

Student Protection Plan 2021-22

Backstage Academy website location of this policy:

<https://www.backstage-academy.co.uk>

Provider's name:

BACKSTAGE ACADEMY

Provider's UKPRN:

10036456

Legal address:

Backstage Academy,
Unit 53/55 Lidgate Crescent
Langthwaite Grange Ind. Est.,
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About this plan

As a registered higher education provider, Backstage Academy is required to publish a Student Protection Plan, that spells out what we are doing to prevent serious disruption to your studies and what we will do if your studies were to be seriously disrupted.

This plan

- assesses the risks which may impact upon our student's continuity of study at Backstage Academy
- outlines the measures we will take to protect their interests.
- describes how we will mitigate any risks it deems reasonably likely to arise
- provides information about Backstage Academy's policy about the refunds and compensation where necessary in the event that the institution is no longer able to preserve continuation of study
- explains how we communicate with students and staff about the student protection plan

The following paragraphs focus on several scenarios that as a special provider of higher education, we feel it is important to consider in order to demonstrate our preparedness to deal with any risks and the likelihood of them materialising.

This Student Protection Plan recognises and accepts the provisions of Regulatory notice 6: Condition C4 (Student protection directions)

<https://www.officeforstudents.org.uk/media/2f006cca-162f-48a0-97c2-3e9fe8a4b255/regulatory-notice-6-student-protection-directions.pdf>

1 Assessment of Risk

1.1 Arrangements with University of Bolton

Backstage Academy has been delivering HE courses through a franchise arrangement with University of Bolton since 2011. In September 2021, the arrangement changed to a validation arrangement. The risk that the University would decide to cancel this arrangement is deemed **LOW** given the longstanding association we have with the University and the continuing excellent relationship we have with them all levels. The University has further demonstrated its confidence by actively supporting Backstage Academy's aspiration to apply for Degree Awarding Powers and its commitment to validate and support further programmes of study in the interim

1.2 Future plans

Backstage Academy has no plans, nor do we have an expectation to close any of our provision in the foreseeable future.

1.3 The Estate

All our UG programmes follow a full-time attendance pattern. PG provision offers both full and part-time routes. All programmes are based on a single site at Unit 55 Lidgate Crescent, Lanthwaite Road, Lanthwaite Grange Ind Estate, South Kirkby, Wakefield, West Yorkshire WF9 3AP. We have no additional off-site, franchised, work-based or distance learning provision; therefore the overall risk of continuity of study for our students is **LOW** since all our resources are focussed.

1.4 Financial Performance.

Historically the financial performance of Backstage Academy has been, and continues to be, strong. The change to a validation arrangement means that student fees are now payable directly to Backstage Academy. We pay an annual validation fee directly to the University which is equivalent to the prior franchise fees. We have ensured that we have sufficient reserves will be available to us to provide a well-resourced learning experience in the event of short or medium-term economic difficulties. Our performance compares well with similar institutions operating in the sector and we consider the financial risk to be **LOW**.

1.5 Delivery of component parts of courses

The risk that Backstage Academy is no longer able to deliver material components of its courses is deemed **LOW** for most of the provision. All our modules are designed to be delivered by integrated teams of academic staff and are not dependent on one individual. In addition, a reliable pool of guest, specialist technical and industry professionals have supplemented the academic delivery since 2011.

For our BA (Hons) Live Visual Design and Production, we deem the risk to be **MODERATE** due to the technologically specialist nature of the field and which is dependent on 1FTE member of academic staff to deliver core teaching supported by a range of industry and academic guest lecturers. However, we have a least two lecturers who could deliver any module/session and so have redundancy in all areas. Despite this, we continue to monitor staffing levels and associated risks carefully.

1.6 Industrial Action

The risk that Backstage Academy may be unable to operate owing to industrial action is **LOW**. Although Backstage Academy does not have recognition agreements with any trades unions, it has established frameworks for consultation and negotiation with staff. It is highly committed to maintaining an effective employee relations culture and working with colleagues to achieve reasonable solutions to any matters that may arise from time to time.

1.7 Recruitment Trends

In a competitive higher education landscape, there is volatility in recruitment across HE providers and as a small specialist institution we are potentially sensitive to changes in recruitment patterns. However, the risk that recruitment falls significantly at the Backstage Academy and impacts on our ability to protect students is deemed to be **LOW**. Overall recruitment at Backstage Academy has remained relatively stable and this continues to be the case entering the 2021-22 academic year. As part of its annual monitoring processes Backstage Academy reviews recruitment at both programme and institutional level. Concerns and remedial action planning is considered by Senior Leadership and the Backstage Academy Board. Even if there were a decline in recruitment this would not affect existing students as existing courses would continue alongside associated funding from the Student Loans Company, and our existing reserves and revenue would cover student protection commitments

2. Mitigation measures

2.1 If the University of Bolton were to decide they no longer wanted to be our validating partner, then under our current contract they would have to provide at least 12 months' notice and as noted above, we believe we would be able to move to a new validation partner within this period and have prepared a range of documentary evidence that would allow us to engage in any institutional due diligence process in sufficient time for the transfer of validation arrangement to take place.

In the unlikely scenario where this was not possible, then the University of Bolton would continue to validate all the existing students' degrees until they had all graduated. We have produced a business continuity model to show that even if this did happen and we could not find a new partner, we would still be able to deliver the courses for all remaining students for the next 3 academic years and remain financially solvent during the teach-out of the course.

2.2 In the unlikely event that Backstage Academy should have no option, other than to close we would consider:

- where possible closing in a gradual way over a period that would allow current enrolled students to complete their studies with Backstage Academy
- where gradual closure is not possible, supporting students:
 - a) to transfer to the University of Bolton where possible
 - b) to transfer to appropriate programmes of study at other providers;
 - c) where appropriate, financially compensate where because of disruption to their studies, they suffer demonstrable, material financial loss

1.3 As a member of the Production Park group insurance scheme, we also benefit from the business continuity insurance policy that is in place; this means that should anything happen to the existing Backstage Academy estate or the technical equipment key to delivery of our provision, funds would be made available to ensure we can lease appropriate space/equipment to continue to operate while new premises are built or located.

However, should part or all of the Backstage Academy estate become unsuitable for activities involving students, we would consider:

- relocating our provision to an alternative location. This may include negotiating the use of other spaces within the wider Production Park estate, hiring spaces for course

delivery (where possible as close to Backstage Academy as possible) and/or installing temporary buildings if practical;

- amending timetables to enable all scheduled teaching to take place in the available facilities. This may include student contact sessions being held outside normal hours. Where such an approach is taken, appropriate consultation will be conducted with all the stakeholders who may be affected; appropriate equality impact assessment will also be undertaken.
- extending the mixed/blended approach to deliver appropriate modules online and seeking appropriate alternative locations for practical elements.

2.4 To mitigate against the risk of not being able to deliver certain aspects of our courses we have significantly increased our academic staffing levels over recent years and have plans to increase this level further over the next 3-5 years as additional validated provision is rolled out.

We design our modules and courses so that they are not dependent on any one individual and are taught by multiple members of our academic staff. In addition to this, we encourage all staff to attend various CPD courses on the latest technology taught on every course, further increasing the overall knowledge base of the academic team and reducing the reliance on any one individual.

We also have a strong pool of industry specialist visiting lecturers who have worked with us since 2011, many of whom have expressed an interest to work more with us in the future (either by joining as a permanent member of staff or increasing their subcontract hours).

2.5 If we are no longer able to deliver elements of specific undergraduate course, Backstage Academy will endeavour to develop and deliver alternative components of the course to ensure the continues achievement of the course's specified learning outcomes.

3. Refund of tuition fees and other relevant costs

We do not foresee any scenario where we would not be able to preserve continuity of study. However, if any course could not be continued and could not be taught out, we follow the University of Bolton's policy for refunds and compensation, which adheres to UUK principles and is to be found on their website at this location: <https://www.bolton.ac.uk/assets/Uploads/UoB-Student-Protection-Plan-2021-22.pdf>

We have developed and approved our own Refunds and Compensation Policy (appended to this Plan)

4. Communication with students about the student protection plan

4.1 We will publicise our Student Protection Plan to current and prospective students by including a link to the policy on our website and advise students of the policy at an early stage should the risk of course or site closure significantly increase.

4.2 We will ensure that staff are aware of the implications of our Student Protection Plan when they propose course changes by incorporating the need to advise students into our documentation and procedures.

4.3 This Student Protection Plan and accompanying Refunds and Compensation Policy have been modelled on the existing arrangements with the University of Bolton (which was

agreed following consultation with their student body) and adapted to the context in which Backstage Academy operates.

4.4 Both this plan and policy were presented to Backstage Academy Student Representatives as a single draft document and endorsed at a meeting held on 7 November 2018 and subsequent updated versions have been approved by the Senior Leadership team.

5. In the event we need to implement this plan:

5.1 Should key aspects of our SPP need to be implemented we will inform our students via email, student representatives for the affected provision, social media groups and open meetings as appropriate. We will ensure appropriate provision for students with disabilities and any special communication needs, recognising that some SLC and other external procedures may be complex and obscured in technical language.

5.2 We will give students adequate notice when we need to make significant material changes to their courses and following consultation with the Students Reps, we will seek to always do this at well in advance of changes (with particular attention in relation to substantial changes to the date or location of any assessment arrangements). We will advise students that this might not always be possible due to circumstances beyond the control of the institution. We will in each case however consider what is in the best interests of the majority of students.

5.3 If we need to implement the measures in our student protection plan we will always seek to communicate clearly with students as to the nature of the changes, the actual or potential impact on them, the reasons for the changes and what their options are. Individual support on academic aspects will be provided by personal tutors and pastoral support will be available through our Student Services team including specialist psychological support from our on-site Student Welfare Officer (a registered psychotherapist registered with the BACP). Working closely with the University of Bolton's Student Services Funding Advisors, we will be available to help students understand the funding implications of any transition in recognition of the complexities and uncertainties that such changes can entail.

5.4 We will put in place arrangements to allow our students to have access to independent advice where appropriate if we need to implement the measures in our student protection plan in relation to changes of institution.

Refunds and Compensation Policy 2021-22

About this policy and procedures

1. This refunds and compensation policy and procedures have been developed as part of Backstage Academy's commitment to ensuring the quality of the student experience the development and maintenance of all aspects of the quality of our provision and to ensure it meets the requirements of its validating partner, the Office for Students (OfS), the Office for the Independent Adjudicator (OIA); the Quality Assurance Agency (QAA); and the Competition and Markets Authority (CMA).
2. The purpose of this policy is to set out the arrangements for the refund of tuition fees that apply to students or their employers or sponsors on higher education programmes.
3. The policy also outlines the circumstances when Backstage Academy may consider the payment of compensation to students or their employers or sponsors. It aims to provide a clear and simple framework, so that students can understand when they may be entitled to compensation or a refund of tuition fees or another type of remedy and how to make a claim.
4. This policy applies to students or their employers/sponsors (where they have paid the fees) on higher education programmes at Backstage Academy including:
 - Students in receipt of a tuition fee loan from the Student Loans Company;
 - Students who pay their own tuition fees;
 - Students whose tuition fees are paid by an employer or another sponsor.
5. This Policy will not normally apply to individuals who have completed the studies for which they registered as a student at the College.

Definitions

6. Under this policy:

Refund relates to the repayment of sums paid by a student to the Backstage Academy or an appropriate reduction in the amount of sums owed in future by the student to Backstage Academy. This could include tuition fees, other course costs, or accommodation costs.

Compensation relates to some other recognisable loss suffered by a student. This normally falls into two categories, either

- i. recompensing the student for wasted out of-pocket expenses they have incurred and that were paid to someone other than Backstage Academy;
 - ii. an amount to recompense for material disadvantage to the student arising from a failure by Backstage Academy to discharge its duties appropriately.
7. Financial compensation will not always be an appropriate response to complaints and it is unlikely that most issues will be resolved in this way. Backstage Academy will strive to ensure that students receive what was promised from their degree and learning experience. There are many ways to resolve disputes with students.

Alternatives to financial compensation might include an apology or goodwill gesture, or an offer of alternative learning methods if the course cannot be delivered in the way it was originally intended. Backstage Academy will take a student-centred approach to resolving complaints, and our refund and our compensation policy reflect this.

8. Backstage Academy would generally expect a student to have been through the internal complaints procedure before making any application for compensation.

Considering claims for refunds or compensation

9. In line with Universities UK guidance Backstage Academy will take the following considerations into account when assessing the merit of any claims for compensation or refunds. The focus in all situations will be on ensuring that students receive the education that they are entitled to expect based on their contract. However, in some circumstances it may be necessary to consider whether compensation, refunds or other forms of non-financial redress are appropriate.
 - i. Key questions we will consider in these circumstances include:
 - ii. Have specific undertakings been given to the students by the Backstage Academy for the way in which the course is delivered?
 - iii. Has there been a failure to deliver against material information agreed with the students at the point of acceptance of the offer?
 - iv. Has a period of prolonged disruption jeopardised the ability of Backstage Academy to offer guided learning in a manner than ensures students have a fair and reasonable opportunity to develop appropriate levels of understanding required for their course?
 - v. Has there been a demonstrable loss to the student? In particular, has the student been able to achieve the learning outcomes for their course?
 - vi. Has the student met their own responsibility to minimise losses?
 - vii. Has Backstage Academy followed its own processes in delivering the course? For example, quality assurance processes and communications to students.
 - viii. Has the student been affected in relation to:
 - a final degree award
 - accreditation award
 - ability to take up a job offer
 - ix. Consideration of any alternative arrangements or adjustments that were implemented for students to mitigate against any loss:
 - Did the student take up what was offered?
 - Were they still disadvantaged despite alternative arrangements?
 - x. If a complaint is made due to disruption to a student's learning experience which is beyond the student's control, for example disruption to the course due to industrial action, how has Backstage Academy communicated with students throughout the process

- xi. Have communications been clear and consistent so that students were aware of any changes and how it might affect them?
- xii. Is compensation or a refund the most appropriate way to deal with the complaint.
For example:
 - Would an apology from the institution be an appropriate response?
 - Would a 'goodwill payment' be an appropriate response?
- xiii. Is a refund or compensation the most appropriate way to address any material failure to deliver the appropriate learning opportunities?

Refunds for students in receipt of tuitions fee loan from the Student Loans Company

- 10. In the unlikely eventuality of failure to preserve continuation of study, Backstage Academy will ensure that it supports the student and the SLC to transfer future fee loan arrangements for the continuation of study to a new provider. Backstage Academy will not compensate students in relation to prior loans unless it would be unreasonable not to do so (e.g. it would be unreasonable to expect the student to continue with their studies at the new provider).
- 11. In the unlikely eventuality of failure to preserve continuation of study and there is no reasonable offer of transfer to a similar course of study, we will return appropriate funding to the SLC itself to erase the liability of the student for any scheduled tuition which does not take place.

Refunds for students who pay their own fees

- 12. In the unlikely eventuality of failure to preserve continuation of study and there is no reasonable offer of transfer to a similar course of study, we will refund students who pay their own tuition fees an amount enabling registration elsewhere to complete their studies.

Refunds to sponsors who have paid fees

- 13. In the unlikely eventuality of failure to preserve continuation of study and there is no reasonable offer of transfer to a similar course of study, we will refund tuition fees to the sponsor an amount enabling registration elsewhere to for the student to complete their studies.

Payment of additional travel costs for students affected by a change in the location of their course

- 14. Where the location of a course of study is changed by Backstage Academy and there is evidence of additional travel costs to students, we will make compensation up to the amount of the additional travel costs for students affected by the change or provide travel support (e.g. through a timetabled minibus service).

Student Bursaries

- 15. In the unlikely eventuality of failure to preserve continuation of study and the student transfers to a different provider, Backstage Academy will ensure that the bursary arrangements are honoured, either by the new provide or by Backstage Academy.

Maintenance costs attributable to non-continuation of studies

16. We will reimburse students a reasonable proportion of additional maintenance costs and lost time where it is not possible to preserve continuation of study where these are not covered elsewhere (e.g. by existing SLC maintenance grant or loan) and directly attributable to the non-continuation.

Maintenance costs attributable to transfer to a different provider

17. Backstage Academy will endeavour to ensure that students can transfer to a different provider and will pay reasonable additional costs to ensure a smooth transition. In line with its existing policies we will consider compensation payment for disruption and distress in line with the UUK principles highlighted under the section above 'Considering claims for compensation or refunds'

General Considerations and Principles

18. i. Refunds or compensation will not be made in respect of modules or years or stages of a programme for which academic credit has already been awarded (though the student may be eligible for compensation in relation to secure transition to another provider or delivery arrangement).
- ii. Any claims for compensation must be evidenced, reasonable and proportionate.
- iii. Backstage Academy will not be liable for any claims for loss of past, current or future earnings or other actual or potential revenue.
- iv. Compensation will only be potentially payable where Backstage Academy has been forced to discontinue a course and offers no reasonable alternative (including continuation of study at an alternative higher education provider).
- v. Compensation shall principally be designed to enable a student to continue their studies.
- vi. In the unlikely eventuality of failure to preserve continuation of study and there is no reasonable offer of transfer to a similar course of study, we will return appropriate funding to the SLC itself to erase the liability of the student
- vii. If a course is closed Backstage Academy will not pay fees for the remainder of the course at another provider where SLC funding is available for that course at the other provider (as the student will have had that arrangement had the original course continued). However, Backstage Academy will pay compensation for any costs directly and exclusively related to the transfer to the alternative course per se.
- viii. Backstage Academy will incorporate provisions within its annual budget for the potential payment of tuition fees, other refunds and compensation payments to students. Cash reserves will be designated for those students where an increased risk of non-continuation of study has been identified'.

DOCUMENT CONTROL	
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Further Information	