

York St John University  
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## 1 Introduction

- 1.1 As a registered provider of higher education, York St John University (the University) must publish and maintain a Student Protection Plan (the Plan). The purpose of the Plan is to set out how the University will preserve the continuation of study for all students whenever a risk to the continued study of students crystallises.
- 1.2 The Plan has been prepared to comply with Condition C3 of the regulatory framework for higher education in England as set out by the regulator, the Office for Students (OfS).

### Condition C3: The provider must:

- i. Have in force and publish a student protection plan which has been approved by the OfS as appropriate for its assessment of the regulatory risk presented by the provider and for the risk to continuation of study for all of its students.
- ii. Take all reasonable steps to implement the provision of the plan if the events set out in the plan take place.
- iii. Inform the OfS of events, except for the closure of an individual course, that require the implementation of the provision of the plan.

- 1.3 As an experienced higher education provider, the University has established processes designed to monitor risk and, if required, to preserve the continuation of study for students. The Plan outlines the types of risk that may materialise, and the actions the University will take to preserve the continuation of study and to minimise the impact on students.
- 1.4 The University has a diverse community of learners and recognises that a single approach might not be appropriate for each student in each instance. The Plan has been designed to take into account the differing characteristics, circumstances, and needs of our student community.
- 1.5 The Plan should be read in conjunction with:
  - i. [The Student Terms and Conditions](#)
  - ii. [The Student Financial Regulations](#)
  - iii. The relevant [programme specification](#)
- 1.6 For general enquiries regarding the Plan, please contact [studentrecords@yorksj.ac.uk](mailto:studentrecords@yorksj.ac.uk). For enquiries which have arisen because the Plan has been invoked, please use the contact details provided to you as part of that process.

## 2 Assessment of risk

- 2.1 The Plan considers the range of risks to the continuation of study for students of York St John University, where these are at no fault of the student. These include:
  - i. major in-year changes to the content of a programme of study (including as the result of the unanticipated unavailability of key members of staff);
  - ii. the suspension of recruitment to a programme of study;
  - iii. the termination of a programme of study;
  - iv. the unavailability of all or part of the University campus for activities involving students;
  - v. a strategic decision to terminate or not to renew a collaborative partnership (franchise), or the closure of a collaborative partner;
  - vi. the loss of accreditation from a [professional, statutory or regulatory body \(PSRB\)](#); for example, the

British Psychological Society (BPS);

- vii. the restriction or revocation of the University's Tier 4 sponsor licence;
  - viii. the variation, restriction, or revocation of the University's degree awarding powers; or
  - ix. the University ceases to operate.
- 2.2 The University will take all reasonable steps to preserve the continuation of study. It has a well-developed approach to risk management which is regularly reviewed by senior management and the University's Governors.
- 2.3 In its assessment of risk, and its plan to preserve the continuation of study, the University is compliant with its obligations as set out in UK consumer protection law. This includes, but is not limited to, the Consumer Rights Act 2015 and the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013.
- 2.4 In considering the range of risks to the continuation of study for students set out in section 2.1 above, the University has considered the **likelihood** of the risk materialising, and the **impact** should the risk materialise. The risks identified by the University are summarised in appendix 1.
- 2.5 The **likelihood** of risk has been assessed using the following scale:
- i. low: where an event may only occur in exceptional circumstances, or is unlikely;
  - ii. possible: where an event could occur, but is uncommon;
  - iii. high: where an event is anticipated or is likely to occur within the next 12 months.
- 2.6 The **impact** of the risk has been classified using the following scale:
- i. minimal: the risk could be expected to have a negligible or limited adverse impact upon the continuation of study;
  - ii. moderate: the risk could be expected to have an adverse impact upon the continuation of study for one or more students;
  - iii. significant: the risk could be expected to have a significant or severe impact upon the continuation of study for one or more students.
- 2.7 The University's assessment of the likelihood of disruption to the continuation of study for students as a result of the risks outlined in section 2.1 above is low.

### **3 Information about the refund of tuition fees and other relevant costs where the University is unable to preserve the continuation of study**

- 3.1 In the event of one or more of the risks outlined above having crystallised, and having implemented the measures set out above, if the University is unable to protect the continuation of study for a student; or group of students; it will implement the measures set out in its [Refund and Compensation Policy](#). The University considers refunds and compensation to be a remedy of last resort and is committed to doing all it can to preserve continuation of study so that refunds and compensation are not necessary. The Policy may be implemented as a result of any of the risks identified in the Plan crystallising.
- 3.2 Through its Treasury Management Policy, the University ensures that it has adequate cash resources, borrowing arrangements, overdraft, or revolving credit facilities to enable it, at all times, to have the level of funds available to it which are necessary. This includes immediate access to a cash balance of no less than £5.0m.

### **4 Advice, support, and communication in the event of the Plan being invoked**

- 4.1 The University is committed to protecting the continuation of study for all of its students.
- 4.2 Once approved by the Office for Students (OfS), the Student Protection Plan will be made available to prospective and current students in conjunction with the Student Terms and Conditions. It will be published on the University website in a durable medium (PDF), and sent to students by email alongside the offer of a place on a programme of study.
- 4.3 The University will take reasonable steps to avoid implementing changes during an academic year, or close to the start of an academic year; however, this may not always be possible. In the event that the University implements the measures identified in the Plan, it will engage with students individually or collectively by email, telephone, or in person, as appropriate, to explain why this is necessary, the proposed action, and the support available. York St John University Students' Union can provide independent advice and support to students where the measures identified in the Plan are implemented.
- 4.4 For events which are outside the University's control, it will not always be possible to notify students and prospective students in advance, but where the University is able to do so, we will give notice as soon as reasonably practicable.

## 5 Review

- 5.1 The University monitors the risk to the continuation of study through established processes for the management of academic quality and standards, and ongoing operational management, including business continuity and major incident protocols.
- 5.2 In the event that an increased risk to the continuation of study is identified by Executive Board during the period covered by the Plan, the Academic Registrar will convene a Risk Review Panel, which will include the Pro Vice Chancellor Learning and Teaching, University Secretary, and a Head of School who will review the risk and, if appropriate, propose an amendment to the plan to be approved by the Office for Students. Other members may be co-opted onto the Panel (for example, another Head of School or an Associate Head) relevant to the risk or risks identified.
- 5.3 In order to ensure that it operates effectively for students and responds to our ongoing monitoring of risks to the continuation of study, the Plan will be reviewed and updated on an annual basis. Changes to the Plan will be considered and approved by the appropriate committee of the Academic Board, which includes a Students' Union Sabbatical Officer and a nominated student representative, and by the Executive Board and reported to the Governing Body. Before making substantial changes to the Plan in respect of current students, the University will seek students' views by consulting with the York St John University Students' Union. In the event of changes to the Plan which are approved by the OfS, students will be informed by email.

## 6 Complaints

- 6.1 The University is committed to giving its students the best learning experience it can. It prides itself on being a responsive and supportive organisation and in listening to its students. If students believe that the University has failed to meet its obligations as set out in the Plan and are dissatisfied, they may submit a complaint as set out in the [Student Complaints Policy and Procedure](#).
- 6.2 For registered students, i.e. once a student has embarked upon a Programme, the alternative dispute resolution (ADR) body for universities is:  
The Office for the Independent Adjudicator  
Second Floor, Abbey Gate, 57-75 King's Road, Reading, RG1 3AB

Associated links:	Student Terms and Conditions: <a href="https://www.yorks.ac.uk/admissions/student-terms--conditions/">https://www.yorks.ac.uk/admissions/student-terms--conditions/</a> Student Financial Regulations: <a href="https://www.yorks.ac.uk/finance/documents-and-policies/">https://www.yorks.ac.uk/finance/documents-and-policies/</a> Programme Specifications: <a href="https://www.yorks.ac.uk/registry/programmes/">https://www.yorks.ac.uk/registry/programmes/</a> Refund and Compensation Policy: <a href="https://www.yorks.ac.uk/finance/documents-and-policies/">https://www.yorks.ac.uk/finance/documents-and-policies/</a> Student Complaints Policy and Procedure: <a href="https://www.yorks.ac.uk/ssr/policies-and-regulations-/appeals-and-complaints-/approval/programme-or-module-amendments/">https://www.yorks.ac.uk/ssr/policies-and-regulations-/appeals-and-complaints-/approval/programme-or-module-amendments/</a> Programme and module amendments: <a href="https://www.yorks.ac.uk/registry/quality-gateway/programme-design-amendment--approval/programme-or-module-amendments/">https://www.yorks.ac.uk/registry/quality-gateway/programme-design-amendment--approval/programme-or-module-amendments/</a> Suspending recruitment to a programme of study: <a href="https://www.yorks.ac.uk/quality-gateway/suspending-recruitment-and-programme-termination/">https://www.yorks.ac.uk/quality-gateway/suspending-recruitment-and-programme-termination/</a> Terminating a programme of study: <a href="https://www.yorks.ac.uk/quality-gateway/suspending-recruitment-and-programme-termination/">https://www.yorks.ac.uk/quality-gateway/suspending-recruitment-and-programme-termination/</a> Major incident plan: <a href="https://www.yorks.ac.uk/major-incident-plan/">https://www.yorks.ac.uk/major-incident-plan/</a> Programme reapproval process: <a href="https://www.yorks.ac.uk/registry/quality-gateway/programme-design-amendment--approval/validation-and-revalidation-process/">https://www.yorks.ac.uk/registry/quality-gateway/programme-design-amendment--approval/validation-and-revalidation-process/</a> Termination or non-renewal of a collaborative partnership: <a href="https://www.yorks.ac.uk/quality-gateway/collaborative-provision/">https://www.yorks.ac.uk/quality-gateway/collaborative-provision/</a> UK Quality Code for Higher Education: <a href="https://www.qaa.ac.uk/quality-code">https://www.qaa.ac.uk/quality-code</a>
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## Version Control Statement

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Approved by:	Academic Board
Equality analysis undertaken:	Yes

Amendments since approval:

Version	Detail of revision:	Date of revision:	Revision approved by:
1.0	Reformatted using new Brand guidelines.	29/04/2019	Approval not required.
1.1	Minor amendments to the membership and constitution of the Risk Review Panel	19/06/2019	Academic Board, People Committee.
1.2	Minor amendments to reflect changes in role title	08/12/2020	Academic Board, People Committee.

## 7 Appendix 1: Identified risks, likelihood, impact, and reason/mitigation

	Risk	Likelihood	Impact	Reason/mitigation
1	Major in-year changes to the content of a programme of study (including as the result of the unanticipated unavailability of key members of staff)	Low	Moderate or significant	<p>Changes to the content of a programme of study will usually occur within the established programme review or business planning cycle, or as the result of a planned programme and module amendment. The University will use all reasonable endeavours to deliver the programme of study in accordance with the description set out in the <a href="#">programme specification</a> for the academic year in which a student began their programme.</p> <p>In the unlikely event that major in-year changes to the content of a programme of study are required, the University will ensure that these are undertaken according to the agreed process for <a href="#">programme or module amendments</a>, and that:</p> <ul style="list-style-type: none"> <li>• changes are restricted to the minimum necessary to achieve the required quality of experience, and learning outcomes, and that consultation with affected students takes place prior to the approval of the change;</li> <li>• it works with students to ensure that the offer remains acceptable;</li> <li>• where necessary, it allows students the opportunity to withdraw from the programme of study;</li> <li>• where required, students are offered reasonable support to transfer to another programme at the University or to another higher education provider.</li> </ul> <p>In the event that a teaching staff member is unavailable for a short-period, a timetabled activity may be postponed and students will be provided with as much advance notice as possible. Alternatively, an activity may be taught by another member of the academic team who is familiar with the module content.</p>
2	Suspension of recruitment to a programme of study	Low	Moderate or significant	<p>The decision to suspend recruitment to a programme of study is normally taken through the University's annual planning processes, ahead of the annual recruitment cycle, and follows the agreed process for <a href="#">suspending student recruitment to a programme of study</a>. Such a decision will normally be taken between 20 and five months prior to the planned commencement of the programme, and no later than three months before the planned commencement of the programme. Students will be notified within one week of a recommended decision being confirmed by the Vice Chancellor.</p> <p>This process considers:</p> <ul style="list-style-type: none"> <li>• the impact of the proposed suspension of recruitment on applicants and current students;</li> <li>• the impact on other programmes of study;</li> <li>• the maintenance of quality and standards, and any requirement for additional monitoring or support for teaching and assessment;</li> <li>• the process of notifying students, applicants, and offer-holders; and</li> <li>• the progression of students who may be required to repeat study.</li> </ul> <p>Where the suspension of recruitment to a programme of study is approved, the University will use all reasonable endeavours to safeguard the delivery of the programme of study for continuing students (i.e. those progressing from their first, or subsequent, year of study) in accordance with the description set out in the programme specification for the academic year in which a student began their programme (known as 'teach out').</p> <p>Where a decision to suspend recruitment to a programme of study is taken, and offers have already been made, the University will notify all applicants promptly and:</p> <ul style="list-style-type: none"> <li>• offer all reasonable support to transfer their application to another programme at the University, or to another higher education provider; or</li> <li>• allow applicants the opportunity to withdraw their application to the University.</li> </ul>

	Risk	Likelihood	Impact	Reason/mitigation
3	Termination of a programme of study	Low	Moderate or significant	<p>The decision to terminate a programme of study is normally taken through the University's annual planning processes, ahead of the annual recruitment cycle, and follows the agreed process for <a href="#">terminating a programme of study</a>, subject to necessary consultation with students. Within the year of the application round, a decision will only be made to suspend recruitment to a programme of study (see section 3.2). Any decision to terminate a programme is subject to satisfactory arrangements being made for existing students to complete their programme and be assessed for the award for which they registered (known as 'teach out'). Students will be notified within one week of a recommendation to terminate a programme of study being confirmed by the Vice Chancellor.</p> <p>This considers:</p> <ul style="list-style-type: none"> <li>• the impact of the proposed termination on current students;</li> <li>• the impact on other programmes of study;</li> <li>• the maintenance of quality and standards, and any requirement for additional monitoring or support for teaching and assessment;</li> <li>• the arrangements for assessment panels to ensure that students can continue (with dates not exceeding the maximum registration period);</li> <li>• the process of notifying students, applicants, and offer-holders; and</li> <li>• the progression of students who may be required to repeat study.</li> </ul> <p>The phased withdrawal ('teach out') of a programme of study following a termination decision will be monitored through the University's established academic governance structures.</p>
4	Unavailability of all or part of the campus for activities involving students	Low	Moderate or significant	<p>A planned decision to close a University building or campus will normally be taken through the University's established planning processes. In such cases, the University will mitigate the impact of the closure through remedies including:</p> <ul style="list-style-type: none"> <li>• the phased closure of a building or campus;</li> <li>• relocating provision to an alternative location, this may include hiring spaces or resources for programme delivery; and</li> <li>• revising the teaching timetable to allow all scheduled teaching to take place in the available facilities.</li> </ul> <p>In the event that part or all of a campus is rendered unusable for activities involving students due to events beyond the University's control, the University's <a href="#">Major Incident Plan</a> will be enacted. Remedies such as those outlined above, will be considered to mitigate the impact on the continuation of study. In addition, consideration will be given to:</p> <ul style="list-style-type: none"> <li>• revising the teaching timetable to include student contact sessions being held outside of normal timetabled hours. Where such an approach is taken, this will be normally subject to appropriate consultation with students;</li> <li>• where necessary, allowing students the opportunity to withdraw from the programme of study;</li> <li>• where required, offering students reasonable support to transfer to another programme (e.g. if specialist resources become unavailable) at the University or to another higher education provider.</li> </ul>
5	Loss of accreditation from a professional, statutory or regulatory body (PSRB)	Low	Significant	<p>The University takes all reasonable steps to ensure continued compliance with the accreditation requirements set out by <a href="#">our accrediting PSRBs</a>. This is monitored through annual reports or returns to the PSRBs, and through the University's established procedures for the management of quality and standards, including periodic (subject) review and annual monitoring processes. Where changes to a programme of study are planned, we will ensure that these are undertaken according to the agreed process for <a href="#">programme or module amendments</a>, or through the <a href="#">revalidation process</a>, and that proposed changes are in line with the relevant PSRB requirements.</p>

	Risk	Likelihood	Impact	Reason/mitigation
				<p>In the event that a PSRB withdraws accreditation from a programme of study, we will work with the PSRB to ensure satisfactory arrangements are made for current students to complete their programme and to be assessed for the accredited award for which they registered ('teach out'). Should the University be unable to protect continuation of study on the accredited programme, we will ensure that:</p> <ul style="list-style-type: none"> <li>students are offered the opportunity to complete their programme and to be assessed for the award for which they registered (without accreditation);</li> <li>where required, students are offered reasonable support to transfer to another suitable accredited programme at the University or to another provider holding the relevant accreditation.</li> </ul>
6	Restriction or revocation of the University's Tier 4 sponsor licence	Low	Significant	<p>The University takes all reasonable steps to ensure its continued compliance with the conditions of its Tier 4 sponsor licence.</p> <p>In the event that the University is removed from the Tier 4 Register of Sponsors whilst UK Visas and Immigration (UKVI) investigates a suspected breach of sponsorship duties, the University will be required by the UKVI to continue to meet its sponsorship duties for registered students. Should the University be found to have committed a breach; short of a serious breach, (as defined by the UKVI); we will work with the UKVI to meet the requirements of any agreed action plan, and take all reasonable steps to minimise the resultant disruption to registered students, and work with the UKVI to allow them to complete their programme of study. Should the University be unable to sponsor applicants, we will:</p> <ul style="list-style-type: none"> <li>offer the opportunity to postpone their application pending the removal of any restriction on sponsorship;</li> <li>offer all reasonable support to transfer their application to another higher education provider; or</li> <li>allow applicants the opportunity to withdraw their application to the University.</li> </ul> <p>In the unlikely event that the University is found to have committed a serious breach of sponsorship and our licence is revoked, we will:</p> <ul style="list-style-type: none"> <li>offer registered students all reasonable support to transfer their application to another Tier 4 sponsor provider.</li> </ul>
7	A strategic decision to terminate or not to renew a collaborative partnership (franchise), or the closure of a collaborative partner	Low	Moderate or significant	<p>The University has established processes which support the development and monitoring of collaborative partnerships. These include ensuring the initial and ongoing strategic compatibility, and appropriate legal, governance, financial, management, ethical and operational arrangements. The decision to initiate the termination of a partnership would normally be taken through the University's annual planning processes, ahead of the annual recruitment cycle, and follows the agreed process for <a href="#">termination / non-renewal of a collaborative partnership agreement</a>.</p> <p>Upon termination or non-renewal of a collaborative partnership agreement (franchise), the partner will cease to operate the programme, except in respect of students already enrolled prior to the date of termination of the agreement. Any decision to terminate or not renew an agreement or programme will be subject to satisfactory arrangements being made for existing students to complete their programme and be assessed for the award for which they registered ('teach out'). This will consider:</p> <ul style="list-style-type: none"> <li>the impact of the proposed suspension of recruitment on registered students;</li> <li>the impact on other programmes of study;</li> <li>the maintenance of quality and standards, and any requirement for additional monitoring or support for teaching and assessment;</li> <li>the arrangements for assessment panels to ensure that students can continue, with dates not exceeding the maximum registration period;</li> <li>the process of notifying students, applicants, and offer-holders; and</li> </ul>



	Risk	Likelihood	Impact	Reason/mitigation
				<ul style="list-style-type: none"> <li>the progression of students who may be required to repeat study.</li> </ul> <p>The 'teach-out' plan will be subject to approval through the University's established academic governance structures, and will be monitored through the termination period.</p> <p>In the event of the closure of a collaborative partner (franchise) as a result of institutional failure (unplanned closure), the University will consider the range of options to support registered students to completion. This may include:</p> <ul style="list-style-type: none"> <li>allowing students the opportunity to withdraw from the programme of study;</li> <li>where required, offering students reasonable support to transfer to another programme at the University or to another higher education provider.</li> </ul>
8	Variation, restriction, or revocation of the University's degree awarding powers; University ceases to operate	Low	Significant	<p>The University has established and robust processes for the management and monitoring of academic quality and standards, ensuring that it meets the requirements of the regulatory framework for higher education in England, as required under section 75 of the Higher Education and Research Act 2017 (HERA).</p> <p>The University's regulations and processes meet the expectations for standards and quality as set out in the <a href="#">UK Quality Code for Higher Education</a> (the Quality Code).</p> <p>In the unlikely event that the University fails to meet the mandatory general ongoing conditions of registration, the general ongoing conditions of registration for the Approved (fee cap) category, or any specific ongoing conditions of registration that the OfS has applied, and is unable to rectify such a breach, and a sanction is applied which results in a restriction to the University's degree awarding powers, we will:</p> <ul style="list-style-type: none"> <li>make every effort to support individual students to find an alternative course at another higher education provider.</li> </ul>