

Student Protection Plan

Provider's name: The College of Legal Practice

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Student Protection Plan for period 2021-2022

Introduction and Context

All universities and colleges registered with the Office for Students (OfS) publish a Student Protection Plan providing its assessment of the risk to continuation of study of all of its students, including the risk that the provider as a whole is no longer able to operate, that it's unable to award the qualifications for which students are registered, that one or more of its delivery locations is no longer available or that it is unable to continue to provide programmes in a particular subject area or delivery mode.

This Student Protection Plan is intended to provide you with an overview of any such potential risks and the measures that The College of Legal Practice (the College) has put in place to minimise those risks. It will be prominently published on our website for all students to view.

This Student Protection Plan sets out the types of changes we may make and the circumstances in which they will be made, including what we will do to minimise the impact on your studies and to ensure that you are able to complete your chosen course. The measures contained in this Student Protection Plan are in addition to the protections you have under consumer protection law and do not affect your consumer rights.

The College of Legal Practice

The College is a new higher-education provider offering flexible and practice-focused legal training for the legal profession. The College's development is fully funded by its parent company, The College of Law in Australia (CoL), a not-for-profit legal education provider based in Australia, established in 1974. CoL has very strong financial resources and has made a significant and long-term financial investment within the College. The College is not dependent on any other sources of investment.

CoL is regulated by the Australian Charities and Not-For-Profits Commission, the Australian Tertiary Education and Quality Standards Agency (TEQSA) and the New Zealand Qualifications Authority (NZQA). In 2015 CoL was awarded Self Accrediting Authority (SAA) by TEQSA which means that CoL no longer needs to apply for course accreditation. SAA is the key defining hallmark of a university under the Australian model and recognition that CoL is a mature Higher Education Provider with strong academic governance and quality processes.

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Section 1:

An assessment of the range of risks to the continuation of study for your students, how those risks may differ based on your students' needs, characteristics and circumstances, and the likelihood that those risks will crystallise

The College has identified the following key areas of potential risk that relate to its provision of Higher Education Programmes to its students. The College mitigates against these risks in the ways identified in Section 2 of this plan.

- **The risk of not delivering an advertised programme to applicants due to failing to recruit a viable cohort size for a specific intake**

As all our programmes are distance-learning programmes, they are designed to focus on the individual and small group sizes, so do not depend on high levels of intakes. It is likely therefore that we will continue to run a programme even with a small number of students attending (5-10 per module intake) particularly in the College's early years of development. However, as a new training provider in the UK market we acknowledge that this is a medium risk for the College at this point in our development.

- **The risk of not being able to teach out students on a programme as it is discontinuing**

The College will continuously improve and develop its portfolio of programmes and may make strategic decisions to discontinue recruitment to specific programmes where they are being replaced or substantially changed. In such an eventuality the College will aim to 'teach out' any continuing students on their original programme of study. At this point in the College's development, the risk of the College, as a new provider offering a small number of brand new programmes, discontinuing these programmes is very low in the period covered by this Student Protection Plan.

Additionally, the College's online delivery model is very cost effective and most importantly, it has a high level of financial sustainability being a wholly owned company by CoL in Australia that has been established since 1974. The annual accounts for CoL's for 2019-2020 show a total revenue of £37.9m with a trading surplus of £8.6m. CoL has made a significant surplus after tax for the last three years, with a net income of £8.1m in 2017-2018 and £8.2m in 2018-2019.

The College has strong financial resources in place through a very significant financial investment from CoL that fully covers 'teaching out' students on all programmes running in the next three years (admissions from 2021 to 2024) within the probationary New Degree Awarding Powers timeframe. CoL's investment over five years totals £6.0m and the College is already in receipt of the first part of this investment of £3.5m.

- **The risk that our New Degree Awarding Powers (DAPs) authorisation may be revoked or not extended beyond the initial three-year authorisation**

We are committed to achieving full DAPs at the end of the initial three-year authorisation, We consider the risk that authorisation may be revoked or not extended beyond the three-year authorisation to be low based on the the robust controls which we have in place to manage our compliance and continuous improvement in meeting the overarching criterion. The College has created a Quality Systems Working Group (QSG) which has had strategic oversight of the preparation of the College for DAPs and remains in place to monitor our progress against our DAPs plan and the DAPs criterion. The QSG meets fortnightly to ensure there is frequent dialogue regarding our DAPs plan and progress and to ensure any feedback can be considered and actioned quickly and effectively.

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The QSG is supported by an effective and agile Executive Team and strong Governance through our Programme Committee and Board, which allows the College to act quickly and decisively in response to any feedback throughout the initial three-year authorisation.

The College is already a Higher Education institute and has students undertaking Postgraduate studies for academic credit. Should the College's DAPs be revoked or not extended, the impact would be limited to only those students studying with the College on award programmes. At this point in the College's development, as a relatively new provider, we have set out only a small number of award programmes that will be developed and delivered over the next three years. Any impact to students would therefore be limited to those studying the small number of award programmes with us.

- **The risk that we are unable to deliver our courses due to inability to attract adequate high quality tutors**

The risk that we are no longer able to deliver material components of our courses is very low because all modules include significant content designed in advance from tutors and subject matter experts. The College's tutors will be known as supervisors, and they will guide and support students through the materials and activities rather than deliver all content themselves. The College is easily able to scale teaching resources up or down as required.

The College are already recruiting supervisors for our 2021-22 programmes and have recruitment procedures in place, based on the proven procedures from CoL to develop a pool of supervisors who are (for the most part) still actively engaged in legal practice.

The College has agreed a **Supervisor Role Description, Supervisor Development Framework** and a **Code of Conduct** for all personnel including Supervisors. There are also clear Principles that Supervisors must adhere to within their work with the College that ensure high standards and a consistent culture of working and academic best practice (The College's **Principles in Teaching and Learning** and **Principles of Engagement with the Profession and the Community**).

Supervisors for our first Module have been recruited and future recruitment will continue in line with our business plan. Our speed of growth is cautious within our plan to ensure that we can develop the pool of supervisors in a planned way. The pay and conditions at the College for supervisors will compare very well with most higher education providers, for example, we will look to pay supervisors a salary comparable to the third or fourth pay quartile within the sector, so we anticipate that we will never be short of interest from the profession.

- **Risk that we are unable to deliver our courses due to technology failure**

The risk of our technology failing is low owing to the selection of stable, established systems that have high level of capacity and over 20 years experience of online delivery at CoL. The Chief Information Officer for CoL is also the designated Chief Information Officer for the College and actively manages the digital solutions to ensure that the systems are up to date and contracts with providers to allow minimal downtime for students.

The College has selected and set up its technology in such a way that the risk of any failure is very low. The learning portal is hosted by Canvas, which has a 99.9% guaranteed uptime for all customers, they are the only learning management system provider that shares their uptime status online and publishes annual open security audits. There are no local technology dependencies for the College's digital systems as they are all cloud-based.

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Should an unlikely event occur where technology fails for a short-period of time, the disruption to student's learning would be minimal as the majority of learning will be happening on-demand, at a time of the student's choosing and any live virtual sessions with tutors can be easily rearranged on an individual basis. The digital solutions are all cloud-based so not dependant on a local server.

If we have students with specific needs or changing circumstances, online learning offers a high level of flexibility and access regardless of location. The College is also committed to the international Web Content Accessibility Guidelines (WCAG) 2.1 (<https://www.w3.org/TR/WCAG21/>) for the design of the learning management system and all content that ensures that those with additional learning requirements can access the learning and are not at any disadvantage.

The College has IT support in place in the UK for the College's team and students, should any localised issues occur.

- **Risk of being unable to deliver a face-to-face training session due to unforeseen changes in venue**

The College is not offering any face-to-face training. There may be some orientation and feedback sessions held at a company's venue or a hired training venue for small groups of students. The risk that we will not be able to deliver these elements of the programmes due to any unforeseen late changes in venues is low owing to the agreements we will put in place with each venue and company we chose to work with. We will select established venues with proven facilities, access and support arrangements.

- **Risk of making changes to programme content that negatively impact students or the qualification awarded**

The College is conducting market research on an ongoing basis with the legal sector to ensure that the programme content and curricula are relevant and engaging for students. Active and experienced legal practitioners are involved in the design process for all learning. The College has strong links into the legal profession through its Board, Programme Committee and Senior Executive and with recent law students, all of which are informing the programme content and ensuring that students benefit from the courses and enhance their future career prospects.

CoL's high net promoter score (+31.7%) for students in 2019, illustrates the high level of satisfaction that students have with the COL's approach to virtual learning design content. The College will be using the same learning design and platform and is working closely with CoL to ensure that their excellent student experience is replicated within our offer.

The College has an obligation to ensure that the content of its programmes is always current and ensures that this is the case prior to each cohort beginning the programme. Students are notified of any changes that are legislative via tutor announcements and the course content is never updated mid-course. The likelihood of the College making any changes, which are detrimental to students or to the qualification awarded, is therefore low.

- **Risk of institutional failure due to financial instability**

The risk that the College will be unable to continue to operate due to financial limitations is low owing to the financial investment from CoL in Australia that underwrites all activities for the next five years with an investment of £6.0m. The College is already in receipt of the first part of this investment of £3.5m.

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The College's risk management processes and financial monitoring will ensure that the finances of the College are reviewed on a quarterly basis at Board level with interrogation from the Audit, Risk and Compliance Committee at every meeting. Financial sustainability will also be independently reviewed as part of the annual audit by PriceWaterhouseCoopers, and the College receives ongoing independent financial advice from James Aston, National Head of Education, Partner, BDO (Global Accountants and Business Advisors).

- **Risk of an international partnership failing and not being able to teach out students**

At present, we do not plan to have any partnerships to assist in the delivery of teaching. For any partnerships that the College may enter into, we will undertake due diligence to ascertain the level of risk in relying on its support and only proceed to establish a partnership where it is confident that the support is sustainable over the foreseeable future. Given the experience of Board members, we will be cautious about developing any international partnerships, other than with those firms that already have a global presence.

All partnerships will be supported by collaboration agreements and contracts outlining obligations for both parties. It is CoL's policy to retain the IP within the CoL Group that will ensure that we are not reliant on partnerships for content. For these reasons the risk of an international partnership failing and not being able to teach out students is low.

Section 2:

The measures that you have put in place to mitigate those risks that you consider to be reasonably likely to crystallise

Mitigations planned or in place against the risks identified above are as follows.

All risks and actions identified here will be monitored through a robust risk management process already in operation for the College. The College's Audit, Risk and Compliance Committee have responsibility for oversight for managing risk including those related to the continuation of students' studies. The Terms of Reference for the Audit Risk and Compliance Committee can be found in the College's **Corporate Governance Code**.

As part of the risk management process, the College has an active risk register that is reviewed by Senior Executive and by the Board on a quarterly basis (Risk is a standing item on their agenda). The Audit, Risk and Compliance Committee review the Risk Register every three months and highlight any significant risks to the Board. They will request audits and reviews of operational activity if they have any concerns.

The Programme Committee will also manage any risks relating to academic quality or policy, and will receive regular reports on academic risk as outlined in their Terms of Reference, included within the Corporate Governance Code.

The College has developed its risk management processes based on its parent company's strong governance framework. Since 2012, CoL has been annually assessed under the Tertiary Education & Standards Agency (TEQSA) against its Regulatory Risk Framework. The TEQSA Regulatory Risk Framework forms the basis for regulatory assessment and scrutiny in Australia.

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The College will look to mitigate this risk through a long lead-in time and a series of marketing campaigns for our first set of programmes. Applications are already open for the majority of our courses for 2021-2 and we are engaging with sponsor organisations to ensure that we have a strong uptake. The College will also stagger the roll out of programmes through the first three years of operation.

Should we decide not to go ahead with a particular Programme, the College's Student Terms and Conditions state that the College will inform you as soon as is reasonably practicable, so we would aim to provide at least two weeks' notice. In this situation, the College would try to discuss the best approach with each individual student to see what would be a workable solution to enable them to achieve the same qualification either at a different time, through a different course, mode of delivery or with other suitable training providers. Students may also be entitled to a refund or compensation in line with the College's **Refund and Compensation Policy**.

- **The risk of not being able to teach out students on a programme as it is discontinuing**

The College is drawing on the expertise from its parent company, the College of Law in Australia. CoL has an excellent track record and practice that shows a high level of commitment to students and offering a quality student learning experience.

In the unlikely event that the College is unable, owing to unforeseen circumstances, to teach out a programme or programmes, it would support students to transfer to a suitable alternative provider. In this situation, the College would try to discuss the best approach with each individual student to see what would be a workable solution to enable them to achieve the same qualification with other suitable training providers. We already have some relationships with Law Schools and legal training providers, that we will strengthen prior to launch to ensure that the College can facilitate this easily for the students.

- **The risk that our New Degree Awarding Powers (DAPs) authorisation may be revoked or not extended beyond the initial three-year authorisation**

In the unlikely event that the College's DAPs authorisation is revoked or not extended beyond the initial three-years authorisation, the College will discuss the best approach with each individual student to see what the best solution for each individual student would be.

The College would either seek to refund students for their tuition fees or seek to transfer the student to another institution where they could achieve a comparable qualification. To facilitate this, the College has a high level of financial sustainability being a wholly owned company by CoL in Australia that has been established since 1974. The annual accounts for CoL's for 2018-19 show a total revenue of £37.6m with a trading surplus of £8.2m. CoL has made a significant surplus after tax for the last three years, with a net income of £7.1m in 2016-2017 and £8.1m in 2017-2018. The College has strong financial resources in place through a very significant financial investment from CoL that fully covers 'teaching out' students on all programmes running in the next three years (admissions from 2021 to 2024) within the probationary New Degree Awarding Powers timeframe. CoL's investment over five years totals £5.1m and the College is already in receipt of the first part of this investment of £3.46m.

Further, we have several relationships with Law Schools and legal training providers who could offer comparable qualifications for students. If we needed to transfer a student to another institution, we would facilitate the transfer for the student and bear the cost of the transfer for each student.

- **The risk that we are unable to deliver our courses owing to inability to attract adequate high quality tutors**

The College will use the expertise of CoL, combined with an expert Academic team in the UK to attract high

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calibre teaching resources. CoL has a long history in Australia (and elsewhere) of attracting, training and developing legal practitioners of appropriate experience and standing to be lecturers within its blended online / face-to-face programmes. The College has a **Supervisor Role Description** and a Supervisor Development Framework which puts structure around the establishment and development of the Supervisors team.

The College is contracting with supervisors who are also lawyers in practice (similar to CoL) to facilitate its programmes rather than full time academics. Our supervisors, being in practice, will be unlikely to want full time positions and by being constantly on the lookout for talented staff we will be able to maintain a good-sized pool of supervisors available as required.

The College already has eight supervisors confirmed for its first course in August 2021. They have previously worked with either CoL or the College's experienced team. All of these supervisors are highly experienced practitioners and tutors of law and legal skills.

- **Risk of that we are unable to deliver our courses owing to technology failure**

The College will draw on the expertise of CoL and its Information Technology team to ensure that the systems offer the highest level of stability for students. The learning management system used is based on cloud technology that is GDPR and elements of ISO27000 compliant. The data flows are all SSL certificate-based encrypted (through encrypted APIs) through the College's digital solutions. The College will put in place localised IT support for students and tutors.

The College's business continuity plans describe how the College will continue to operate and the support offered to students in the unlikely event of technology failure. The key points are as follows:

- The College will use either Canvas's centrally held daily back up or their cloud-based daily back up to ensure that content and data loss is minimised.
- Canvas has a response time of between 4 hours and 12 hours to return the data from the last known best backup to the College.
- As soon as there are any issues with the technology being unavailable, the College will communicate directly with the students affected to advise them of the issue and likely length of time for resolution.
- The tutor will also assess the impact on the programme and whether any work-around is required whilst the learning portal is unavailable. Much of the work within the College's programmes will be designed for students to undertake flexibly around their work commitments so a short-term loss of technology will have a very limited impact on their progress.
- If immediate engagement with tutors is required whilst the learning portal is unavailable, the tutors will continue to engage with the students directly via email, phone or Skype/Facetime.
- If a student's own technology crashes, they can continue their access to the learning portal via a range of devices, including laptops and smart phones with Internet access.

- **Risk of making changes to programme content that negatively impact students or the qualification awarded**

The Curriculum Development and Delivery Group will make minor adjustments to module content and programmes of study, for example in order to maintain currency or to respond to feedback from students or external changes within legal practice, or to align with the changing requirements of the Office for Students.

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Any such adjustments must be approved by the Programme Committee and will occur prior to the beginning of a course and never mid-course. The students would be notified of any minor modifications within the Programme apart from updating practice to be current, at least five days prior to the course commencing.

Any changes that might have an adverse effect on students would not be made without formal consultation with affected students. Occasionally it may be necessary to make major changes to programmes that would apply to the next intake of new students, and in this case appropriate notification and explanation of options would be provided to all affected students.

In the very unlikely event that the College is required to make major changes to programmes and apply these for continuing students, it would consult formally with all affected students before making a decision. Major changes to a programme must be approved by the Programme Committee that includes an independent Chair, with academic and legal practice expertise, in accordance with our Corporate Governance Code.

- **Risk of institutional failure owing to financial instability**

This risk is substantially mitigated by the financial investment made by CoL into the College is independent of the intake levels of students and revenue, so these would not be a factor in contributing to any programmes discontinuing or not being delivered. The level of investment by the parent company is already placed in the College's accounts in London.

However, as with all providers, an extreme set of events may lead to the prospect of the College being closed or a decision being taken to exit the market. Where this is the case the following measures would be considered to protect students:

1. It would remain the College's policy to teach out programmes and therefore where possible, would try to close in a gradual way, over a period that would allow current enrolled students to complete their studies at the College.
2. Where the above is not possible, the College would support students to transfer to appropriate programmes at other providers and look at financially compensating students where they have suffered demonstrable, material financial loss directly because of the College closing (please see the **Refund and Compensation Policy** for further information).
3. Merging with another institution to maintain all or part of the current provision of existing programmes.

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Section 3:

Information about the policy you have in place to refund tuition fees and other relevant costs to your students and to provide compensation where necessary in the event that you are no longer able to preserve continuation of study

The College's Refund and Compensation Policy will be highlighted to students directly as part of the offer of a place and after they accept a place on a course, it is on the College's website and part of the Programme Handbook for each programme.

The College regards all students equally in terms of how their tuition fees are paid and all would be equally entitled to refunds should the College be unable to preserve continuity of study.

The policy states that should the College be unable to preserve the continuation of study for the student, the College will offer reasonable compensation for additional tutor costs, maintenance costs and lost time due to stopping the course or transferring to another course or provider.

Within the policy, it states that if students incurred costs such as travel or accommodation costs as a result of changed or cancelled face-to-face sessions, the College would be prepared to pay reasonable compensation to affected students who could provide appropriate evidence of the expenditure incurred that was not able to be refunded by the travel or accommodation provider.

The guarantee from CoL to provide sufficient and long-term investment into the College will ensure that any agreed refunds of tuition fees and compensation for non-continuation of study will be able to be fulfilled.

Section 4:

Information about how you will communicate with students about your student protection plan

We will publicise our Student Protection Plan to current and future students by including the plan prominently on our website and referring to its location in our Programme Handbooks.

The College will ensure that all relevant staff are trained as part of their induction into the College to be aware of the plan and its key provisions as may affect them, especially staff involved in course creation and maintenance.

Any decision to close a programme will be made by the Board of the College, which will consider the financial and legal implications and consult with the Programme Committee. The Programme Committee will oversee the appropriateness and ongoing management of any teach-out or transfer arrangements, to ensure that academic standards and the quality of the student learning experience is properly managed.

If students are to be affected by the activation of the plan, all affected students would be contacted in writing within 10 full working days of the Plan being triggered to inform them of the problem, what the College intended to do about it. The correspondence will include what their options would be, support available from the Student Services Manager and recommendations of independent advice.

If, for example, there were material changes to a course offering we would advise affected students within 10 working days as to what alternative offerings would be available and whether tuition fee refunds and/or other compensation were to be offered in lieu of a replacement course.

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At the same time, information would also be circulated to any Student Representatives affected by the change and we would publicise information through the College's website. The information would make clear who to direct any concerns to and would provide information on where you can seek advice and assistance and on how you could provide feedback to us.

On triggering the Plan, we would carry out an Equality Impact Assessment to ensure that we were considering the needs of different groups of students.

The Student Protection Plan will be reviewed on an annual basis for the first three years of programme operation and then on a three-year basis. Any changes within the Plan will be recommended to the Programme Committee for approval. The Programme Committee has a student representative and as part of our Student Partnership Framework there is a process for students to be involved in the review of the plan as part of overall student feedback and monitoring that the College will conduct each year.

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