

## Annex C: Template for producing a self-assessment on guidance on consumer protection law

Provider's name: University of Sheffield

Provider's UKPRN: 10007157

### **1. Organisational Arrangements for CPL Compliance**

- 1.1 The University recognises the importance of complying with consumer protection law (CPL) and takes its responsibilities seriously at all stages of the student journey from research and application, offer and registration. Through a variety of processes, including our approach to contract management, governance and complaints procedures we are confident that the necessary steps have been taken to ensure that we are compliant with consumer protection law. Furthermore, we routinely use mechanisms, such as internal audit, to identify and action enhancements. The sections below give further details on how we fulfil our responsibilities.
- 1.2 In terms of governance structures, compliance with CPL is monitored on behalf of the governing body by its Audit Committee through periodic reviews carried out as part of the University's internal audit plan, with outcomes reported to the governing body (Council). The University Executive Board (UEB) ensures compliance with consumer protection law. A sub-Group to UEB, Risk Review Group, identifies any risks with remaining compliant with CPL in the institutional risk register, which provides another mechanism for initiating and monitoring management actions identified as required.
- 1.3 Executive responsibility for ensuring compliance with CPL sits with the Director of Academic Services, who reports to the Provost and Deputy Vice Chancellor. The Director of Academic Services delegates operational responsibilities to the Director of Student Recruitment & Admissions, Director of Academic Programmes & Student Engagement, Director of Student Support, and Director of Accommodation and Campus Services, who collectively manage the teams covering admissions, registration, accommodation, programme information, and complaints and appeals. These teams incorporate relevant aspects of consumer protection law into their processes and provide informed guidance and support for staff in faculties and academic departments to support them in understanding their obligations under CPL.
- 1.4 In addition to central accountability, wider staff understanding of the obligations on faculties and academic departments is key and this is promoted through: staff training via the Recruitment Matters programme; provision of on-line information and guidance on the implications of making changes to programmes and modules; reference to the need for compliance with consumer protection law in relevant processes; and actively working with Heads of Department and Departmental Managers to ensure provision of complete and accurate information to applicants and students.

## **2. Continuous Improvement approach to CPL Compliance**

- 2.1 The University takes an active approach to ensuring it remains compliant with consumer protection law. The processes and information for recruitment, offer, registration and changes to academic programmes were reviewed and updated following publication of the guidance on consumer law for HE (2015) and steps taken to ensure that we remain compliant, taking account of good practice across the sector.
- 2.2 The University commissioned an internal audit in 2017 which reviewed all aspects of the compliance with the guidance provided in <https://www.gov.uk/government/publications/higher-education-consumer-law-advice-for-providers>. Recommendations from this audit are being actioned within our policies, procedures and terms and conditions to address issues highlighted. Overall the audit concluded that there had been a clear shift in culture since the publication of HE consumer law guidance, at the same time as highlighting potential improvements in relation to provision of programme information by academic departments. In response, the University has implemented more robust processes to remove potential risk of future misalignment of information between departments and central teams. Further work has also been undertaken to ensure that staff in academic departments have a better understanding of consumer protection law requirements, and guidance and checklists have been provided to assist them with ensuring information provided to applicants and students is complete, accurate and consistent.
- 2.3 We have also recently established a CPL Compliance Steering Group, chaired by the Director of Academic Services, and involving those staff with direct responsibility for operational implementation, noted above, alongside other relevant colleagues. This group provides the link between operational delivery of policies and processes, to ensure compliance, and those areas of the University responsible for governance and assurance.
- 2.4 The University also employs other opportunities to ensure up-to-date understanding and reinforcement of compliance. For example, the recent (March 2018) sourcing of professional legal advice in relation to the General Data Protection Regulations and our offer terms and conditions provided an opportunity to check that we remain compliant with consumer protection law. The statements in our terms and conditions are used consistently across information sources for applicants and students.
- 2.5 A clear complaints and appeals procedure is in place for applicants and registered students (see below for details) which has been developed in line with the Office of the Independent Adjudicator's (OIA) Good Practice Framework.

### **3. Provision of accurate, clear, timely and accessible information to applicants and students**

3.1 The University provides a full range of accurate, clear, timely and accessible information to prospective students through our [Study at Sheffield](#) web pages on what it is like to live and study at the University of Sheffield to enable them to make an informed choice. The information published includes:

- The entry requirements,
- UCAS code
- Programme duration
- A fee [look-up](#)
- Programme description
- Information about the programme structure – core modules and indicative options
- Overview of proportions of learning and assessment types for a programme
- Accreditation status (where applicable)
- An overview of the department
- Indicative career pathways

A printed prospectus is also available and information is provided at open days, on departmental web pages and via printed materials.

3.2 Key information on the stages of applying for a place is provided on a dedicated web page for [undergraduates](#) and [postgraduates](#). These include open access to the terms and conditions for acceptance of an offer.

3.3 Terms and conditions (see below for more details) are set out clearly when making an offer to successful applicants. Students are also signposted to information about relevant rules and regulations in the Offer letter, at Registration, through student facing information provided by departments, and via the [Student Services Information Desk](#) web pages. The full formal set of regulations is also available here <https://www.sheffield.ac.uk/calendar/index>

### **4. Maintaining accuracy of information**

4.1 Established processes and governance through institutional committees enable us to ensure that information is accurate, up to date and sufficiently detailed to meet the needs of applicants, students and consumer protection law. These include the annual process for reviewing and updating of programme information (e.g. accreditation status, programme regulations); the annual process for the development and checking of information to be included in the online and print prospectus; the annual review and setting of fees; and the approval processes for introducing new and significantly amended programmes and modules. This allows us to cross-reference the sources of information that we provide and to identify and correct any potential anomalies.

4.2 In addition to compliance with CPL forming part of routine business, more in-depth

consideration takes place as part of the programme of internal audits. As stated above the most recent audit identified opportunities to strengthen the consistency of programme information provided by academic department, which has resulted in the introduction and testing of CPL check-lists and improved arrangements to ensure consistency. A system of spot checks is also being implemented as part of the work of the CPL Compliance Group (see 2.3 above).

4.3 CPL requirements also form part of the consideration when delivering institutional projects. For example, the University is introducing a new student records system, and work streams are focused on ensuring more efficient capture, update, and management of programme information in a single place, which can then be used to populate a range of applicant and student focused information systems.

## **5. Changes to programmes of study**

5.1 For changes to an advertised programme there is a clear process, and associated requirements in place for (i) communicating changes to applicants and offer holders, and; (ii) discussing planned changes with current students. If a change is planned that would mean that a programme is substantially different to what has been advertised the Student Recruitment and Admissions team would contact applicants and offer holders with information about the change and the options open to them. If a significant change is planned that would affect students already on a programme the academic department would be required to consult the students about the change and confirm the outcomes of this **before** institutional approval for the amendment would be given allowing it to be put into effect.

5.2 Information and guidance is provided on-line for staff via internal web pages on the implications of CPL for making changes to programmes and modules as part of the programme and module approval process. Face-to-face training, as part of the Recruitment Matters Programme, includes guidance on good practice and being aware of obligations in relation to CPL requirements. The University will shortly commence the development of an online tutorial to further embed understanding of consumer law and the institution's responsibilities.

## 6. Contract Terms and Conditions

6.1 The terms and conditions of the contract between the University and students are made clear to applicants when a formal offer is made. The offer correspondence sets out terms and conditions, the complaints procedure, cancellation and refunds information, and draws attention to the important terms before the applicant makes a decision. This information is also published on the website:

<https://www.sheffield.ac.uk/undergraduate/policies/terms>

<https://www.sheffield.ac.uk/postgraduate/info/terms>

6.2 The Terms and Conditions on Acceptance of Offer state that applicants have 14 days from accepting their offer to cancel the contract. In addition there is a [Tuition Fee Refund Policy](#) which provides information for students who decide to take leave of absence, withdraw entirely or transfer to another University about how this decision will affect their tuition fees.

6.3 The [Pre-Registration Service](#) for new students, prior to enrolment, provides a series of tasks and links to important information which includes terms and conditions. Students are provided with a further copy of the rules and regulations at registration and asked to confirm that they have noted the content. The regulations are available online and are referred to again at appropriate points during a student's programme, such as module selection. Students are able to view their personalised programme regulations via the online portal (MUSE).

6.4 Professional legal advice is taken when reviewing terms and conditions. As noted above (2.4) the most recent review has incorporated checking for any updates in relation to the General Data Protection Regulations and the opportunity has also been taken to check that these remain transparent, fair and fully compliant with consumer law.

6.5 We have made changes to make more explicit when student fees are due, including any restrictions on the student completing their registration if arrangements to pay fees have not been confirmed and whether students are permitted to continue into a further period of study with an academic-related debt. A detailed piece of work was undertaken in 2016-17 to clarify all requirements regarding fee payments. As a result a section was included in the [General University Regulations](#) (Regulation XIV: Notes for Students on Tuition Fees).

The main additional contract between the University and its students is the Residence Contract, for students opting for University-owned accommodation. This is reviewed annually and updated with professional legal advice to take account of current legislation, including consumer protection law. This is available on the dedicated web page about [applying for accommodation](#).

## Your complaint handling processes and practices

### 7. Complaints and Appeals Processes and Practices

- 7.1 There are separate formal appeals and complaints procedures, which have been developed in line with the Office of the Independent Adjudicator's (OIA) Good Practice Framework, for:
- (1) applicants, which are published here:  
<https://www.sheffield.ac.uk/undergraduate/policies/appeals-complaints>  
<https://www.sheffield.ac.uk/postgraduate/info/appeals-complaints>
  - (2) registered students, which are published here:  
<https://www.sheffield.ac.uk/ssid/complaints-and-appeals> and students are also signposted to it via the Student Services Information Desk (SSID) webpages
- 7.2 Staff who handle complaints have the relevant experience and support to ensure that complaints handling practices are clear, accessible and fair. Complaints from applicants are handled by the Admissions Managers and there are dedicated teams in the Student Administration Service, who provide expert advice, guidance and management for the processes involving registered students and training for departments.
- 7.3 Complaints and Appeals processes are regularly reviewed and updated, for example a review of the OIA Guidance on Collaborative Programmes is currently being undertaken.
- 7.4 The very low numbers of complaints and appeals in relation to admissions (8 in 2016-17) is evidence of the level of satisfaction with the application stage of the student journey. Student complaints (27 in 2016-17) and academic appeals upheld (64 in 2016-17) for enrolled students (c.28,000 students across all levels and fee types) are reviewed for themes and issues where appropriate changes may be made to our information and guidance for staff or students.
- 7.5 If recourse to the University's internal procedures has not resulted in the resolution of a complaint or academic appeal to the student's satisfaction, the student may be able to apply for a review of the complaint/academic appeal by the Office of the Independent Adjudicator for Higher Education (OIA), provided that the complaint or academic appeal taken to the OIA is eligible under its rules. Upon completion of the University's Complaint procedure, the student is provided with a Completion of Procedures (COP) letter which provides full and detailed information on making a complaint to the OIA, in accordance with the OIA's specific requirements.
- Students also have access to independent advice from the Students' Union Advice Centre in relation to making complains and appeals through the University's processes or the OIA.
- 7.6 We are confident that our complaints and appeals procedures are transparent, fair and robust. This is evidenced by the proportion of complaints that the OIA deem "not justified" or "not eligible" each year (13 of 17 in 2016-17). Where the OIA upholds a complaint we

take action on the findings to improve our practice.

7.7 All students studying for a University of Sheffield degree with a partner organisation, including International Faculty students, are registered by the University of Sheffield. As such, they are informed of the University's complaints and appeals processes as in 7.1. Agreements and arrangements with partner organisations set out the complaints and appeals processes to be followed.