



## South Thames Colleges Group – Student Protection Plan 2018/19

### 1. To which students in the College Group is the Student Protection Plan relevant?

The Student Protection Plan is relevant to all students studying on a Higher Education course at one of the colleges within the South Thames Colleges Group and students at the London College of Contemporary Arts (LCCA) completing study in the academic year 2018/19 which they had started in earlier years under a sub-contracting agreement (which is due to terminate). The Higher Education courses covered by the plan include Higher National Certificates (HNCS), Higher National Diplomas (HNDs), Foundation Degrees, Honours Degrees, Professional Certificates and Professional Graduate Certificates in Education.

Within the College Group's Higher Education population there are three types of students. This plan affects each group differently and offers the protection of continuity of study in different ways.

- a. **Directly funded students whose primary registration is with South Thames Colleges Group to which the tuition fee payment is made.** These students are offered protection of continuity of study by the entirety of this plan and its full contents are relevant to this group.
- b. **Students studying at one of the Colleges within the College Group under a franchise arrangement with one of the Group's university partners where the student's primary registration is with the university to which the tuition fee payment is made.** These students are offered protection of continuity of study under the terms of the franchising university's Student Protection Plan which is published on the university's website. The College will at all times work with the partner university to support the commitments of its Student Protection Plan. The broad purpose and content of the South Thames College Group's Student Protection Plan, in terms of risk identification and risk management, is wholly relevant and supportive of the objective of the preservation of the continuity of study in this situation.
- c. **Students studying at London College of Contemporary Arts (LCCA) on a arrange of Higher National Diplomas (HNDs) and who during 2018/19 will be completing their study started in previous academic years.** The Plan provides this group of students with protection of the continuity of study and the opportunity to complete planned study. The Plan will require the College Group to work with London College of Contemporary Arts (LCCA) to support and facilitate that objective. The risk of the loss of continuity of study for this group of students has actually crystallised with the ending, on 31 July 2018, of the sub contractual arrangement between South Thames Colleges Group and LCCA. The details of this appear in section 7 (below), and the plans to mitigate that risk to these students is outlined in section 12 (also below). Due to the ending of this sub

contractual arrangement, this plan is relevant only to continuing students and there is NO commitment within this plan to new students registered for the first time at the London College of Contemporary Arts (LCCA) from 1 August 2018.

## **2. Purpose and contents of the Student Protection Plan**

### **a. The purpose of the Student Protection Plan**

The key purpose of the Student Protection Plan is to preserve the continuation and quality of study for the College Group's higher education students in the manner outlined in section 1 whenever a risk to the continuation of that study crystallises.

The Student Protection Plan includes the College Group's assessment of the risks to continuation of study, the likelihood that those risks will crystallise and the potential impact upon students should the risks crystallise. The Plan also sets out the measures in place to mitigate those risks that are reasonably likely to crystallise and the commitments given to offer advice, refunds and compensation. These appear in the content of the plan and the different sections are listed immediately below.

This Student Protection Plan has been approved by the Office for Students (OfS) – (TBC).

### **b. The content of the Student Protection Plan – the Plan contains 13 sections and the titles of each section are listed below;**

- i. To which students in the College Group is the Student Protection Plan relevant?
- ii. Purpose and contents of the Student Protection Plan.
- iii. Introduction to South Thames Colleges Group.
- iv. South Thames Colleges Group – history and record of student protection.
- v. The College Group's approach to risk analysis and management to maintain continuity and quality of higher education study for its students.
- vi. The College Group's strategy and processes to avoid the risk of the discontinuity of study and course sustainability.
- vii. The range and level of risks to the continuation of study at South Thames Colleges Group.
- viii. The measures that the College Group has put in place to mitigate the risks to the continuation of study which are reasonably likely to crystallise.
- ix. Explanation of the College Group's policy in place to refunding tuition fees and other relevant costs and provide compensation in the event that the College is unable to provide a student with continuity of study.
- x. How will the College communicate with students (and applicants) about the Student Protection Plan?
- xi. How are staff at the College made aware of the contents of the Student Protection Plan?
- xii. How will the College Group implement the Student Protection Plan should the risk to continuation of study crystallise?

- xiii. How and when will the College Group review the Student Protection Plan and consult with students on its content?

### 3. Introduction to South Thames Colleges Group

From 1 August 2017 Carshalton College, Kingston College and South Thames College (which also included the Merton College campus) merged under a type B merger arrangement (governed by the Further Education Corporations (Publication of Proposals) (England) Regulations 2012, SI 2012 No. 1157) to create a new further education college group for South West London. Under these arrangements Carshalton and South Thames Colleges were dissolved and their property, rights and liabilities transferred to the remaining college, Kingston.

Kingston College, the successor body, subsequently proposed to the Secretary of State a name change to “South Thames Colleges Group” and this was approved and adopted from 1 December 2017.

All three colleges deliver vocational education and skills training. The South Thames Colleges Group now includes one additional college - Merton –which in 2009 had merged with South Thames College, and has, as part of the new merged college development, been revived as a College brand.

Higher Education courses are currently offered at three of the Colleges within the Group - Carshalton, Kingston and South Thames. There is currently no Higher Education provision at Merton College.

The timing of this merger and the writing of this Student Protection Plan, is timely in that the College Group considers that the merger has offered;

- Enhanced financial stability for the colleges within the Group compared with their pre-merger and separate college situations, and thus less risk to students of interruption or non-continuation of study arising from financial causes.
- The availability of a larger pool of subject expertise and specialist resources (eg engineering) across the College group which reduces the risk of interruption or non-continuation of study and provides a better opportunity to mitigate that risk should it crystallise by the transfer of teaching resources, equipment or students/courses between campuses to support situations of difficulty.
- In this particular field of the College Group’s work, Higher Education (HE), the two colleges (and their HE students) with smaller volumes of HE provision are undoubtedly already benefitting from the greater infrastructure, dedicated management and administrative support available at Kingston College, which has a much larger HE provision, and this provides greater opportunity to anticipate, identify and monitor risk as well as manage and mitigate the impacts upon students and their study of any future crystallisation of that risk.

The four Colleges within the Group are all located in South West London with no more than 8.5 miles between any campus (indeed most distances between campuses are smaller) and all are served by good transport links including bus and rail with interconnections also available via tram and underground.

#### **4. South Thames Colleges Group – history and record of student protection**

During the extended period of time of more than 25 years that the Colleges within the South Thames College Group have offered Higher Education courses the make-up of this provision has changed in line with demand, college resource and strategic planning but there has not been any incident of an HE student being unable to continue their study due to course closure. Indeed, in the pre-merger period there have been incidents where the Colleges have worked together to support students with continuance of study as a result of course closure and instances where applicants have been supported to achieve their study plans after course closure at one site by the re-direction of their application/ enrolment to another.

There have also been other examples within the past five years where a College within the Group has worked with HEFCE and its major university partner to support the continuation of students' study following the cessation of provision at other colleges in London.

#### **5. The College Group's approach to risk analysis and management to maintain continuity and quality of higher education study for its students**

The Group operates a formalised approach to risk analysis and management and operates a risk register which formulates exposure to risk by (1) identifying potential risks from internal and external causes (2) calibrating the likelihood/ probability of those risk with (3) the impact upon the College and its stakeholders (including most importantly students) should those risks crystallise. The risk register is regularly reviewed at Group Leadership Team meetings and at Governors' meetings. The Governors' Audit Committee reviews the risk register regularly and receives reports upon its status from the Group Leadership Team. Each of the other Committees within the Governance structure owns a set of critical risks, evaluating the risks and the overall level of assurance that the assessment is correct at the end of each meeting.

This particular risk – “risks to the continuation of study of the College Group's Higher Education students” will be incorporated within this register with effect from the commencement of academic year 2018/19. The monitoring of these potential situations at a more operational level will also, with immediate effect, be introduced as a standing item on the agenda of the monthly Higher Education Matrix Leadership Meetings and the termly College Group's Higher Education Board (HEAB).

#### **6. The College Group's strategy and processes to avoid the risk of the discontinuity of study and course sustainability**

An essential part of the management of risk in this situation is to anticipate and identify risk in advance to support sustainable and secure decision making with regard to course offerings. The other vital action is to recognise courses of actions where and when risks are arising and plan for mitigating actions where they are more likely to crystallise.

The College Group operates;

- a) A course approval process which includes a thorough review of a new course's potential in both the financial and academic sense – this involves the Assistant Principal for HE working with the Head of School wishing to deliver the programme, a review of the proposal at the termly Higher Education Academic Board (HEAB) and an ultimate sign off of planned delivery by the College Principal.
- b) An annual curriculum planning process which investigates the financial (income and expenditure) proposals for each course, which is supported by the provision of labour market and competitor intelligence, and provides an ultimate sign off of approved delivery.
- c) On an ongoing basis, monthly budget reviews will identify where there are potential difficulties of financial sustainability of a course. These will be pursued at School and College level with formal decision making about future and continuing course offering at the termly Higher Education Academic Board (HEAB).
- d) An open and ongoing relationship with its university partners both informally at course and college level, and formally via such processes as Academic Annual Partnership Reviews, and Annual Executive Meetings which proactively explore course sustainability and development issues. The oversight of these outcomes at course/partnership levels is provided by the Higher Education Academic Board (HEAB) and the monitoring of the quality of that relationship within the College Group's risk register.

As a general further education provider the College Group does not offer HE courses in subjects which are not offered at Level 3 within the College. The strategic imperative is for the College to offer HE programmes from which its current student population at L3, or its alumni, can progress.

Whilst subject pathway progression is a key plank to the College's strategic approach to HE it does also have the additional beneficial bi-product, in this context of risk to student non-continuation of study, of ensuring that the College is not exposed to the risk of an absence of subject expertise which would potentially arise where subject provision was offered only at HE levels.

The College offers only a small number of Ba/Bsc (Hons) – level 6 – courses and in the curriculum planning and approval process is particularly cautious about such courses due to;

- a) These three or four yearlong programmes requiring a larger starting cohort size than, for example, the one year Higher National Certificate, due to the potential for student drop out over that longer period of study where unexpected personal circumstances are less predictable over such an extended period of time.

- b) The challenges of student recruitment due to the higher level of competition for such courses from universities and alternative providers.
- c) The need to ensure suitably qualified and experienced teaching staff, particularly at level 6.
- d) The evidence of the need in recent years to withdraw the offer of a small number of such courses due to the heightened competition.

## 7. The range and level of risks to the continuation of study at South Thames Colleges Group

- a) The risk of **small cohort size in terms of both economic/financial sustainability and the quality of learning experience for the student** is evident in a significant number of individual HE courses and is potentially the largest risk faced by the College and its HE students studying on such courses. While the existence of small cohorts is a fact of the College Group it is also one of the strengths of the College Group as outlined in our TEF year 3 application and as recognised by the TEF assessors when awarding the successor college (Kingston) Silver at year 2 (June 2017). The extract below also identifies tactics to mitigate the potential for damage to the students' learning experience from the small cohort factor;

TEF Statement of Findings 2018 - the assessors' judgement reflects upon – *“students' academic experiences tailored to the individual, with small group sizes and relatively high contact hours.”*

The College Group's TEF year 3 Provider Written Submission states; *“Face to face teaching is mainly delivered by seminar, and in many practical subjects by workshops. Average group size is 14.60 (1,471 students – 101 groups – TEF year 2 for KC only 13.27). On some courses this is actually lower. The use of the large 'lecture' was discontinued at the College some 6 years ago as it proved less effective for the lower entry cohorts who benefit much more from greater opportunity for interaction with the lecturer, higher levels of 1-2-1 support, and the ability to work with peers. The College is mindful that “too small” can be disadvantageous, in cases where course demand is lower arrangements such as this described below on Fda and BA (Hons) Top Up Art and Design, and commended by the External Examiner, takes place;*

*“As a specialised art and design course, the cohorts are quite small and to facilitate the peer group learning within this academic year the 2nd and 3rd years are taught together within the same studio. Coupled with a committed course team providing additional online email feedback, this is very supportive for all the students and motivates shared practice and ambition throughout the whole student community.”*

The explanation of the relative size of Higher Education provision in the College Group (12% of income), the presence of other funding streams, the different cost factor of the major unit of cost (the lecturer, who is in this context is solely committed to teaching and not research) and the planning and approval process mentioned in the above section means that this “economic/financial risk” whilst present and evident in many courses is **very low risk in terms of course cessation, and the crystallisation of the risk**

**to continuity of study.** The explanation above of an example of managing the risk of “small group impact upon learning” is one of many used across the college, and with all courses sitting within colleges with other similar subject offerings (albeit at different levels) means that this risk, whilst being present, has **a low risk of crystallisation in terms of student dissatisfaction and a harmful impact on the quality of learning.**

- b) The College Group currently operates Higher Education provision across three college sites – Kingston, Carshalton and South Thames College. The Higher Education provision at Kingston College is much the largest and represents 70% in student number terms of the College Group’s total HE population. There is **a risk, which at this stage is moderate, that Higher Education provision is not sustainable in the two smaller colleges, and in particular Carshalton College where some curriculum rationalisation, at other levels (1, 2 and 3), between it and Merton College has recently taken place.** However, the same comments as mentioned immediately above about the financial characteristics of the College do **not** make this a higher than **moderate risk** at this stage.
- c) **The risk that the College Group may not be able to offer specialised provision needing high cost and specialist equipment eg engineering, art and design, and performing arts is low** as such equipment is used to deliver other courses funded from alternative sources meaning that the cost factor for Higher Education courses is diluted.
- d) **The risk that courses offered in collaboration with university partners (franchised or directly funded) might not be offered due to such agreements being terminated by partners is present for the College Group by definition, as it would be for any institution without its own awarding body powers. This risk is regarded as low** due to the history of long established and successful partnerships which benefit from the robust governance and management arrangements in place to ensure quality, recent partnership activity which sees the College entering into agreements with new partners and growth in existing relationships and the evidence of past QAA HE reviews and partner annual academic reviews and executive meetings all of which evidence the quality of those liaison relationships. However, **there is the low risk situation where university partners may terminate a partnership with the College (at course or institutional level) for their own commercial purposes and for no reasons of the failing of the College Group, and accordingly entirely beyond its control.** In such a case the College will rely upon the “teach out” clauses in all its university partner academic regulations which would protect continuing students in such a partner generated risk situation and which accordingly means that **the risk of non-continuation in this case is low.**
- e) **For the very small number of international students that might be studying within the College Group there is a moderate risk of loss of Tier 4 Highly Trusted Status (HTS) licence due to the currently very rigorous approach of the UKVI** and specifically due to the very low refusal rate threshold with respect to the issue of Confirmation of Acceptance for Studies (CAS) which is exacerbated by the relatively modest number of applications actually processed. This risk will continue to be managed by close adherence to UKVI regulations, extremely cautious review of any applications and the maintenance of actions in line with UKVI/ College agreed action plans.

- f) For students studying at London College of Contemporary Arts (LCCA), under a sub contractual arrangement with South Thames Colleges Group, there was a risk to the continuity of study arising from the potential that this agreement, made with South Thames College before the merger arrangements outlined in section 3, would not be transferred to the newly merged College Group following the dissolution of the original contract partner, South Thames College. This was a **high risk** and has indeed **crystallised** with the sub-contracting agreement ceasing from 31 July 2018 (following a period of 12 months' notice). Section 12 below explains the mitigation in place to provide this group of students with protection of continuity of study and the opportunity to complete their planned programme of study.

#### **8. The measures that the College Group has put in place to mitigate the risks to the continuation of study which are reasonably likely to crystallise**

In section 7 above the College Group has identified five risks that are present with regard to its Higher Education provision and has recognised that whilst three of those are undoubtedly present the features of that provision, the characteristics of the College Group (particularly financially), the management and governance arrangements in mean that three of these are low/very low risk.

Whilst this plan will focus on the measures in place to mitigate the two risks that are higher and are more reasonably identified as moderate in terms of likelihood of crystallisation the following points can be made about the situation and potential measures that could be applied in the case of crystallisation of the others that are **low/very low risk**;

- a) The majority of the subjects offered within the College Group's HE provision are offered at more than one college and in the case of **small group size** crystallising into a real risk in terms of economic/financial viability or quality of students experience (which is deemed very unlikely) the opportunity to combine cohorts at colleges, which as described above are relatively close together and well served by public transport, could take place with financial compensation paid in terms of additional travel costs.
- b) All the **subject provision requiring high cost and specialist resources** eg engineering, art and design, and performing arts are offered at more than one of the Colleges within the Group and therefore transfer/relocation of certain resources could be considered in the very unlikely case of failure of resources and/or the opportunity to transfer students / courses between colleges which, as described above, are relatively close together and well served by public transport, could also/ alternatively take place with financial compensation paid in terms of additional travel costs.
- c) In the case of the very unlikely crystallisation of **risk that courses offered in collaboration with university partners (franchised or directly funded) might not be offered due to such agreements being terminated by partners** the College and partner university would work together within their academic regulations to offer the opportunity of study continuation with the university itself or another of their collaborative partners (supported by the "teach out" clauses and agreements in each university partners academic regulations).



In the case of the crystallisation of the risk, which at this stage is moderate, that HE provision is not sustainable in the two smaller campuses, and in particular Carshalton College we will provide;

- a) continuing students with the opportunity to complete their study at whichever of the other two colleges in the Group is most convenient for them – in the case of all of the subjects offered at these smaller HE provider colleges those subjects are also offered at two other of the Group's colleges.
- b) Financial compensation for any additional travel costs incurred, along with any other reasonable and evidenced additional costs incurred eg. additional childcare.
- c) Financial compensation for any reasonable and evidenced loss of income arising from a change to travel to study pattern that impacts negatively on working hours.

In the case of the of the moderate risk of loss of Tier 4 Highly Trusted Status (HTS) which applies to a very small number of international students across the College Group we will;

- a) Work with the UKVI (where the duration of incomplete study is short to mitigate impact) and with all of our 7 university partners and our fellow members of Linking London (both FE and HE providers) to identify alternative suitable locations of study to provide the opportunity for continuation of study.
- b) Financial compensation for any differential in tuition fee payments at an alternative provider.
- c) Financial compensation for any additional travel costs incurred, along with any other reasonable and evidenced additional costs incurred eg. additional childcare.
- d) Financial compensation for any reasonable and evidenced loss of income arising from a change to travel to study pattern that impacts negatively on working hours.

**9. Explanation of the College Group's policy in place to refunding tuition fees and other relevant costs and provide compensation in the event that the College is unable to provide a student with continuity of study**

Section 8 above explains that the is no more than a moderate risk of interruption to study in two situations, and in those cases support at an **alternative location of study within the College Group or at an alternative provider can be put in place**. In such a situation the College's refund/compensation policy is outlined below;

- a) Financial compensation will be payable in respect of the necessary transfer of provider to sustain study for any additional travel or living costs incurred, along with any other reasonable and evidenced additional costs incurred eg. additional childcare.
- b) Financial compensation will be payable in respect of the transfer of provider to sustain study for any reasonable and evidenced loss of income arising from a change to travel to study pattern that impacts negatively on working hours.

- c) In the case of an international student being required to complete their study elsewhere as a result of the loss of the College's Tier 4 HTS financial compensation would also be offered for any differential in tuition fee payments at an alternative provider.

**Non continuation of study cases which cannot be resolved to the satisfaction of a reasonable person by the actions of the College Group and which result in the student being unable to complete their planned or similar programme of study**, which it is considered to be unlikely during the period of this Student Protection Plan, will be covered by the terms of the College's refund/compensation policy outlined below;

- a) A refund to the student in receipt of a tuition fee loan from the Student Loan Company of an amount proportionate to the value of credits that the student has been unable to achieve as a result of non-continuation (eg a student studying a Foundation Degree and who has achieved 120 credits from their first year of study but due to the crystallisation of this risk and the College Group's inability to offer a means of continued study cannot complete their second year, and the outstanding 120 credits, would receive a refund of the fees relating to the first year which represents half of their planned tuition fees and matches the value of credits outstanding and incomplete).
- b) A refund to the student who was self-funding, or of fees paid by a sponsor (eg. an employer on the student's behalf) of an amount proportionate to the value of credits that the student has been unable to achieve as a result of non-continuation (eg a student studying for a Higher National Certificate and who has achieved 30 credits from their one incomplete year of study to date, but due to the crystallisation of this risk, and the College Group's inability to offer a means of continued study cannot complete the remainder of that year, and the outstanding 90 credits, would receive a refund of 75% of the fees for the year which matches the value of credits outstanding and incomplete).
- c) In any of these cases mentioned above any bursary payments awarded but not yet paid would be honoured notwithstanding non-continuance of study (the College's OFFA Access Agreement 2018/19 only provides for bursary payments in the first year of a student's study).
- d) The College would consider on a case by case basis the payment of compensation for reasonable maintenance costs and for lost time taking into account the evidenced personal circumstances of the student and by applying reputable, publically published average cost and income data.

The College is confident of its ability to deliver the financial compensation mentioned above as the overall value would be modest in relation to the College's overall income from its range of funding sources, and its financial standing as recognised by the ESFA provides confidence in the ability to support unexpected final expenditure of this value.

During the academic year 2018/ 2019 the College will have explored other and additional arrangements including insurance to provide such refunds and compensation and will publish any such new arrangements at the time of the annual review of this plan.

### **10. How will the College communicate with students (and applicants) about the Student Protection Plan?**

The provisions of the Student Protection Plan will be communicated to students by;

- The publication of the plan on each of the Colleges' websites (for current and future students).
- The publication of the plan on the College's virtual learning environment – Moodle (for current students).
- The Plan will accompany all course offers (future students).
- The Plan will be provided to students at point of enrolment.
- Students will be directed to the plan via the Undergraduate Guide issued at induction.

### **11. How are staff at the College made aware of the contents of the Student Protection Plan?**

- College Principals and Heads of School will be reminded of its relevance for course planning and monitoring purposes as part of their involvement at the Higher Education Board (HEAB) above and at the annual curriculum planning stage.
- Governors will receive training on this development by Autumn 2018 in advance of the first review of the new entries in the risk register at the Governors' Audit Committee.

### **12. How will the College Group implement the Student Protection Plan should the risk to continuation of study crystallise?**

- Communicate with the students effected, initially face to face;
- Advice, guidance and introductions [to alternative providers] for each student effected to support the continuity of study will be provided by a named member of staff;
- And will be summarised in writing, by email and letter, providing full information about any material changes to their course and request feedback and;
- Follow this up with further formal consultation.
- Communication and conversations will be had at teaching group level and with individual students to identify their personal needs.
- During academic year 2019 the College Group will have explored external independent sources of advice (in addition to the College's own Information Advice and Guidance service which is offered on an independent basis) for students affected by the implementation of the plan, which may include university partners, reciprocal arrangements with other FE colleges and the active use of the services provided by the College's membership of Linking London. Progress on this will be considered at the review of the plan and when publishing the 2019/2020 plan.

The risk to continuity of study for students studying at London College of Contemporary Arts (LCCA) and approaching, in Autumn 2018, the completion of their planned programme, and achievement of

their Higher National Diploma has crystallised (see section 7 above). South Thames Colleges Group and London College of Contemporary Arts (LCCA) have agreed the following arrangements (1 and 2 below) to ensure the opportunity to complete planned study. These arrangements have been communicated to students in meetings with academic tutors and in writing. South Thames Colleges Group recognises its responsibility to facilitate these arrangements on behalf of this cohort of students.

1. Following completion of the planned programme of study (31 October 2018) those students requiring the opportunity for some re-assessment in line with relevant academic regulations will be supported by London College of Contemporary Arts (LCCA) to re-submit work and complete their planned award by the end of calendar year 2018.
2. Those students with larger assessment gaps, mitigating circumstances or situations of interruption to study will be provided with the opportunity to re-start study at London College of Contemporary Arts (LCCA) (with accreditation of prior credit based learning where possible) which will be supported by another of London College of Contemporary Arts (LCCA)'s sub-contracting partners.

**13. How and when will the College Group review the Student Protection Plan and consult with students on its content?**

The annual review of the Student Protection Plan will be considered by the College Group's current students at the Higher Education Student Forum (HESF), which comprises a student representative of each HE course.

The Plan when published on Moodle, and elsewhere, for current students will have accompanying explanation and a link to provide the opportunity for feedback on the document.