials or programme structures to reflect disciplinary developments, to respond to feedback from external examiners or current students, or to accommodate changes in staffing. There may also be circumstances where it is necessary to make changes to meet the requirements of PSRB accreditation for individual programmes.
- 8.6 The circumstances under which the University may make changes to programmes are set out in the variation clause within the Terms and Conditions. This will be highlighted to students at the offer making stage.
- 8.7 Minor changes to programmes will be subject to the annual process of Curriculum Planning. The University issues detailed guidance on the annual curriculum planning process and late changes with advice on communication/consultation with students.<sup>3</sup>
- 8.8 The University will ensure that registered students are kept appropriately informed of proposals to make significant amendments to their programme of study. Depending on the nature of and scale of the change proposed there may be the need to formally consult with the student body and seek agreement for the change. The University issues guidance on the nature and level of information and, where appropriate, consultation required for particular types of changes. Wherever possible, notification of the change will take place a minimum of 25 days before the change is due to take effect.
- 8.9 All changes to programme documentation approved through the Curriculum Planning process for individual programmes or cohorts will be maintained and published by EQED.

## **9. Suspend or Withdrawal of Programmes**

- 9.1 Suspension or withdrawal of programmes will be managed in line with the University's processes in the Code of Practice on the Development and Approval of taught programmes, and commitments in its published Student Protection Plan.<sup>4</sup>
- 9.2 Where an intake to a programme is suspended or a programme is withdrawn prior to students joining, all applicants and offer holders will be contacted at least 25 days before the advertised commencement of the programme, advised of the change and where possible supported to find a similar alternative.
- 9.3 Where the decision is taken to suspend an entry to or to withdraw a programme upon which there are registered students, the University will ensure that appropriate resources and support are in place so that current students are able to complete the award for which they registered. This will take account of the maximum periods of registration remaining available on the programme for both cohorts and individual students. Details of the University's

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<sup>3</sup>[Curriculum Planning Guidance](#) (login required)

<sup>4</sup>[Student Protection Plan](#)

commitments in this regard are set out in the Code of Practice on Programme Development and Approval, and the Student Protection Plan.

**10. Complaints Procedures**

- 10.1 The University has separate complaints procedures for applicants and registered students.
- 10.2 Applicants who wish to make a complaint relating to an aspect of the Admissions process may do so in accordance with the Code of Practice on Admissions.
- 10.3 Registered students may submit a complaint in accordance with Senate Regulation 12. Complaints processes are highlighted to students online, via student handbooks and are highlighted to students at the point of initial and re- registration.
- 10.4 Complaints are handled in accordance with the OIA's Good Practice Framework and on completion of University processes students are issued with a 'Completion of Procedures' letter notifying them of their right to submit a complaint to the OIA if it meets its criteria.



**Appendices**

Glossary

[Student Protection Plan](#)

[Terms and Conditions of an Offer](#)

[Curriculum Planning Guidance](#)

[Student Consultation Guidance](#)

[Programme Suspension and Withdrawal Guidance](#)

[Code of Practice on Admissions](#)

[Senate Regulation 12 governing student complaints](#)

Appendix 1: Glossary

CMA	Competition and Markets Authority
CRA	Consumer Rights Act, 2015
Material Information	Information that the average consumer needs, according to the context, to take an informed transactional decision.
Office for Students	The National Regulator for Higher Education
Pre-contract Information	Information that must be given to applicants at the point of offer to inform their decision regarding whether to enter into the contract.
Subject to Approval	The status by which a new programme can be advertised but no applications may be accepted or offers made until final approval is given
Curriculum Planning	The annual process by which the University makes minor amendments to its academic programmes
Student Protection Plan	The plan published by the University in which it sets out risks and mitigation in the event of course or provider closure