

Competition and Markets Authority (CMA)

YOUR FIVE-MINUTE GUIDE

What is the CMA Guidance and why is it important?

In March 2015, the Competition and Markets Authority (CMA) provided guidance to Higher Education institutions that provide undergraduate programmes about their obligations to students in terms of consumer regulations, the provision of up-to-date, accurate programme information, including full costs of programmes.

The guidance requires the University to take a number of actions to remain within the law. If we do not meet our obligations, we may be in breach of consumer law and risk enforcement action. In some circumstances, students may also have the right to take legal action against us or seek redress, such as full fee repayment.

What does the CMA guidance cover?

The guidance relates to three specific areas of practice where the CMA considers that institutions may need to take action, or modify existing practice in order to comply with the law. We must:

- Provide students with clear, accurate and timely information to enable them to make an informed decision about what and where to study;
- Ensure our terms and conditions are fair, so, for example, we cannot make surprising changes to course content, or costs;
- Ensure that our complaints handling processes are accessible, clear and fair.

In order to ensure the University complies with the legislation a Task and Finish Group was set up, Chaired by Professor Kersti Börjars, (Associate Vice President Teaching, Learning and Students). This group has developed an action plan to oversee our compliance.

At present, the guidance only specifically applies to undergraduate students. However, it has been decided that the same principles should be applied to all students, so our approach is to adopt the same principles for UG, PGT and PGR students.

What does this mean in practical terms?

We have to:

- ensure that the required 'material' information accurately reflects what students will study and how they will be assessed and that the information is easily available to applicants in a timely manner at the pre- contractual stage (before their offer is made) and post-contractual (once their offer is made) stages.

The pre-contractual stage includes the promotional and recruitment period and effectively starts 18 months prior to enrolment, and the contractual stage, 12 months prior to enrolment, i.e. when offers are made, which is from 1 October each year for students enrolling in September of the following year.

Responsibility for ensuring that we are compliant with the guidance is shared between academic and professional services to ensure that our institutional obligations are met.

The 'material' information we have undertaken to make available to the applicant, which meets the CMA requirement is listed in the table below, along with the group responsible for providing that information.

What do we need to tell applicants about (and what don't we) and when?

Our terms and conditions have to strike a fair balance between the rights and obligations of the university and the student. We cannot exercise too much discretion to change important aspects such as course content and costs. We must also specifically bring any significant changes to the applicant or student's attention.

Examples of changes which should be raised with applicants and/or registered students include:

- Loss of accreditation.
- Significant reduction of optionality.
- Addition or withdrawal of any compulsory elements.
- Addition of fieldwork or placements.
- Addition of an element which requires additional costs to be paid by students.

Changes which do not need to be flagged with applicants:

- Addition of an optional unit.
- Change weightings of existing assessment methods.
- Removal of an option if a staff member leaves.

It is understood that changes will need to be made to the curriculum, for practical or pedagogic reasons. However, this has to be balanced against the potential impact of informing applicants and/or registered students of changes that they may interpret negatively and so withdraw their application. The later in the admissions cycle these changes occur, the greater the impact is likely to be, particularly on undergraduate applicants who have accepted the University as their Firm choice, as their options after this point are extremely limited.

TYPE OF INFORMATION	RESPONSIBILITY
Degree programme content for the duration of the degree, including: <ul style="list-style-type: none"> • Content and structure (titles and summary description of mandatory courses, and titles of electives likely to be available during the year in question) • Duration of degree programme • Location of study • Method of delivery for mandatory courses (including contact hours, methods of assessment and percentage weighting if there is more than one piece of assessment which counts towards the final grade) • Award given on successful completion • Accrediting body (if applicable) • Whether the degree programme is still subject to approval 	School
Total cost of the degree programme, including: <ul style="list-style-type: none"> • Tuition fees including likely future increases whilst the student is on-course • Necessary additional costs e.g. field trips, lab equipment, books and materials, bench/studio fees, compulsory theatre visits etc. 	School
Entry requirements (academic and non-academic).	School
Easy access to terms and conditions of admission and enrolment (which must be fair and transparent, see below), including their cancellation rights	Student Admission and Administration (DSE)
Information about informing applicants of significant programme changes	School
Arrangements for making payments to the university	Student Admission and Administration (DSE)
Easy access to a clear complaints process. <i>If a student is not happy with how we handle a complaint, they may be able to refer it to the Office of the Independent Adjudicator for England and Wales.</i>	Teaching & Learning Support Office (DSE)