

Student Protection Plan for the Period 2021-22

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1. Risk assessment for continuity of studies

The Higher Education Act and Research Act (2017) requires Higher Education Institutions to publish a Student Protection Plan. This plan sets out what measures the Markfield Institute has in place to protect its students in the event that a risk to the continuation of their studies arises. It outlines what students can expect to happen should a programme of study, campus, or the Institute closes. The Institute endeavours to ensure that its students can continue and complete their studies, or can be compensated if this is not possible. This plan is reviewed and updated on a regular basis with consultation with the students. The measures contained in this plan are in addition to the protections students have under consumer protection law and do not affect their consumer rights.

The Markfield Institute is a small organisation, specialising in delivering Islamic subjects at higher education levels. Due to its specialisation, it caters for a specific niche market and attracts a small number of students on its BA, MA and Research degree programmes.

The Institute is committed to protecting the quality and continuation of the study of its current and future students. We acknowledge also that students have statutory rights under the Consumer Rights Act 2015 (CRA) and the Higher Education and Research Act 2017 (HERA). The Institute is regulated by the Office for Students (OfS).

With small numbers of students on its programmes, and the Institute's experience over the last 20 years in managing academic operations within restricted budgets, the Institute's risk assessment suggests that the level of risks to the continuation of study for our students is low overall. The risks posed for the Institute closing, or for suspending or changing its Higher Education programmes are outlined below.

Risk	Likelihood of its affecting students to complete their studies
1. Withdrawal or non-renewal of validation	Low
2. Students registered on courses are unable to access funding from the Student Loans Company to cover both course fees and maintenance loans.	Low
3. Change of programme content and policies	Low
4. Closure or suspension of a programme of study	Low
5. Removal of Students Sponsor (previous Tier 4) Licence (which would affect international students)	Low to Moderate

Risk	Likelihood of its affecting students to complete their studies
6. Closure/change of current location	Low
7. Key staff leaving	Low
8. Closure of the Institute	Low

In general, to protect students and minimise disruption to their studies if any of the above occurs, the Institute will action any one of the following, depending on what is appropriate for the circumstances:

- Provision to move teaching/learning to online mode (if staff and students are restricted to travel to the campus in special circumstances such as epidemics/pandemics)
- provision to ‘teach out’ courses for existing students;
- offering students an alternative course at the Institute – via credit transfer;
- making arrangements for affected students to switch to a different provider without having to start their course from scratch;
- full or partial refunds will only be considered in special cases where the Institute is unable to support students with continuation of studies.

2. Measures to mitigate the risks

Below we outline the measures in place to protect students where events may impact on the planned delivery of a course:

Withdrawal or non-renewal of validation: The risk of this happening and preventing our enrolled students from completing their studies is low because our validating University will give us at least one-year’s notice (or until the end of an academic year) according to our validation agreement. Our current students registered with the validating University will normally be permitted to complete their studies, subject to normal maximum timescales.

Please note, our Institute went through such a process when this last occurred (in Jan 2013) with our previous validating University. The University permitted us to continue teaching the current students until they successfully completed their studies. The current University (Newman University) also has a similar agreement with us.

If withdrawal or non-renewal of a validation notice is given by our validating University (at a time such as just before the start of an academic year) and any applicants who have not started their studies, but have been given an offer, the institution would assist them to find another HEI to start their studies with and return any fees taken.

Students registered on courses are unable to access funding from the Student Loans Company to cover both course fees and maintenance loans: This risk might arise if the OfS deregisters the Markfield Institute due to failing to comply with the conditions of registration and hence prevent access to student loan funding. This risk of this happening is, however, low as the Markfield Institute’s governance and operating procedures contain appropriate controls and systems and checks to ensure our continued ability to operate within the regulatory framework. In the event of de-registration with OfS affecting the ability of students to access student loans, MIHE will take all reasonable steps to minimise the resulting disruption to students by, for example:

- Working with the OfS and the Students Loan Company (SLC) or other relevant funding bodies to allow enrolled students to complete their year of study/programme. Depending on the

circumstances of deregistration, the institute will appeal the decision/make a new application for registration with a view to the restoration of this for the coming academic year;

- Where the above is not possible, supporting our students to transfer to appropriate programmes at other HEI providers and, where appropriate, financially compensating students where they suffer demonstrable, material financial loss because of disruption to their studies;
- Working as appropriate with another HEI institution to maintain all or part of the current provision.
- Assisting any affected students by providing evidence/letters/statements in support of continuation of their studies;

Change of programme content and policies: This risk of any programme changes preventing our enrolled students from completing their studies is low. Our validating University and our own quality assurance and enhancement processes might identify from time-to-time updates/changes to policies and programmes. When changes become necessary, the institution follows a set of procedures before they are actioned.

Note that in light of regular programme reviews, there might be a need to make minor adjustments and improvements to a course or its modules. Such changes are approved by the validating University and are only actioned during the next iteration of a module, or when a new cohort of students start on a programme. A staff-students consultative meeting would be called and the changes explained and how might they affect students study. This process would provide sufficient time to inform/consult students about the changes to be introduced.

Changes to policies/regulations will be considered at the Academic Board, where students are represented. The Student Handbook will also be updated in light of any changes. New or revised policies shall apply to all students from the start of the academic semester following approval by the Academic Board or Senior Management Team.

Closure or suspension of a programme of study: A programme of study would not normally be closed or suspended until all students studying that programme had graduated. We will continue to provide students with the same level and quality of teaching until graduation.

A decision to close a programme should not prevent enrolled students from completing their studies. Such a decision may be made because of insufficient enrolments, student experience or resourcing perspectives. A closure of a programme is determined at the Academic Board before the final approval of the validating University is sought.

In the unlikely event the Institute wanted to close or suspend a programme before all its students have graduated, we will only do so if all students on the programme agree, and where possible, the Institute will offer existing students a choice of two options:

- a) to continue on the original programme as planned and to be “taught out”, where the Institute considers this to be a viable option on academic and student experience grounds.
- b) to continue on another similar programme at the Institute - for this option, students would be able to transfer credits achieved from their current programme to the new one.

The risk of the Institute closing or suspending a programme of study in face of epidemic/pandemic is relatively low. The Institute has recognized and learned from the current and potential ongoing effects of the Covid-19 pandemic and has put in place a detailed plan to manage its operations, including its ability to deliver teaching to, and support students as a result of the impact of the pandemic. This will continue until the situation stabilizes and operations can return to something nearer normal.

Removal of Students Sponsor (Tier 4) Licence (which would affect international students): The risk of our Students Sponsor licence being withdrawn is moderate. The Institute has managed to secure its

licence since 2011. Over this period, it has put place robust policies and procedures to recruit, and monitor attendance and engagement of international students. However, there is always a risk of losing the licence due to possible errors affecting full compliance.

In case where our Students Sponsor Licence is withdrawn, prospective international students who have made an application to study (but not yet started) will be contacted and assisted in securing a place at another HEI.

For students already studying with the Institute, the UKVI generally gives a minimum of 60 days notice to students to find an alternative provider. However, the UKVI normally follows a process before they make a decision to revoke the licence (e.g. gives an opportunity to address their concerns or to challenge their decision and this can extend to many months). Students facing such as situation will be kept informed and consulted throughout this process. Current sponsored students will be contacted within two working days of notification of UKVI's decision, to advise whether they may continue under existing Institute's sponsorship or are required to return to their home country to make a fresh visa application. In the latter case, on request and where regulations permit, the Institute will endeavour to transfer the student to an approved HEI with a Students Sponsor licence.

Also, depending on the circumstances, the Institute will appeal the decision/make a new application for a Tier 4 license with a view to the restoration of this for the coming academic year.

Closure/change of current location: The risk that the Institute will no longer teach at its current location is low. Currently, we are located at a campus owned by the charity that established this Institute. The charity is committed to ensuring that the Institute continues its operations at the same location, as it has done for the last 20 years since the establishment of the Institute. Unless taken on the grounds of emergency relocation due to unanticipated events, the Institute undertakes not to close operations on its current site. If the Institute does need to relocate for any reason, it will endeavour not to do so while teaching is underway for the academic year, and allow time to ensure students are engaged in the process. The Institute is committed to communicating any changes to students as early as possible, with clear information and options.

Key staff leaving: The risk that we are no longer able to deliver material components of our courses is low because we design our modules to be taught by integrated teams of academic staff. The Institute maintains resilience in its academic staff teams and the risk to students of provision being curtailed due to absence remains low. However, loss of staff may impact upon our delivery. We will always try to minimise the impact on our students and give notice where this is possible.

Staffing risks include those associated with under-performance, illness and early departure. Our approach to mitigate risks will depend on the nature of the problem, and whether it is a planned or unplanned event. Planned losses include redundancies, strikes or restructuring. Unplanned losses include a specialist lecturer leaving to take up another post in a different institution, or an unexpected death. In each case, an impact assessment and an appropriate action plan would be drawn up and include any of the following actions:

- Providing cover from existing staffing;
- Draw on existing copies of course materials to support temporary cover staff in taking over the teaching;
- Identify and draw on our established relationships with a network of specialists in our subject areas on a temporary basis before permanent appointments can be made;
- Succession planning.

Closure of the Institute: An extreme set of events may lead to the prospect of the Institute being closed or a decision taken to exit the higher education market. This may be triggered, for example, by the Institute becoming insolvent or through falling student demand, withdrawal of validation, or for regulatory reasons.

If this was to occur, we will endeavour to assist on-course students to complete their studies. Those who are on part-time studies or have longer course durations (such as the BA students), we will endeavour to teach them to the end of the academic year and then assist them to transfer to alternative HEIs teaching the same or similar courses. In all cases, we will work with the students and the validating body to place students with the approved alternate providers.

3. Refund of tuition fees and other relevant costs when the Institute is no longer able to preserve continuation of study for one or more students

Our policy on refunding tuition fees and providing compensation is covered in our new contract with students (Terms and Conditions of Offer). The policy covers situations where the Institute is no longer able to preserve continuation of study for one or more students. However, it is considered that such circumstances are of low risk. Should such circumstances arise, this policy sets out how affected students may claim a refund of fees and/or appropriate financial or other compensation. The Institute considers refunds and compensation to be a remedy of last resort and is committed to using its best endeavours to ensure all students are able to continue and complete their studies. The policy also clarifies that the Institute is not liable for events outside of its control, as set out in the Terms and Conditions of Offer.

Our policy covers all students, whether they are in receipt of a tuition fee loan from the Student Loans Company, or those who pay their own tuition fees, or those whose tuition fees are paid by a sponsor. In all cases, tuition fees and other costs will only be refunded to the original fee-payer/sponsor (whether Student Loans Company, individual student or sponsor of a student). Also Refund means the repayment of sums paid by a student to the Institute or an appropriate reduction in the amount of sums owed in future by the student to the Institute. This could include tuition fees and other course costs; however, accommodation costs are not included as accommodation is not provided by the Institute directly. In addition to refunding tuition fees (after appropriate reductions), the Institute also commits to honour student bursaries, compensate for tuition costs where students have to transfer courses or provider.

For postgraduate research students, in circumstances where a supervisor leaves the Institute, we will always endeavour to request the same supervisor to continue supervising after leaving (which we have successfully done in the past) or to seek to ensure that alternative supervisory arrangements are put in place to allow for the completion of the programme of research. However, if this is not possible and students are forced to withdraw from their studies they may claim a refund of fees and/or appropriate financial or other compensation. The Institute will not compensate students who personally elect to move to another HEI with their original supervisor or reject any reasonable offer of alternative supervisory arrangements unless they can evidentially demonstrate that these are in fact manifestly unreasonable. If a student has to withdraw from the Institute due to above reasons and does not transfer to another HEI to continue their research study, the student may apply for compensation.

In all cases when dealing with the cessation of an academic programme of study or postgraduate programme of research study, we will endeavour to communicate with and compensate individuals who have accepted a place (but not yet commenced study) on the programme, and offer advice and support to help them decide whether or not to apply for a different programme at the Institute or seek a suitable alternative.

If a student remains dissatisfied with the outcome of a claim for compensation under our policy, the student may be able to apply for a review of the claim by the validating University in the first instance and then finally by Office of the Independent Adjudicator for Higher Education (OIA). The OIA provides an independent review scheme external to and independent of the Institute's complaint procedure. The OIA will normally only review issues that have been dealt with through the Institute and its validating University's internal procedures.

The Institute will endeavour to factor a refund and compensation fund into our future annual budgets on the basis of previous experience and approved plans. We are conscious that there could be an

increase in such payments in the new higher education environment, so we are now actively investigating whether insurance against relevant costs could be procured. If not, we will target growth in our retained earnings/cash reserves to be able to fund any estimated cost increases.

4. Communication with students about the student protection plan

We will publicise our student protection plan to current and future students on our website. All new students are made aware of the student protection plan when they accept their offer to study at Institute. We also hold staff training to ensure that they are aware of our student protection plan and also of the implications when they propose course changes. The student protection plan will be discussed with students at course committee meetings and students input will be taken into consideration in future reviews of it.

The Institute is committed to communicating any material changes to students in a timely manner, with clear information and options. In case of any risk identified in the plan actually materialises, a decision to trigger our plan will be made after consultation with the relevant stakeholders including students. Students will be kept fully informed of the developing situation. This will include an email to explain to affected students the changes and to lay out the options. A course meeting or wider consultation with students may also be offered. Students should approach their course leader in the first instance if they have any questions. We commit to giving students the maximum amount of notice of any changes that could affect the continuity of their studies. For any programme changes or closure, we will give affected students at least 12 weeks prior notice and provide them with the necessary support. If a decision is made to trigger this plan, the Institute would write to notify affected students within ten full working days.

As stated above, if we need to implement the measures in our student protection plan we will endeavour to minimise disruption to students' studies. We will provide them with necessary support and guidance - such as on alternative courses at the Institute, refund and compensation, how teach out would work and finding alternative providers.

We will review the Students Protection Plan annually and will regularly seek views on this plan from stakeholders including students. Feedback from the OfS, QAA, validating universities, staff and students will be taken into consideration in the annual review.