

## Student Protection Plan 2021/2022

### 1. Introduction

The College's Student Protection Plan explains the events and situations that have the potential to prevent a student from completing their course. It sets out how the College manages these so that the risk to students is very low. In the rare event that the College is unable to preserve the delivery of courses, the Plan refers to the College's *Higher Education Fee Policy 2021-22*, which sets out the students' fee liability and the College's duty to provide refunds and compensation. This seeks to reassure students in relation to the College's ability and commitment to meet such costs, should they become due.

The College's Student Protection Plan is reviewed annually by the Faculty of Higher Education, relevant members of the College's Senior Leadership Team and the Board of Governors.

The table in the pages below outlines the risk events identified by the College, their likelihood of occurring, a reason for such rating of risk and the mitigations (i.e. minimising of risk) in place should the risk events arise.

Risk event	Gravity of impact	category of student impacted	Likelihood of event occurring	Reason	Mitigations
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Institutional Level					
<b>College insolvency</b>	Extreme	All	Very unlikely	<p>The College has an ESFA financial health rating of “Requires Improvement” primarily due to its gearing ratio. The level of borrowing was a strategic decision by Governors to improve the estates and resources for all learners. Whilst borrowing remains at this level the College cannot move into the “Good” category.</p> <p>The College is paying back £1.8m a year in capital to reduce the debt level and has plans to sell a site with proceeds being used to further reduce debt by circa 25%.</p> <p>The College has sustainable growth plans underpinned by stakeholder support and a good working relationship with its creditors.</p> <p>Its growth plans will further secure its capital position. Short-term risks, such as cash flow, are being managed effectively (see “cash flow issues” below).</p>	<p>The College’s financial health with ESFA was rated as ‘Satisfactory’ (now “Requires Improvement”) since 2015/16 due to the strategic decision to borrow to improve the estates and resources for learners.</p> <p>The College is working to dispose of a site of 14 acres which would enable circa 25% of debt to be repaid. A contract has been signed with a developer/promoter to dispose of the site; however, it is in green belt currently. The Local Authority have identified this area as a prime site for residential growth. The contract ensures a minimum receipt to the College of £5m if successfully disposed of for development.</p> <p>Full information is available in the College financial statements detailing cashflow and insolvency measures.</p> <p>The Policy and Resources Committee of the College, which reports to the Board of Governors, considers the College as a going concern and recommended accordingly to the Board of Governors, which signed-off the College Financial statements as a going concern with regard to the mitigations noted in this section and in the ‘cash flow issues’ section below. This has been audited and signed-off by Price Bailey LLP.</p>

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					<p>Sufficient cash reserves remain in place with a strategic target to maintain the £3m position at each year end.</p> <p>A revolving credit facility with Barclays Bank is in place for £17.5m.</p>
<b>Cash flow issues</b>	Major	Mainly FE	Unlikely	The College is continually reviewing its cash flow position and mitigating risks accordingly. The Treasury Officer provides a daily report and summarises a weekly and monthly position.	<p>Revolving credit facility with Barclays Bank.</p> <p>The Cashflow reports are provided to senior management on a monthly basis including a one, two and three year forecast.</p> <p>ESFA 16-18 funding is on a lagged learner basis, giving any issues of under recruitment a full academic year before the reduction in funding.</p> <p>HE is financially stable and sustainable for the reasons noted in the 'Higher Education Provision' section below.</p> <p>The College has access to a private financial provider that is able to smooth cashflow by bringing forward grants or student loan company payments.</p>
<b>Campus closure of sites where HE is being delivered</b>	Extreme	FE and HE	Very unlikely	The College actively consults its undergraduate degree validating partners when planning expansion of campuses and delivery of HE or moving HE provision between campuses so as to meet its legal	The College has no plans to close the campuses where HE is being delivered.

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				obligations under CMA and consumer protection laws and to ensure and assure the continuity of the student academic experience. HE expansion undergoes planned and sustainable growth, with realistic targets, course viability, annual review and updates. This assures effective resource allocation and feasibility associated with the HE delivery sites.	The College is increasing the size and number of its campuses, including where HE provision is likely to expand (see narrative below).
<b>Higher Education Provision</b>					
<b>Loss of Tier 4 sponsor licence or suspension</b>	Major	FE and HE	Moderate	<p>The College currently holds a Tier 4 Sponsor Licence. In order to retain the said licence, the College must:</p> <ol style="list-style-type: none"> <li>a) be registered with the OfS and meet the initial and ongoing conditions of OfS registration, and</li> <li>b) receive an outcome of 'Good' or 'Outstanding' from a recent Ofsted inspection.</li> </ol> <p>The college is expecting an Ofsted inspection in 2022/23. If this requirement is not met, the Tier 4 Sponsor Licence can become legacy (i.e. no new international students can be sponsored).</p> <p>For these reasons, the likelihood of the Tier 4 Sponsor Licence becoming legacy has been noted as 'moderate'.</p>	<p>All HE international student recruitment activities for undergraduate degrees will be discussed and agreed with senior members of the HE Team within the Faculty of HE, who in turn will arrange meetings with validating partners to discuss their expectations of the College in relation to international HE student recruitment and to share, adopt or adapt best practice in this area as and when such recruitment is planned.</p> <p>These discussions will include consideration and mitigation of potential risks to OfS ongoing conditions of registration, including but not limited to Condition C2.</p>
<b>Course closure(s)</b> (undergraduate degree provision)	Extreme	Students on programme	Very unlikely	The College takes its contractual and ethical commitments to its prospective and existing students seriously. As such, it does not close courses once commenced. Where courses are to be discontinued, it ensures that prospective students are notified in good time so that they have sufficient time to find another HE provider to apply to. University of Essex	The College does not close courses, but does discontinue them where there is insufficient demand or student outcomes are a major concern (see 'course discontinuation' risk event below). The College has run HE programmes in the past with as little as three students where students have already commenced studies. There are sufficient surpluses available to do this from other programmes, as

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				undergraduate degree provision is being successfully run-off and has been since July 2016.	evident from the five year course viability projections.
<b>Course closure(s)</b> (Other OfS regulated HE provision)	Extreme	Students on programme	Very unlikely	The College does not close a course once learners have started on the programme. The College will continue the delivery of the programme until students complete. The College monitors student applications for courses and will make a decision in good time if it decides to no longer offer that programme. All applicants will be informed and the College will endeavour to work with students to provide alternative options either within the College, if other relevant courses are available, or with another provider.	The College does not close courses when students have started but does discontinue them where there is insufficient demand or student outcomes are a major concern (see 'course discontinuation' risk event below). The College has run HNC/D and teacher training provision with no course closures in-year. The College has run a HNC in construction with as little as three students. The same process will apply for Higher Apprenticeships.
<b>Course discontinuation</b> (undergraduate degree provision)	Minor	Students on programme and prospective students	Moderate	<p>The College discontinues programmes where student outcomes are not acceptable relative to published benchmarks, OfS metrics, improvements in absolute terms and internal targets (as well as following unsuccessful internal interventions). This is to ensure that it maintains its quality assurance and funding obligations to its regulators and meets the expectations of its validating partners. This should also contribute to the HE provision as a whole, contributing to value for money expectations of its stakeholders, including, but not limited to, OfS.</p> <p>Following an annual review of programmes and a greater focus on adopting a data-led approach and course viability, course discontinuations are likely to be a fairly rare occurrence from 2021/22.</p> <p>The approach adopted to course discontinuation is in line with CMA and consumer protection law</p>	<p>Courses are reviewed for financial viability, currency, student demand and student academic experience and satisfaction, as well as student outcomes. Where a programme is to be discontinued, this is managed across the entirety of the student life cycle, from recruitment to completion. The College now has over three years' experience of successfully discontinuing a number of HE courses without adversely impacting the student academic experience and student outcomes. Close attention is paid to CMA requirements when considering and managing course discontinuation.</p> <p>The College liaises with its validating partners in relation to planned course discontinuation and they actively monitor any run-off in line with their protocols.</p>

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				requirements, which have been further underpinned (see the consumer protection related self-assessment).	Where a validating partner, such as Pearson, does not have course discontinuation protocols in place, the College has since 2016 put in place course discontinuation protocols, with permission to discontinue a programme being sought via the HE Committee. (This approach also applies where such protocols exist with validating partners.) See in particular paragraph 1.24 of the QAA HER report 2017 for the College, which notes that the “formalisation of internal programme approval is part of an overall strengthening of arrangements for Pearson programmes and covers the introduction and discontinuation of programmes, the changing of optional units and also the updating of programme specifications.”
<b>Course discontinuation</b> (Other OfS regulated HE provision)	Minor	Students on programme and prospective students	Moderate	The College completes an annual self-assessment review of courses. Where student achievement, retention and progression rates fail to meet internal targets a decision is made whether to discontinue the programme. If the programme continues to be delivered a Quality Improvement plan is produced which is monitored in-year by the Course Team Leader and department Head. This is to ensure that it maintains its quality assurance and funding obligations to its regulators and meets the expectations of validating partners and awarding organisations. Once a decision has been made to discontinue a programme the programme will be ‘run off’	Courses are reviewed for financial viability, currency, student demand and student academic experience and satisfaction, as well as student outcomes. Where a programme is to be discontinued, this is managed across the entirety of the student life cycle, from recruitment to completion. A programme may also be discontinued when the programmes is no longer validated by Ofqual.
<b>Notice to terminate validation agreement by</b>	Major	Students on impacted programme (especially	Very unlikely	The College does not anticipate terminating any of its current validating partners, since it has a good working relationship with all validating partners There is also a greater alignment of strategic goals	

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validating partner		where intermitting)		and expectations with UAL, UEA and The Open University.	<p>All three Partners are continuing to monitor the comparability of the student academic experience; monitoring and oversight remain robust.</p> <p>University of East Anglia has provided verbal reassurances that it will consider favourably the validation of the portfolio of programmes currently validated by the University of the Arts London in the event they give notice to terminate the validation agreement.</p> <p>Where students have intermitted on a programme that is being run-off, but student recruitment is insufficient to make the programme viable, the Faculty of HE has sufficient systems and resources in place and reasonable surpluses being generated to ensure that it fulfils its contractual commitments to the intermitting students, when they return, to continue running the programme and not to discontinue or suspend the programme.</p>
<b>Inability to deliver specialist modules / units</b> (Undergraduate degree provision)	Minor	Students on programmes affected	Moderate	The Faculty of HE regularly reviews programme resourcing, future resourcing and staffing needs. It has an effective staff recruitment cycle and has a good track record of managing this risk. Notwithstanding this, with relatively small student numbers on some of the HE programmes within the Faculty of HE, the risk remains moderate, albeit mitigated.	The College has a reasonable turnover of academic staff and is able to find cover while staff recruitment is undertaken. In many of the programmes academic staff deliver modules / units across more than one programme and have experience of delivering a range of units / modules, thereby being able to provide cover for staff absences and during any delays in recruiting replacement academic staff.

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					<p>Most of the HE staff are permanent and full-time. Very few are long-term hourly paid.</p> <p>A market premium is considered for hard-to-fill, specialist subjects. The BA (Hons) Accounting and Finance Degree is a case in point</p> <p>Guest speakers are encouraged to provide specialist input and ensure subject currency on the programme.</p> <p>HE Programme Boards monitor the quality and consistency of delivery across the HE programmes by seeking candid and evaluative feedback from student representatives during these meetings. The HE Programme Board is chaired by the Head of HE Strategic Quality and Outcomes/or equivalent, and the Dean of HE attends on a drop-in basis, as do the Programme Partnership Managers. Any issues raised are actioned promptly.</p>
<p><b>Inability to deliver specialist modules / units</b> (Other OfS regulated HE provision)</p>	<p>Minor</p>	<p>Students on programmes affected</p>	<p>Moderate</p>	<p>The College Departments regularly review programme resourcing, future resourcing and staffing needs. The College has an effective staff recruitment cycle. There is a moderate risk on this provision.</p>	<p>The College Turnover of staff is reducing each year. The Departments are able to make arrangements for cover of staff during illness or when a member of staff resigns. In many of the programmes academic staff deliver modules / units across more than one programme and have experience of delivering a range of units / modules, thereby being able to provide cover for staff absences and during any delays in recruiting replacement academic staff. The majority of staff are permanent and full time.</p>

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					<p>In exceptional cases such as recruiting to a role where short term cover is required the College is able to recruit qualified agency staff. These staff are inducted into the course requirements by the Course Team Leader and monitored closely by the Head of Department to ensure the quality of provision is upheld.</p> <p>The College does provide a market up-lift for hard to recruit areas such as Engineering to ensure appropriate staff are in place.</p>
<p><b>Course viability</b> (Undergraduate degree provision)</p>	<p>Major</p>	<p>Students whose courses are no longer financially viable</p>	<p>Low</p>	<p>The College introduced detailed course viability modelling in the form of a five-year course viability analysis for its undergraduate degree provision, where it can project and track financial implications of a range of variables, including income streams, earmarked funding, student intermissions, withdrawals, success and consider/plan for expenditure accordingly. (This will inform aspects of the Value for Money Statement.)</p>	<p>Where student recruitment makes the programmes unsustainable, the programmes are either discontinued (and existing cohorts run-off) or suspended pending a redesign. As a consequence of the pandemic students numbers have fallen this has resulted in 7 undergraduate degree programmes which are marginally indicating a deficit position. However, overall the HE programmes are in surplus. The programmes are:</p> <p>BA (Hons) Costume Construction</p> <p>BA (Hons) Fashion Media &amp; Promotion this currently has only a 2<sup>nd</sup> and 3<sup>rd</sup></p> <p>BA (Hons) Photography currently has only a final year</p> <p>FdA Hair and Makeup Design which currently only has a 1<sup>st</sup> year intake</p> <p>BA (Hons) Digital Animation and BA (Hons) Film and TV, BSc (Hons) Exercise Health and Sport and Exercise.</p> <p>The majority of these programmes are in the Arts and Media subject discipline which has been</p>

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					<p>particularly susceptible to the impact of the pandemic. With the economy now moving out of the pandemic current application numbers for all of these programmes are strong and the college has the expectation that they will all move back into surplus for the 2022-23 entry. This position will be reviewed by the faculty of HE on an ongoing basis.</p> <p>A five-year course viability model/spreadsheet is updated annually and considers a range of financial variables, course viability and resourcing implications. This also informs resource allocations and target setting for student recruitment and staffing.</p>
<p><b>Course viability</b> (Other OfS regulated HE provision)</p>	<p>Major</p>	<p>Students whose courses are no longer financially viable</p>	<p>Medium</p>	<p>The College introduced a detailed course viability modelling in the form of a five-year course viability analysis for its undergraduate degree provision, and other OfS regulated Higher Education Provision. where it can project and track financial implications of a range of variables, including income streams, earmarked funding, student intermissions, withdrawals, success and consider/plan for expenditure accordingly. (This will inform aspects of the Value for Money Statement.). Prior to this modelling, the department Heads completes a course approval document which considers the financial viability of the programme and gains approval from the Curriculum and Quality Leadership Team.</p>	<p>At present there are two programmes (see below) that are not financially viable, based on this course viability model. Where student recruitment makes the programmes unsustainable, the programmes are either discontinued (and existing cohorts run-off) or suspended pending a redesign.</p> <p>The Certificate in Education and PgCE are programmes which the College may run when the financial viability model identifies they may not be viable as we need to supply this provision to meet the training needs of our teaching staff, who are required to complete a teaching qualification.</p> <p>A five-year course viability model / spreadsheet is updated annually and considers a range of financial variables, course viability and resourcing implications. This also informs resource allocations</p>

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					and target setting for student recruitment and staffing.

## 2. Premises / campus expansion

The College is on the final phase of implementing the current Property Strategy, having successfully redeveloped the Southend and Thurrock Campus hubs. The existing Nethermayne site in Basildon has been sold to Redrow homes as part of a wider housing scheme with the receipts being utilised to fund three new expansion developments:

1. Centre for Advanced Engineering & Construction: A new circa 9,000m<sup>2</sup> (GIA) facility on three acres in Leigh (Progress Road) providing facilities for studies across the engineering and construction spectrum. Course areas include mechanical, electrical, electronic, mechatronic and sustainable engineering. Construction, including zero carbon housing, sustainability and traditional trades are also being taught together with motor vehicle, motor cycle, PSV and HGV engineering. The centre successfully opened in phases between September 2018 and December 2018.
2. Digital Technologies: A new 3,000m<sup>2</sup> (GIA) development in the heart of Basildon focussing on digital technologies ranging from IT networking to gaming, media and cyber security. The scheme will be located on the market square site directly opposite the train station and adjacent to the bus hub. Construction started in May 2019 and the facility is scheduled to open in September 2020.
3. Atrium Development: The college undertook to develop the performance space in the atrium in Southend campus, in addition we are moving Hair and Beauty facilities from Queens Road to the ground floor at Southend campus, which will enable the college to vacate xtreme studios a rented music space on an industrial park.

Aside from the above developments funded by the secured Nethermayne receipts, the College is also working with partners to secure funding and develop a new Institute of Technology in transportation and logistics to be based in Thurrock as well as considering other opportunities in response to the College's Strategic Plan as they arise.

## 3. Refund and Compensation Policy

If the risk of non-continuation of study materialises, the College will inform students and applicants at the earliest opportunity and discuss options with them so that they can arrive at an informed decision within an appropriate timeframe. The options would include, for example, the transfer to another course of study or a supported transfer to another HE provider. The Dean of Higher Education, after liaising with the Principal and other relevant internal and external stakeholders (such as the Deputy Principal and validating partner(s) for the programme(s) impacted) will be responsible for communicating with Faculty of HE students affected by any elements of the plan that have crystallised. In relation to OfS regulated HE provision that resides outside of the Faculty of HE, the Vice Principal Curriculum and Quality will be responsible for communicating with students on this provision after liaising with the Principal and other relevant internal and external stakeholders (such as the Deputy Principal and validating partner(s) for the programme(s) impacted). Additional support and advice will be

organised by the Faculty of HE (for provision residing within the Faculty) and the Vice Principal Curriculum and Quality for OfS regulated HE provision that resides outside of the Faculty of HE) in conjunction with relevant associated support departments (such as Student Services), depending on the element of this Plan that has crystallised.

The College's *Higher Education Fee Policy 2021-22*, which sets out the students' fee liability and the College's duty to provide refunds and compensation can be found by clicking/tapping here [HE Policies, Procedures and Downloads | South Essex College](#)