

Student Protection Plan

Provider's name: University of Portsmouth

UKPRN: 10007155

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1. Assessment of Risks

The Higher Education and Research Act 2017 requires all higher education institutions who are registered with the Office for Students (OfS) to publish and maintain a Student Protection Plan. The purpose of this Plan is to ensure that students' interests are protected and that, as far as possible, they are able to continue their studies in the event of changes to circumstances.

The University enjoys strong academic and financial health. However, there may be occasions when changes have to be made to ensure that these strengths are maintained.

Circumstances that might create a risk to the continuation of studies are (but are not limited to):

Closure of the University

The risk that the University will need to close is **low**. This is because of the following mitigations:

- We have robust financial planning processes to ensure that we maintain a strong financial position. Our financial strategy is focussed upon the generation of a suitable surplus each year and the maintenance of sufficient net cash reserves to achieve our strategic objectives.
- We have a strong academic performance. We are rated "Gold" in the Teaching Excellence Framework and over 60% of research submitted to the Research Excellence Framework 2014 was rated as world-leading or internationally excellent.
- Our student enrolment rates are healthy. We are ranked in the top 20% of institutions in the UK for student satisfaction in the National Student Survey.
- We have a robust risk management process. Key risks to the University are reported and highlighted through this process and mitigating actions are agreed and implemented in response to any emerging issues.

Closure of Part of the Campus

The risk that the University will need to close part of its campus in a way that will prevent students from continuing their studies is **low**. This is because:

- We are centrally located within a single city with most buildings in close proximity and so any closure of a building would not require appreciable additional travel. We are investing significant funds in our estate to ensure that buildings remain fit-for-purpose and offer a modern, high-quality environment for students.
- We have business continuity plans. These outline how we will respond to and tackle any disasters or emergencies that might deny us the use of key buildings and facilities.

Closure of Courses

Our Education Strategy outlines our commitment to review all programmes over a three-year cycle to ensure that they continue to be dynamic, innovative and meet changing needs. If, as a consequence of this review, it was decided to close a course then, in most instances, the University will “teach-out” existing students to ensure that they are able to complete their programmes.

The risk that the closure of courses will prevent students from continuing their studies is **low**. This is because:

- All decisions that may pose a risk to students’ continuation of studies will be subject to careful review. The review must identify and address implications for students.
- Our annual monitoring processes explicitly scrutinises performance data, enabling early intervention if risks are identified.

Loss of Degree Awarding Powers

The risk that the University will lose its degree awarding powers is **low**. This is because:

- We maintain high academic standards and strong quality assurance processes that adhere to the expectations of external agencies. We received a positive outcome in our most recent Quality Assurance Agency review.
- Staff are supported and expected to develop, disseminate and incorporate best pedagogic practice in an engaging, relevant and challenging curriculum.
- We invest in the professional development of our academic and support staff, for example by supporting staff to engage in continuous professional development and to achieve professional accreditation.

Removal of Professional, Statutory and Regulatory Body Accreditation

The removal of professional, statutory and regulatory body (PSRB) accreditation is not always the consequence of failing to attain required standards. We may, from time to time, choose to pursue new accreditations and/or withdraw from existing accreditations to better align with our strategic goals. The risk that the removal of PSRB accreditation will prevent students from continuing their studies or from entering their chosen career is **low**. This is because:

- PSRB accreditation is not always required to enable a qualification to be awarded or for a student to enter a particular career. If we change or withdraw from an accreditation then the needs and aspirations of students will be taken into account.
- We liaise and work closely with PSRBs to ensure that our accredited courses reflect the required standards for PSRB accreditation.
- We ensure that our courses comply with existing PSRB standards and have monitoring systems to ensure that we reflect new accreditation requirements in our academic planning.
- New, amended and reviewed PSRB accreditations are overseen by our Quality Assurance Committee, which can request the delivery of an action plan if any risks are apparent.

Suspension or Loss of UKVI Tier 4 Sponsor Licence

The risk that the University will lose its UKVI Tier 4 Sponsor licence and that this will prevent students from continuing their studies is **low**. This is because:

- We have designated roles with specific responsibility for ensuring compliance with Home Office requirements.
- We have a UKVI Strategic Monitoring and Compliance Group that oversees and ensures proactive compliance with Home Office requirements.
- We have policies and procedures that enable our embedded college (International College Portsmouth) to comply with the University's Tier 4 sponsorship duties and to manage day-to-day contact and attendance management.

Loss of Key Staff

The risk that the loss of key staff will prevent students from completing their studies is **low**. This is because:

- Our People Strategy emphasises the importance of recruiting and retaining high-quality staff and developing succession strategies.
- We design our courses to be taught by integrated teams of staff.
- Our strategic curriculum themes are developed to ensure that course teams have adequate staff capacity and expertise to support the range of subjects that we offer.
- Potential over-reliance upon individual members of staff is explicitly considered and addressed as part of our periodic review process.
- Research student supervision is conducted by a first and second supervisor and sometimes by a third supervisor, to ensure continuity if a supervisor leaves the University.

Changes with Partner Institutions

The risk that changes at partner institutions will prevent students from continuing their studies is **low**. This is because:

- We undertake robust due diligence of all potential partners and only enter partnerships when we are satisfied that there are no undue risks associated with the potential partner.
- We undertake comprehensive ongoing due diligence of the financial and academic health of our partners and their regulatory status.
- We have robust legal contracts with our partners that clearly stipulate respective responsibilities, and we liaise closely to ensure that relationships are effective.
- We undertake annual and periodic review of our partnerships to identify and take action to address any risks to the student experience and to academic standards and quality.
- We have predetermined arrangements in place to ensure that students are able to complete their studies if the partnership draws to a natural conclusion.

- We have contingency plans with our partners to help us to manage unforeseen changes.

2. Mitigation of Risks

We do not consider any of the risks identified above to be reasonably likely to crystallise in the foreseeable future. However, of the risks identified above, we feel that the following have the most likelihood of crystallising and have identified the following mitigating actions to address them:

Closure of Courses

Our Education Strategy outlines our commitment to review all programmes over a three-year cycle to ensure that they continue to be dynamic, innovative and meet changing needs. If, as a consequence of this review, it was decided to close a course then, in most instances, the University will “teach-out” existing students to ensure that they are able to complete their programmes. If this is not possible then we will offer the students concerned, where practical, opportunities that will include:

- (i) Transferring to other courses offered by the University.
- (ii) Studying a modified version of the same course.
- (iii) Studying via distance learning to complete their course if appropriate.

Each instance will be treated on a case-by-case basis and the University will work proactively to identify and secure other feasible solutions that work best for affected students.

In the rare event that the University is unable to provide for continuation of studies then it will:

- (i) Facilitate opportunities for affected students to continue studying at another provider; and/or
- (ii) Provide affected students with proportionate, reasonable and fair refunds, reimbursement and compensation.

These obligations also extend to apprenticeship students if non-continuation of study is the direct consequence of decisions or actions taken by the University.

Removal of Professional, Statutory and Regulatory Body Accreditation

If we lose or withdraw from PSRB accreditation and this leads to students being unable to continue their studies then we will offer the students concerned, where practical, opportunities that may include:

- Transferring to other courses offered by the University.
- Studying a modified version of the same course.
- Providing assistance to transfer to a different provider who holds the relevant accreditation.

Each instance will be treated on a case-by-case basis and the University will work proactively to identify and secure other feasible solutions that work best for affected students.

Suspension or Loss of Tier 4 Sponsor Licence

In the event of suspension or the loss of our Tier 4 Sponsor Licence we will:

- Subject to UKVI consent, allow enrolled students to complete their year of study.
- Subject to UKVI consent, allow students already in receipt of a visa based upon an allocated Confirmation of Acceptance for Study from the University to enrol and commence their course.
- Offer students who have not commenced their travel to the University, the opportunity to postpone their application pending the resolution of the suspension.
- Provide assistance to affected students to help them to switch to an alternative sponsor.

Loss of Key Staff

In the event that key staff leave the University or are otherwise unavailable to teach or supervise then we will provide an appropriate member of staff to teach or supervise either on a permanent or interim basis.

Changes with Partner Colleges

We will ensure that all actions to mitigate risk are applied uniformly and consistently to protect the interests of all registered students of the University, regardless of whether they study under a franchise arrangement with a partner college, under a transnational education (TNE) arrangement with a partner college, or study at the University's embedded college.

3. Refunds and Compensation

Refunds and Compensation for Non-Continuation of Study

Our Refund and Compensation Policy for Non-Continuation of Study is attached as an appendix.

Delivery of the Financial Implications of the Refund and Compensation Policy

The University maintains sufficient cash reserves which it currently deems adequate to provide any refunds, reimbursement and compensation that might be necessary. This position will be reviewed in the light of any changes to the University's risk profile that may have implications for continuation of studies or if we implement changes to the way that we manage our cash that might impact upon our cash reserves.

4. Communicating this Plan to Students

We will publicise our Student Protection Plan to current and future students by publishing it on our website and on MyPort (our online student information hub). We will also include reference to the Plan in the information that we provide to applicants.

We will ensure that staff are aware of the implications of our Student Protection Plan when course changes are proposed by ensuring that its implications are considered as part of our annual monitoring course processes. Coverage of the Plan will also be included in the induction programme for new heads of academic departments.

We are committed to communicating any changes to students as early as possible, with clear information and options. This will include offering affected students:

- 21 days clear notice will normally be given of any changes to their courses that may affect their ability to continue their studies.
- Opportunities for consultation and comment on any proposals.
- Opportunities to receive information, advice and guidance to consider alternative options that meet their interests and needs.

Revising this Plan

We will formally review the Student Protection Plan every 12 months to identify any required revisions, or more frequently if changes to our risk profile make this necessary. The review will be undertaken by the University Executive Board (UEB).

In addition, we will align the Student Protection Plan with consideration of our Corporate Risk Register. Our Corporate Risk Register is reviewed in detail by UEB four times per annum. UEB will be asked at each of these review points whether there is any alteration to the University's risk profile that requires the Student Protection Plan to be reviewed and potentially revised. This will help to ensure that the Plan is regularly and proactively considered and, if required, consulted upon as a "live" document.

UEB will also consider whether amendments are necessary to the Plan when considering any specific changes or proposals that may have implications for continuation of studies.

We will work closely with our Students' Union to review and revise the Plan:

- As part of the formal annual review process, we will formally present the Plan on an annual basis to the Students' Union Actioning Body and invite discussion and comments. We will ask the Students' Union to formally agree the Plan with us.
- As part of our in-year ongoing risk-based review, we will discuss any amendments to the Plan with the Students' Union's sabbatical officers. If timing permits, we will also discuss any significant in-year changes to the Plan with the Students' Union Actioning Body.

REFUND AND COMPENSATION POLICY FOR NON-CONTINUATION OF STUDY

Background

- 1 Our registration with the Office for Students requires us to publish a Student Protection Plan. As part of our Student Protection Plan, in the event that we are no longer able to preserve continuation of study for students, we have a policy for:
 - (a) Refunding tuition fees and other relevant costs; and
 - (b) Providing compensation where appropriate.
- 2 We are committed to ensuring that students are able to continue their studies. In the rare event that we are unable to meet this commitment or our solution results in material disadvantage, we will provide an appropriate resolution that may involve a refund and/or compensation to affected students.

Scope of this Policy

- 3 This policy applies to all registered students of the University and to all instances where students cannot continue their studies because the University is unable to fulfil its duties.
- 4 For taught courses, the University will normally “teach-out” existing students to ensure that they are able to complete their courses. If we are unable to “teach-out” then we will offer advice and support to affected students to help them to transfer to a:
 - (a) Suitable alternative course at the University.
 - (b) Suitable alternative course at another provider if a suitable alternative course cannot be identified at the University.
- 5 There may be instances when research student supervisors leave the University’s employment or for other reasons cannot continue to supervise. In such instances, we will endeavour to provide an appropriate alternative supervisor.
- 6 The University will only consider refunds and compensation in instances where it has been unsuccessful in offering transfer to a suitable alternative course or providing an alternative research supervisor and where demonstrable and necessary expenses are incurred in completion of the transfer to another course or another provider.

Definitions

- 7 For the purposes of this policy:

Refunds

A refund is:

- (a) The repayment in full or part of monies already paid to the University; or

- (b) A reduction in the monies to be paid by a student to the University in future.

Compensation

Compensation relates to a tangible loss experienced by a student. This is normally either to recompense a student for:

- (a) Out-of-pocket expenses they have already met (for example, for travel or course materials)
- (b) Material disadvantage arising from the failure of the University to meet its duties.

Compensation may take the form of a financial payment, a discount, a non-financial remedy or another benefit.

Teaching-Out

Teaching-out is when a provider has decided to phase out a course on which students are still enrolled. The courses continue to be taught but no new students are recruited, and arrangements are made to ensure all existing students can either complete the course of study, or transfer to a mutually agreed course at no disadvantage.

Paying Refunds and Compensation

- 8 If we are unable to facilitate continuation of study then we will ensure that affected students receive:
 - (a) Any University award for which they are eligible.
 - (b) A refund of their tuition fees for any uncompleted qualification beyond that award.
 - (c) Compensation for any tangible evidenced loss that relates specifically to the University being unable to fulfil its duties.

Refunding Tuition Fees

- 9 We will make the following arrangements for refunding tuition fees. If:
 - (a) Students are in receipt of a tuition fee loan from the Student Loans Company then repayment will be made to the Student Loans Company.
 - (b) Students have paid their own tuition fees then the refunded fees will be paid directly to them.
 - (c) A student's sponsor has paid the tuition fee then the refunded fees will be paid directly to the sponsor.

Compensation

Transfer to Another Provider

- 10 If students transfer to another provider because we are unable to facilitate continuation of studies then we will agree a fair compensation payment with them to reflect and meet any demonstrable and reasonable additional costs incurred for:
- Differences in tuition fees and associated costs
 - Travel costs and travelling time
 - Maintenance or associated costs as a consequence of transferring course or provider

Non-Continuation of Studies

- 11 If we are unable to facilitate continuation of studies and are also unable to facilitate transfer to another provider then we will agree a fair compensation payment to reflect:
- (a) Demonstrable and reasonable maintenance costs whilst engaged in study as a registered student of the University. However, it should be noted that an individual would also have incurred general living expenses and related costs if they had not attended the University and therefore this will be taken into account in any calculations.
 - (b) Loss of a quantifiable and definite opportunity for a defined period of time if it can be demonstrated that a student, for example, had a job offer that was dependent upon completion or completion within a certain time period. However, in such instances, a student would also have a responsibility to mitigate their financial losses by seeking alternative employment.

Applying for a Refund and/or Compensation

- 12 We will only close or phase-out a course after careful consideration and will do this in a closely managed way. As part of this consideration and management, a process will be established in each instance to either:
- (a) Identify and offer an overall refund and compensation package to all affected students; **or**
 - (b) Enable individual affected students to apply for a refund of tuition fees and/or compensation.
- 13 If we are unable to provide a suitable replacement research student supervisor then we will determine a refund and compensation package for each affected student on a case-by-case basis.
- 14 The process established by the University will be communicated in writing to all affected students.

Bursaries

- 15 For students in receipt of a bursary where we are unable to facilitate continuation of studies but are able to support transfer to another course at the University or to another provider then we will:
 - (a) Honour the payment of the bursary on transfer to another course at the University, provided that the conditions for its receipt continue to be met.
 - (b) Provide payment to make up any difference between the existing bursary and any bursary received at a new provider.
- 16 Payment of bursaries will be dependent upon the receipt of tuition fees from the student to either the University or to the new provider as appropriate.

Closure of Courses Before Enrolment

- 17 If the University is unable to provide a course when an individual has been offered or has accepted a place on that course then we will offer advice and support to help the individual to decide whether to apply for a different course at the University or to identify alternative options.