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Briefing note

on course, campus or provider closure

This briefing note sets out some of our learning from the complaints we have seen that have arisen from the closure of a course, a campus or a whole provider. The purpose of the note is to identify some issues that might arise in these sorts of circumstances. We hope it will help providers to anticipate and address students' concerns and reduce the likelihood of complaints arising, and be useful to student representative bodies and others who support students through these situations.

There are many different types of closure that can cause disruption to students and, if not well managed, can lead to individual and group complaints. Over the years, we have seen complaints arising from:

- The closure of a course or group of courses
- The breakdown of a partnership arrangement leading to a change in the status of the course
- The closure of one of a provider's campuses or teaching centres
- The planned or managed closure of a whole provider.

We have not yet seen what is often referred to as disorderly market exit, that is, the sudden closure of a provider.

It seems likely that we will see more closure events, in one form or another, in the next few years and so we think it is timely to set out our thoughts.

General points

1. Providers will need to operate flexibly to support all students and to minimise the impact of a course, campus or whole provider closure upon them.
2. All providers should have in place plans that outline how the risks to students of a closure or significant change will be managed. Providers that are regulated by the Office for Students will have published a Student Protection Plan setting out what students can expect to happen should a course, campus or provider close. Providers regulated by the Higher Education Funding Council for Wales are required to publish a statement confirming that the provider has in place procedures to mitigate the potential impact on students should a course change significantly or close. Other providers may have prepared similar documents as part of their risk management processes.

3. Clear and frequent communication with students about the closure event is crucial. Some students will be easier to reach and more engaged than others and so different methods and styles of communication will be needed. Some students may be studying abroad or taking time away from their studies and may not be checking internal emails or intranet announcements. Sensitivity may also be needed around the timing of important communications. It's important to keep records of communications so that they are available if a student later complains.
4. Under consumer legislation, students need to have any material information about the course they are applying for before they apply. Any changes to that information must be agreed with the student when the provider makes an offer to the student. If the provider anticipates that some things might change after the student accepts the offer, then the student needs to be told what could change, when and how, so that the student can agree to this.
5. This can present problems for a provider that is trying to balance the need to maintain confidence in existing provision with the requirement for transparency. Providers will need to consider how to remedy the situation if they do not give their students and prospective students material information early enough for them to make informed decisions about their options.
6. Any form of closure will result in changes to the students' experience and some of those changes may be very significant. Where providers do not or cannot deliver what they promised to students, they will need to consider how to put that right. Early discussions with student representative bodies, course representatives and support services will help to identify likely issues and possible solutions. It may be helpful to agree some broad principles for how to support or compensate the majority of students.
7. Arrangements that might work well for many students may not work for all and providers should be proactive about identifying and supporting students who may need additional help. Students who may be more seriously affected by significant changes to their course or study location include disabled students and those with health conditions, part-time students, commuter students, those with caring responsibilities, those with experience of the care system, and international students. Providers should consider what sort of remedy to offer students who, for good reason, can't make the change to new arrangements that might work for most students. For example, the provider might give the student an exit award and agree some financial compensation.
8. Some students will need additional support not only in finding a solution that works for them but also through the process itself. It is important to provide support for students with mental health difficulties. Students who have communication difficulties may need additional support in understanding the process and outcomes.
9. There may be implications for international students' visas. Where this is a possibility the provider should seek input and advice from the Home Office, and should support students to resolve any visa issues they encounter.

10. Where a closure means that students can no longer make use of accommodation owned or managed by the provider, the provider should refund accommodation fees for the affected period and release the students from their contracts. Some students may need additional support in finding and transferring to new accommodation.
11. Providers making these sorts of changes may well be in financial difficulties, with many competing demands on their resources. In those circumstances, the complaints and appeals functions may be seen as less of a priority. But many students will have real concerns about how the change will or might affect their studies and providers need to engage with those concerns. Providers should not undervalue support and advice services when making difficult decisions about resources. Alongside an engaged and effective students' union or other student body, those support and advice services will play a crucial role in resolving students' concerns.
12. A closure is likely to be stressful for staff as well as students. Support staff may be dealing with distressed students as well as possibly facing redundancy and they will themselves need support.

Course closure

13. The most common closure event is the closure of a course or courses. In this scenario, a provider decides to stop teaching a course or to close a department, usually because of low demand, low levels of satisfaction, poor outcomes, or financial difficulties. Sometimes the provider decides to close a whole school or department, or to stop offering higher education courses.
14. In some cases, the course continues but the curriculum changes significantly. This may be triggered by a change in the requirements of a professional body that approves or accredits the course.
15. Often the complaints we see in this scenario arise from poor communication. Students find out about the proposed changes late in the day, the likely impact on them is not clearly explained, and the opportunities for students to discuss the changes are badly managed or perfunctory.
16. It's important for providers to explain to students what is happening early enough for them to think about what it means for them and to make informed decisions about what they should do. Providers should draw students' attention to any timeframes that apply to their options. For example, there may be a deadline for withdrawing from a course without incurring further fees.
17. Early in the process providers should discuss with their students how the changes will affect them and what their options are. These discussions should be realistic about what the students should expect.

18. Generally providers make good arrangements for “teach out” so that students who have already started the course can finish their studies. But teach out arrangements are generally time limited. This means that students who have to re-take a year, or who have to step off a course for a year for personal or health reasons, can be disadvantaged if provision is not made for them.
19. This can be a particular issue for disabled students who may need to take time away from their studies for reasons relating to their disability. Planning for course closure or significant curriculum changes needs to include arrangements for students who fall behind their cohort.
20. Particular attention should be given to supporting students on niche courses and postgraduates in specialist areas. It is likely to be more difficult to find them suitable alternatives to which they can transfer.
21. Providers should take care to preserve the quality of teaching and facilities throughout teach out. The closure of a course may mean that the number of teaching staff begins to fall as staff leave and are not replaced. A lack of investment in materials or resources may also have an impact on the quality of the course. Falling student numbers may affect how teaching and assessments are run (especially for trailing students) – for example, group work may become difficult. Where possible, the impact of this might be reduced if students are permitted to study alongside other students on similar courses.
22. Where a provider has to close a course suddenly, or where teach out ends before all the continuing students are able to complete, providers need to discuss with the students their options for transferring to other courses or to support them in applying to a course at another provider.

Breakdown of relationship with a partner provider or accrediting body

23. Financial, governance or other difficulties may lead to the breakdown of a partnership arrangement between the provider delivering a course and the provider that makes the award. In some cases a provider is delivering a course that is accredited by a professional body, or is expecting the course to be accredited, but the accreditation is withdrawn or not given. In these cases, students find themselves on a course that is of significantly less value to them than they had expected.
24. The awarding provider will have responsibility for the students who are expecting to complete a course leading to its award. In some cases the delivery partner may be able to find another awarding provider to work with. It’s important to discuss this change with students and reassure them that it will not affect their experience or the value of their award.
25. Where it is not possible to replace the awarding provider with another, both providers need to work with the students to find suitable alternative providers to transfer to. In some cases, the students may be able to transfer to the awarding provider.

26. For students on a course that loses or does not gain expected accreditation, the provider will need to work with students to find alternative ways to achieve what they expected to achieve. This might mean transferring credits to another provider or paying for the student to study an additional course.

The closure of a campus or teaching centre

27. When a provider closes a whole campus or teaching centre it is often a last resort and can't be avoided. But sometimes providers choose to relocate teaching, permanently or temporarily, with the long-term aim of improving facilities. The closure is inevitably going to cause disruption to students. It may not be a comfort to students that the proposed changes are intended to benefit future cohorts.
28. The requirement to give students material information at the application and offer stages means that providers need to tell prospective students about any plans to close a campus or teaching centre before they apply, and to keep them properly informed at the offer stage and afterwards.
29. Returning students also need to be given early and clear information about the provider's plans, why the changes are happening, the likely timetable, how they will impact different cohorts and courses, and what students' options are. This is so that students can make informed decisions about whether to continue at the provider or to try to transfer elsewhere.
30. It's important for providers to be open and realistic about the proposed changes and the timetable for them, and not to over promise.
31. Providers should discuss with students any concerns they have about the changes and agree arrangements to address those concerns. It may be appropriate to consider bursaries to meet extra travel expenses or rental costs, or other practical or financial remedies to compensate students for the disruption and changes. Where the change might cause disruption to assessments or exam preparations the provider will need to consider how to approach requests for additional consideration (extenuating or mitigating circumstances).
32. Some students will be more seriously affected by a change in their place of study than others. Some will have chosen to study at a location for specific reasons, for example because they have caring responsibilities, financial constraints, or they are disabled or have a health condition that affects travel. It's important to identify those students, discuss their concerns, and agree with them how their individual needs can be met.
33. Students on some courses may be more affected by the changes than others. For example, specific arrangements may need to be made for students who need access to laboratories or performance spaces.
34. Some students will not be able to transfer to the new campus or centre for good reasons. The provider will need to work with them to find an alternative, such as transfer to another course or provider, and to consider any other suitable remedy to compensate the student.
35. Where a campus or teaching centre closure is to be phased, students should have access to the same learning resources and support services wherever they are studying.

Orderly market exit

36. The closure of GSM London in 2019 was the largest whole provider closure that we have seen. We have set out our learning from the complaints we saw arising from that closure in [Closure of GSM London: the OIA's perspective](#).
37. We were part of the GSM London task force that was convened in summer 2019, which included representatives from GSM, the University of Plymouth, the Joint Administrators, OfS, the Department for Education, the Student Loans Company (SLC) and the Universities and Colleges Admissions Service (UCAS). Our participation in the task force allowed us to contribute our expertise and experience of student complaints, but it was also helpful for us to understand more about how the process was being managed for students. Our participation in the task force was kept separate from our handling of individual complaints from students. We think our involvement at an early stage in an orderly closure can help to keep the potential concerns of individual and groups of students in the forefront of people's minds.
38. It's important to maintain student support services for as long as possible so that students have somewhere to go for help and advice. This includes advice about what to do if they want to complain about the closure and how it has affected them.
39. The closing provider – or their validating partner if they have one – should discuss with students their options to transfer to other providers. Students may be able to transfer to the awarding partner, to another delivery partner offering the same award, or to an entirely different course. This is likely to be more difficult for students on niche courses, research students, and those whose academic progress has not been smooth.
40. Transferring students may have to repeat credits or even whole academic years, or to pay higher fees than they were expecting. This may have an impact on their ability to finance their studies.
41. Some students will be more seriously affected by the closure than others. For example, disabled students, those with caring responsibilities, part-time students, and those who are financially disadvantaged. There may be a collateral impact on some students. For example, some may lose bursaries or part-time employment meaning it's impossible for them to transfer to another provider without financial support to replace what they have lost. Commuter students may find they have additional travel or living expenses. Some students may incur other unexpected costs such as wasted rent or additional childcare costs. Those students need to be identified and offered additional support.
42. Steps need to be taken to preserve student records. This includes their academic records, but also any disciplinary, fitness to practise, student support records, and fee information. This information needs to be held securely and in line with data protection requirements and students should be able to access it when they need it. Records should also be kept about information given to students about the closure, transfer options, and any potential course matches.
43. The closure of a provider may interrupt an ongoing procedure such as an academic appeal, request for additional consideration (extenuating or mitigating circumstances), disciplinary

or fitness to practise proceedings. The result of an academic appeal may have a significant impact on the student's progression or award, and unresolved fitness to practise proceedings may be relevant to the student's ability to work. The outcome of these procedures may be very important to the student and consideration should be given to how best to bring them to a conclusion.

44. There may be other sources of support available to students locally, such as Citizens Advice, local authorities or mental health support services. It's helpful to let those external bodies know what is happening and to signpost students appropriately.
45. It may be helpful to hold an event with other providers so that students can weigh up their options in transferring elsewhere. It's important to make it clear to students and providers attending such an event what it is for, and what sort of questions to ask or expect.

Sudden closure of a provider

46. The sudden closure of a provider (disorderly market exit) is likely to be particularly challenging for everyone involved and in some cases the appointment of Administrators may add another layer of complexity. There are several factors that will affect what sort of challenges the provider and its students might face including the size and mission of the provider, the nature of its student body, and the courses it delivers. The principles set out above about early and clear communication, and the need to identify those students in need of additional support, still apply even if a provider closes at short notice, and students will still have rights under consumer legislation.
47. It is essential to take steps to preserve student records and enable access to information that can support students transferring to other providers. Students may need access to their academic records, financial records, records about individual support plans, disciplinary and fitness to practise records to be able to transfer smoothly to another provider. The provider should give students clear information about how and when they can access this information.
48. The provider should take steps to formally award any exit qualification that a student is entitled to, and issue certificates.
49. The provider should tell students if access to any building or facility will be withdrawn at short notice. Arrangements must be made for students to return items belonging to the provider and to collect any personal possessions including portfolios of work. Where students are unable to collect items at short notice, for example, where the student is unable to travel or unable to make arrangements to collect large items, the provider should arrange for these to be delivered to the student or safely stored.
50. A closure may mean that students must leave accommodation that is owned or managed by the provider, either solely or in partnership with another organisation. The provider should give students as much notice as possible if they have to leave the accommodation earlier than anticipated. The provider must tell students if it cannot continue to provide some services at the accommodation while students remain in residence, for example, catering, cleaning, or security. Some students may need additional support to find alternative accommodation.

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51. Some students may be working on research projects, possibly with external partners or funders, which may involve access to confidential data or to particular equipment. The provider will need to establish whether and how these students will be able to use such data if they transfer to another provider. Students may need individual advice about intellectual property, data rights and/or ethical approval for their continued study.
52. Some students may be undertaking placements, field work, or study at a partner institution. In the event of a sudden closure, the provider will need to talk to students about whether these placements should continue. There may be insurance implications for students who continue with a placement and the provider will need to resolve these with placement providers. The provider should liaise with relevant professional, statutory and regulatory bodies to explore whether placements can continue and can contribute to the student's award.

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