

# Competition & Markets Authority Guidance

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All higher education institutions are required to abide by the regulations of the Competition and Markets Authority (CMA). The CMA provides specific guidance for undergraduate courses and BCC uses these principles to guide published information about all courses.

This guidance provides detailed information about what you need to do in managing information so that BCC complies with the CMA regulations.

## 1. Overview

### What is the CMA Guidance?

In March 2015 the Competition and Markets Authority (CMA) provided guidance to Higher Education Institutions that provide undergraduate programmes about their obligations to students in terms of consumer regulations, the provision of up-to-date, accurate programme information, including full costs of programmes, and not just the tuition fee. In order to ensure all of our information is robust and we are fully compliant with consumer protection law, BCC is applying the CMA guidance to all courses.

### Why is it important?

The guidance requires BCC to ensure that it remains within the law. If we do not meet our obligations, we may be in breach of consumer law and risk enforcement action. In some circumstances, students may also have the right to take legal action against BCC or seek redress, such as full fee repayment.

### How does consumer law apply to the information we provide?

All types of information given to current students and applicants falls within consumer law. This includes information given at the pre-admission/enquiry stage and throughout the admissions process in both print/digital communications (subject leaflets, emails, letters, websites) and oral communications (telephone conversations, face to face conversation, open days). We are required to give prospective students the information they need to make an informed decision before they apply.

### What does the CMA guidance cover?

The guidance relates to three specific areas of practice where institutions may need to take action, or modify existing practice in order to comply with consumer protection law.

BCC must:

- Detail compulsory modules on all its course pages
- Provide applicants and students with clear, accurate and timely information to enable them to make an informed decision about what and where to study
- Ensure our terms and conditions are fair e.g. we cannot make surprising changes to course content, or costs
- Ensure that our complaints handling processes are accessible, clear and fair

### What does this mean in practical terms?

BCC has to ensure that the required 'material' information accurately reflects what students will study and how they will be assessed and that the information is easily available to applicants in a

timely manner at the pre-contractual stage (before their offer is made), and the post-contractual stage (once their offer is made).

The pre-contractual stage includes the promotional and recruitment stages.

The post-contractual stage starts from the point at which the offer is made and accepted.

The full guidance is available from the UK Government here: [CMA Guidance for Higher Education Providers](#)

## 2. Staff Roles and Responsibilities

**All staff involved in drafting and publishing course and module information have a responsibility for ensuring accuracy and communicating changes**

The following principles apply to all published information processes:

- Single sources of information will be used wherever possible. If we need to share information with our prospective or current students we refer to the approved source information wherever possible. We avoid re-writing or re-stating already published information. We avoid creating information sources that fall out of date without being managed.
- We all take responsibility for checking the information we provide as part of generating published information about courses, modules and studying at BCC. Each person involved in the process has responsibility for checking that the information they provide is consistent with the approved specifications.
- We clearly identify and communicate changes. When changes are made to courses, modules and other core aspects of studying at BCC, we check whether they are material changes that should be communicated to prospective or current students.

### Who is responsible for managing the accuracy of published information?

To ensure that our institutional obligations are met and BCC is CMA compliant, the responsibility is shared between the members of the Executive Committee:

### Information sources

The main sources of information (e.g. Newman University Validation Document, current prospectus) pertinent to CMA guidance can be obtained from the Director of Trust Administration.

## 3. Governance

Oversight of information management currently resides with the Director of Trust Administration. CMA related issues that are not readily resolved through routine operations should be escalated to the Director of Trust Administration.

## 4. Best practice

Best practice includes:

- Compulsory modules are clearly identified
- Teaching and Assessment information is clear and upfront
- Course/programme and modules specifications up to date and published when the course is advertised
- Any material changes to the course or compulsory modules communicated to applicants and students that are affected as soon as the new information is published

## 5. Required Information

### Information that is required by CMA guidance ('Material Information')

BCC must provide prospective students with important information (known as 'material information'), for example about its courses and their costs, at each stage of our dealings with them, including at the enquiry and application, offer and enrolment stages.

Course attribute	Example of change	Programme Approval required? <sup>1</sup>	Communication with applicants required? <sup>2</sup>
Course title	BA in Theology becomes BA in Applied Theologs	Yes	Yes
Entry requirements	2 A-Levels becomes 3 A-Levels	Yes	Yes
Compulsory modules	Addition or removal of one or more compulsory modules	Yes	Yes
Indication of likely optional modules	Multiple optional modules are changed	No, as long as the modules have been previously approved as options	Yes, where these modules are generally provided each year
Composition of the course and how it will be delivered	A significant change to the modules over more than one stage	Yes	Yes
Contact hours (for example, the number and duration of lectures and seminars)	Adjustment of the contact hours at the module level.	Yes	Yes
Expected workload (e.g. expected self-study time)	This should not change as it is defined by the credit framework	N/A	N/A
Details about the general level of experience or status of staff involved	External temporary teaching required due to absence or staff changes	No	Yes
Overall methods of assessment (for example, a combination of exams, coursework or practical assessments)	A substantial change of assessment mode at module or course level – e.g. A module is changed from 100% exam to 50% coursework and 50% exam.	Yes	Yes
The award to be received on successful completion	Changed from BA to BD	Yes	Yes
Location of study, including the likely or possible location of any work placements (where known)	Some or all of the location of study is changed	Yes	Yes
Length of course	Additional teaching is added outside of the	Yes	Yes

	teaching term; the course length is changed		
Whether the course is accredited and by whom	Accreditation added or removed	Yes	Yes
Tuition fees, including whether they will increase and by how much	Tuition fees increased	No	Yes
Other extra costs which students are likely to incur	Additional course costs (e.g. expected field trip)	No	Yes
When and how tuition fees and extra costs are payable and when the student will become liable for payment	Change to when fees or costs have to be paid (eg a new field trip must be paid up-front by a deadline).	No	Yes
Whether accommodation is offered, and if so, whether it is on or off campus and its ownership	Change to the accommodation offer	No	Yes
Availability of funding and support	New or retired scholarship or bursary	No	Yes
BCC's important rules and regulations that apply to the course	Change to regulations on progression and classification	Yes	Yes

<sup>1</sup> Substantial changes require approval from the Executive Committee and Curriculum Development Committee. Where courses are externally accredited substantial changes additionally require approval from our accrediting bodies.

<sup>2</sup> Communication with course applicants is required where a change is made to the material information provided.

## 6. Material Changes

### What changes must be communicated to applicants and students?

Material change is the term used by the Competition and Markets Authority (CMA) for a change to the important information ('the material information') provided by BCC about a course that might affect an applicant's choice when making an informed decision about what and where to study. Guidance is provided under section 5 above about what this information is.

While it is important that students receive what they expected after deciding which course to study, this does not rule out all change to the course offer, however. CMA legislation allows BCC to make adjustments, for example, that may be necessary to reflect changes to the theory in an area of research or practices around the subject or its delivery. Material changes are more likely to be considered fair under CMA legislation if they are restricted to allowing minor adjustments that are unlikely to negatively impact students, are driven by developments in the field of study or its delivery, or are changes required by necessity (e.g. due to accreditation requirements).

Applicants need to be notified in advance of the proposed changes and the reasons why they are necessary. Student views on post-registration changes to curricula or its delivery or assessment must be gained in advance through consultation between staff and student representatives or through other meetings convened specifically for this purpose e.g. the Academic Board Meeting. The

implementation of such changes are likely to be considered fair where the representative student body for the affected course or courses understands the rationale for the change in question and is supportive of it going forward.

## 7. Complaints

### What if an applicant or student is unhappy about the changes made to their course?

Complaints about published information should be handled as follows:

- Pre-contractual (applicants) – Director of Trust Administration
- Post-contractual (students) – through the student complaint process

In both cases the sources of the published information will be investigated to determine if and when an information discrepancy occurred, and how best to achieve a satisfactory resolution.