

### 1. Policy

#### 1.1. Introduction

- 1.1.1. The Competition and Markets Authority (CMA) has issued guidance<sup>1</sup> on consumer protection law to UK higher education providers to help HE providers understand our responsibilities. Equivalent CMA guidance has also been written for a student audience outlining their rights under consumer law rights.
- 1.1.2. This policy sets out processes for managing curriculum in compliance with consumer law. All staff are expected to familiarise themselves with this document, and to carry out curriculum design and management activities accordingly.
- 1.1.3. The fundamental principles of consumer law, when applied to Higher Education, are the protection of prospective students, the maintenance of student confidence in the University of Sussex, and to protect the reputation of UK HE in general. Consumer law deems that the process of a student applying to a course and a university making an offer to the student means both parties have entered into a contract. Should the student meet the requirements of the offer the University is bound to deliver the course to which the student applied. Where amendments are made to courses students, and in certain circumstances applicants, should be contacted.
- 1.1.4. For most students deciding which course to study is a one-off decision that requires a significant investment of time and money. The university therefore needs to ensure students are provided with clear and transparent information to ensure that the decision to study at the University of Sussex is a properly informed one.

#### 1.2. Elements of the curriculum defined as ‘material information’

- 1.2.1. Because of the contractual nature of the application/offer Universities are required to supply applicants with sufficient ‘pre-contract’ information to allow the applicant to make an informed decision regarding where and what they want to study. This information is defined as ‘material information’ and our applicants are provided with the following material information via the print and/or online prospectuses:

Category	Detail
Key Information	<ul style="list-style-type: none"><li>• Duration of course*</li><li>• Fees*</li><li>• Entry requirements*</li><li>• UCAS code [where relevant]</li><li>• Type of award*</li><li>• Course title*</li></ul>
Curriculum Information	<ul style="list-style-type: none"><li>• Structure of course+</li><li>• Core modules*</li><li>• Range of optional modules+</li><li>• Details of modules mandatory to achieve accreditation* (i.e. Qualified Teacher Status etc.)</li></ul>
Curriculum Composition	<ul style="list-style-type: none"><li>• Module content+</li><li>• Type and amount of teaching+</li></ul>

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<sup>1</sup> [Higher education: consumer law advice for providers](#)

	<ul style="list-style-type: none"> <li>• Type and amount of assessment+</li> <li>• Study abroad/placement opportunities+</li> </ul>
Supplementary Information	<ul style="list-style-type: none"> <li>• Information on teaching staff</li> <li>• Information on potential scholarships</li> <li>• Career options and recent graduate destinations</li> <li>• General contextual information about Sussex (league table positions and information about the local area).</li> </ul>
<p>'**' Denotes express consent from applicants is required, if change is taking place mid-application cycle          '+ ' Denotes express consent from applicants may be required, if change is taking place mid-application cycle, School should consult ADQE curriculum team for further guidance.</p>	

1.2.2. Utilising the above table, where any of the material information marked with an asterisk (\*) is changed mid-application cycle, the University is obligated to inform applicants/offer holders and obtain express agreement to the change. Material information marked with a plus symbol (+) may require the University to inform applicants/offer holders and colleagues should consult ADQE curriculum team for further guidance.

1.2.3. Curriculum changes which affect any of the above material information marked with an asterisk (\*) should normally be made within the curriculum development window outlined in section 1.3, exceptions are outlined in section 1.4. Where curriculum changes effect material information marked with a plus symbol (+) colleagues should consult ADQE curriculum team for further guidance. Curriculum changes not marked by a '\*' or '+' symbol can be made at any stage in the year.

1.2.4. It is important to note that the above applies irrespective of the stage of the course the curriculum is offered in. Courses are packages of modules split into stages of study. Therefore a change to the third year of a degree has the potential to affect an applicant just as a change to the first year of a course does; in both examples the course to which they have applied has changed.

1.2.5. It is important to note that changes to one course may affect applicants of another course such as foundations year and international foundation year courses. A foundation year student will have applied to a four year programme consisting of the foundation year and subsequent bachelor's degree. In this example, changes to bachelor's degree have the potential to not only affect the affect applicants to the bachelor's degree but also to the relevant foundation year.

1.2.6. In cases where express consent is required, following approval of the change by the relevant committee, the admissions office liaises with applicants to gain consent.

### 1.3. Curriculum Change Cycle

1.3.1. Curriculum changes which affects material information (see table in 1.3.1) need to be approved by Christmas break the academic year before the course is taught (i.e. December 2018 for 2019/20 delivery).

1.3.2. Curriculum changes are to be considered against the curriculum development CMA risk assessment tool (see appendix 1). Where changes are deemed significantly high risk, the change will need to be escalated to the ADQE curriculum team for further advice on the next steps and communication with applicants.

1.3.3. Where mid-application cycle changes are known in advance, the school should liaise with the admissions office. Depending on the nature of the change it may be possible to take action to mitigate the work and risk caused in making the change and obtaining express consent. For example, by delaying offer letters until the change has been made.

#### **1.4. Permissible exceptions**

1.4.1. The need may arise for curriculum changes which affect material information (see 1.2.1) to be made mid-application cycle. In cases where an exception is sought the curriculum team within ADQE should be contacted for advice, ADQE will in turn liaise with the Chair of the University Teaching and Learning Committee to confirm whether the change is permissible. An indicative example of a permissible exception could be where immediate curriculum change is required to maintain accreditation.

#### **1.5. Practice for consulting existing students on curricula change**

1.5.1. The CMA guidance focuses on applicants because enrolled students can, and should, be actively involved in any further changes to the curriculum. The university's terms and conditions state that suitable consultation will be sought where it is necessary to make a material change to your course. As a minimum level of engagement, schools should utilise a staff-student meeting to facilitate consultation when the below changes to the curriculum are required:

- i. Course level information (duration of course, type of award, and course title)
- ii. Structural information (changes to the structure of course, withdrawal/replacement/major amendment of core modules, and withdrawal of optional modules)

1.5.2. Use of staff-student consultation as described above is the minimum expected level of consultation. Dependent of the size of the change/approach of the School, representatives may be used whilst in others case it may be suitable to invite all affected students.

1.5.3. Schools are encouraged to use more enhanced consultation methods such as forums and working groups, where circumstances and resource allow. Similarly, the types of curriculum changes listed above are stated to lay out the minimum level of engagement, schools are encouraged to consult students for more minor curriculum change were circumstances allow.

#### **1.6. Publication of curricula**

1.6.1. Prospectus information, notably the core and optional modules which form a course, is drawn from the University's curriculum database. The online prospectus displays the current year's module offer until the next academic year's module records are created, along with a disclaimer stating that module offer may vary. In light of the CMA guidance these course records need to be finalised earlier in the academic year to ensure prospectus information accurately shows the structure of the course as students will study it. The below approach should therefore be followed by School staff responsible for the maintenance of course records:

- i. Course changes approved prior to the curriculum change deadline stated in 1.3 should be updated on the database following the School's Teaching and Learning Committee.

- ii. Schools should approach Student Systems and Records Office (SRRO) to create the occurrence for the following year at this time
- iii. Course changes approved mid-year for the subsequent academic year should be updated in with immediate effect, Schools should again approach SSRO at this time to create the occurrence if required.
- iv. Updating the course record and syllabus rules for the subsequent academic year at this time will allow the on-line prospectus to show correct, up-to-date information for the start of the admissions cycle

## Curriculum Management and Consumer Law - Appendix 1 – Risk assessment tool

Colleagues should use the table below to determine whether proposed curriculum development will cause particular difficulties for the current application cycle.

Where a score of 6 or more is reached, the proposal is considered to be sufficiently high risk and Schools should flag proposed changes to the ADQE Curriculum Team to obtain permission to proceed.

<b>HIGH RISK</b>	2 points
<b>MEDIUM RISK</b>	1 points
<b>LOW RISK</b>	0 points

TYPE OF CURRICULUM CHANGE	NUMBER OF APPLICANTS AFFECTED		NUMBER OF OFFER HOLDERS WHO HAVE ACCEPTED	TIMELINE	IMPACT ON FOUNDATION YEAR AND ISC STUDENTS
	UG	PGT			
<ul style="list-style-type: none"> <li>• Addition/withdrawal/suspension/removal of core module(s)/change to course structure</li> <li>• Revalidation of course</li> </ul>	>150	>100	20% or more acceptances	After Christmas vacation of the preceding academic year	Course serves as significant progression route for one or more of the Foundation Years (internal or ISC)
<ul style="list-style-type: none"> <li>• Withdrawal/suspension/removal of optional module(s)</li> </ul>	100 - 150	50 -100	10% or more acceptances	Between October and Christmas vacation of the preceding academic year	Course can serve as progression route for one or more of the Foundation Years (internal or ISC)
<ul style="list-style-type: none"> <li>• Addition of optional module(s)</li> <li>• Module title change (where content remains unchanged)</li> <li>• Addition of mode of study</li> <li>• Change of assessment modes</li> <li>• Change of teaching methods</li> <li>• Change of assessment weightings</li> </ul>	<100	<50	No acceptances	Before October of the preceding academic year	No relevant Foundation Year
<ul style="list-style-type: none"> <li>• Removal, addition or change of learning outcomes</li> <li>• Change of assessment lengths</li> </ul>	<b>No risk - No permission required</b>				
<b>Proposals to change course titles and requests to suspend/withdraw courses/remove a mode of study must be submitted to Portfolio Approval Committee for consideration</b>					

If the proposed change is identified as being high risk, the following solutions will be considered:

- The change is allowed to proceed and the Admissions Office will contact the affected applicants and seek their express consent.
- The change is allowed to proceed and, where the risk is believed to be manageable, a determination is made that updating the prospectus and webpage is a proportionate way of publicising this change.
- The change is considered too high risk and is deferred until the next appropriate academic year or not approve