

Staff Briefing on the Competition and Markets Authority Consumer Law Advice for Higher Education Providers

The Competition and Markets Authority (CMA) published advice for higher education providers on 12 March 2015 to help them comply with consumer law when dealing with students. A 60-second summary of the advice can be found here: www.gov.uk/government/uploads/system/uploads/attachment_data/file/411392/HE_providers_60ss.pdf.

The advice informs higher education providers about their consumer law obligations to students and in particular advises them to:

- provide students with clear, accurate and timely information at all stages of the application and enrolment process so they can make an informed decision about what and where to study;
- ensure that the terms and conditions of the contract between the University and the student are fair, for example, so surprising changes cannot be made to the programme of study or costs after a student has received and accepted an offer which may have a material impact on a student's decision to take that course;
- ensure that their complaint handling processes are accessible, clear and fair to students.

The University has been keen to respond proactively to this compliance advice. A University Working Group was established which has met regularly and which included representation from professional service areas, faculties and the Students' Union. This Group reviewed current practices and took forward the implementation of the legal guidance in line with consumer protection legislation.

CMA compliance is the responsibility of all staff and the University has taken considered steps to facilitate compliance. In particular, the main steps that the University has taken to address the CMA advice are:

- (i) The CMA advice provided specific detail on what information should be provided to applicants, and pre-applicants, so that they can make an informed choice on where to study and what programme(s) to apply for. All required pre-contract information has been made available to applicants, and pre-applicants, through the University's CourseFinder from April 2017. It is important that CourseFinder and other course literature are kept up to date, and that staff take the necessary steps to ensure they are providing students / applicants with accurate information.
- (ii) A specific piece of work was undertaken to collate information on additional costs incurred by students on programmes of study and this information for each programme has also been made available on the CourseFinder.

- (iii) The Domestic Recruitment and Events Team (DRE) has produced a sales handbook which will be used as a toolkit for academic staff, students and sales teams to provide them with consistent and accurate sales information, for use in the domestic market, which is assured to be CMA compliant.

The sales handbook is used by DRE and has been circulated to the Business Development Officers and Recruitment and Events Officers, in each Faculty Student Recruitment Hub, so that they can either use or adapt it to suit their needs and circulate to relevant staff or students involved in recruitment activity in Faculties and Schools. This must be done at a Faculty level. Specific briefings to cover DRE, centrally organised events, will be provided on an event by event basis. These briefings will remind staff and students of the need to ensure they provide information in a way that is compliant with the CMA guidelines. Faculty Hubs are advised to ensure that similar briefings take place for all Faculty/School based recruitment activities.

- (iv) Specific briefings will also be provided on an event by event basis which will remind staff and students of the need to ensure they provide information in a way that is compliant with the CMA guidelines.
- (v) The University Operating Board approved the Terms and Conditions to be issued with each offer of a place on a taught programme of study commencing in 2017. These Terms and Conditions outline the important information that constitutes the contract between the University and the student, for example Study Regulations and Student Finance Framework. The Terms and Conditions were sent with offer letters to all taught students entering in 2017 and are also available on the University website <http://www.qub.ac.uk/Study/TermsandConditions/>.

The Terms and Conditions will be reviewed annually and approved by the University Operating Board. The Terms and Conditions for 2018 entry are already available.

- (vi) The CMA Advice specifies that institutions must directly inform applicants and students of significant changes to their programmes of study. A revised Programme Management Framework has been developed and is available at: <http://www.qub.ac.uk/dasa/AcademicAffairs/ProgrammeApprovalandReviewIncludingHEReview/ProgrammeManagement/MajorChangestoExistingProgrammes/>.

This framework provides clear definitions for major and minor changes to programmes; has implemented an earlier deadline for the approval of major programme changes to the following year's academic programmes; and supports programme management with accountable procedures and systems in place.

The framework encourages earlier consultation on major programme changes with current students at the earliest possible opportunity, utilising existing student engagement structures.

- (vii) The development of a single 'complaints' website is under way to provide information and signposting to the various complaints procedures available to students (including prospective students and applicants).

The above measures have been taken to ensure the University's compliance with consumer law and it is, therefore, of the utmost importance that these are followed. Should you have any queries regarding CMA compliance in the above areas, please contact:

Course Finder / Marketing Information: Peter McConkey, MRCI

Domestic Recruitment and Events Information: Una Reid, MRCI

International Recruitment Information: Tracey McKinney, MRCI

Terms and Conditions: Derek Weir, Legal Services

Programme Management Framework: Catherine McCorry, Academic Affairs

Issued by the CMA Working Group

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