Higher Education (HE) Consumer Rights Policy

The purpose of this policy is to support staff involved in Higher Education courses at the College in meeting obligations with regard to consumer protection law.

Consumer protection law will generally apply to the relationship between HE providers and prospective and current undergraduate students. It sets out minimum standards that apply to various aspects of the Colleges dealings with students, for example in relation to information provision and complaint handling, and the requirement of fairness for terms and conditions.

Who does this policy apply to?

All staff involved in Higher Education.

Policy Statement

To ensure all communication, processes and policies relating to Higher Education is in accordance with consumer protection law.

Why do we need this policy?

To ensure that the College meets its obligations in terms of the Consumer Protection Act and Consumer Contracts regulations and Consumer Protection from Unfair Trading Regulations. This policy is based on guidance from the Competition and Markets Authority.

Roles and responsibilities

1. Ensure key staff are aware of key points of legislation.
2. Ensure all communications with students adhere to consumer protection requirements and follow best practice guidelines where possible.
3. Ensure that all marketing communications and information available to students is compliant with our obligations.

Liaison with external agencies (where applicable)

Consultation with BU marketing department and other partner Higher Education Institutes and The Office for Students.

Links to College values and HE and other College policies are on our website:

College Policies & Accountability Statement | College | Bournemouth & Poole College

Who needs to understand this policy and how will they know about it?
The following training and awareness will be put in place:

Who?	**How?**
Students	Policy available on the College website. Reference made to the Policy throughout the application and enrolment process – at College Open Events, during interview, in offer letters, invitation to enrol letter, at enrolment.
College leadership group	Briefed during SLT and provided with the policy.
All teaching staff	Briefing by Director of Learning 'All Staff' email; visits to team meetings if requested.
Business Support staff who interact with students	Briefing by line managers; copies of the policy to be distributed.
Senior Management, Exec and Board	Covered in HE update.

PROCESS / PROCEDURE

Student research and application stage:

- We will provide prospective students with material information, including information given visually, verbally and in writing – including about the courses we offer, the structure of courses, and the fees/costs. We ensure that this information is accurate and include any important information that could affect students' decisions.

- All information pertaining to courses is accurate, clear, unambiguous and timely, and easily accessible via our website, prospectuses, course and departmental handbooks and at open days.

- We will draw prospective students' attention to important rules and regulations, and to Terms and Conditions and Policies relating to Higher Education available on the College website.

Offer stage:

- When an offer is accepted and we enter into a contract with a student we will ensure that we continue to provide important information to prospective students to inform their decisions about which offer(s) to accept.

- We provide the necessary pre-contract information under the Consumer Contracts Regulations at the latest before a student accepts an offer of a place on a course.

- Where any pre-contract information that we have already provided changes, we will obtain the student's express agreement to the change before or at the time of making the offer.

- Where we anticipate that some things might change after the offer is accepted, we make clear in the pre-contract information what could change, when, and how, so that the student can agree to this; and any terms in the contract that purport to allow changes to the pre-contract information are fair under unfair terms legislation.

For distance contracts i.e. students applying through UCAS, we will:

- Provide confirmation of the contract on a durable medium, for example as attachments to an email. The confirmation must include all pre-contract information, unless it has already been provided on a durable medium.

- Give prospective students notice of their 14-day right to cancel, where the application and offer are carried out at a distance.

- Draw students' attentions to Terms and Conditions and Policies relating to Higher Education available on the College website.

Student enrolment stage:

- In principle, the pre-contract information we gave to students at the offer stage should still be accurate on enrolment. In any event, if it has been necessary to make any changes that affect material information (as defined in the CPRs), we will ensure that students are informed about these at the earliest opportunity.

- Where a separate contract for educational services is entered into between BPC and prospective students on enrolment, and enrolment takes place on campus, we will ensure that we comply with the CCRs requirements for on-premises contracts and if enrolment takes place at a distance, comply with the CCRs requirements for distance contracts.

Ensure that the College's complaint handling processes and practices are accessible, clear and fair to students

- We will provide prospective students with information about the complaints process before they accept an offer of a course. The complaints procedure is easily located and accessible to students on our website and intranet.

- Our complaints handling processes are fair and we set out clear and reasonable timescales in which students can expect to hear back about their complaint at each stage of the process, as applicable.

Appendix 1

Guidelines for best practice:

We will ensure that terms and conditions between the College and students are fair by:

- Terms and other applicable documentation that contains rules that apply to students can be easily located and accessed and are available to students.
- Students are aware of our terms and that we give them the opportunity to review them before they accept an offer.
- Highlight any important terms and draw them to students' attention before they accept an offer, so that their significance is not missed.
- Terms are written in clear language so that students understand them and understand how they affect their rights and obligations and how the terms could impact them; and
- Terms are not drafted in such a way that their effect could be unfair. They should strike a fair balance between our rights and obligations and those of students.

For example, the following types of blanket term may be open to challenge:

(i) Terms allowing an unreasonably wide discretion to vary course content and structure or increase fees during the duration of the course.

(ii) Terms seeking to limit liability for non-performance or sub-standard performance of the educational service.

(iii) Terms giving a blanket assignment, or a blanket right to receive an assignment, of intellectual property rights (IPRs) from students to the College.

(iv) Terms allowing the College to impose academic sanctions against students for non-payment of non-tuition fee debts.

Ensuring that the College's complaint handling processes and practices are accessible, clear and fair to students

We will provide students with clear and accurate information about the complaint handling procedures in writing and (where applicable) verbally, for example:

(i) Where we offer a course in partnership with, or sponsored or awarded by, another HE provider it will be clear where responsibility for complaint handling lies;

(ii) We will provide accurate details of any external complaint or redress scheme that students can access

(iii) Where students raise concerns at an informal level, we will inform them that they can make a complaint under the College formal complaints process if the matter is not satisfactorily resolved;

Our complaints handling processes are fair and we set out clear and reasonable timescales in which students can expect to hear back about their complaint at each stage of the process, as applicable;

(i) Set out clear and reasonable timescales relating to how long students will be given to respond to any requests for further information that you may make;

(ii) Do not create unreasonable barriers for students pursuing a complaint; and

(iii) Provide the ability for students to escalate the matter if they are unhappy and, where the regulatory framework allows it, ultimately to appeal if the matter is not satisfactorily resolved;

(iv) Follow any guidelines published by any third-party redress or complaint schemes of which we are a member; and

(v) Staff are trained in and follow complaint handling procedures in practice.

Approval Date: April 2026 **Next Review Date:** April 2027

Bournemouth and Poole College Date April 2026 Function Equal Opportunities
This policy has been examined for equality impact i.e. the impact that this policy will have on different groups of current or potential learners, service users and staff taking into account the protected characteristics of the Equality Act 2010 (age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation)
1. If equality impact analysis is not relevant to this function give reasons and proceed to section 5 below N/A
2. In what ways could this function have a negative impact on any of the groups above? What actions have been taken to eliminate these? Age: There are a number of courses that are only funded for certain age groups. People with learning difficulties, visual impairment due to the document not available in braille.
3. In what ways could this function have a positive impact on any of the groups above? How will this function be used to eliminate discrimination, advance equality of opportunity and foster good relations between different groups? Are there plans for the future which will further advance equality? All courses are available to all groups, which provides the opportunity to achieving diversity within the group, enabling celebration of differences and discourages discrimination

4.	**What evidence supports your judgements? E.g. Consultations, observations, expert opinions, quantative or qualitative surveys? If the evidence is in the form of an additional document, where is it stored?** Student Voice surveys. Higher Education termly programme meetings (minutes stored in Higher Education folder on n-drive), Access and Participation Plan 2026-27 to 2029-2030
5.	**Name and job title of manager responsible** Victoria Trachy, Higher Education Manager Jayne Courtney, Head of Organisational Development (with responsibility for Equality and Diversity)