



# Northumbria University Competition and Markets Authority Policy (CMA) 2022/23

**Policy Owner:**

Maureen McLaughlin – Academic Registrar

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**Northumbria  
University**  
NEWCASTLE

## Section A: Introduction and overview

A1.1 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. The guidance requires the University to ensure that it remains within the law.

A1.2 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 the University or seek redress, such as full fee repayment.

A1.3 All types of information given to current and prospective students falls within consumer law. This includes information given from enquiry through to enrolment via both print/digital communications (emails, letters, website) and oral communications (telephone conversations, Open Days /NUx Days).

A1.4 We are required to give prospective students the information they need to make an informed decision before they apply. However, the 'material information' (A2.1) provided to a prospective student is included within the offer letter and this is used to form the contract between the University and the student.

A1.4 CMA guidance principally covers undergraduate applicants and students. However, the University has decided to extend the principles to all students to reflect best practice.

### A2 Key Definitions

A2.1 **Material information** is the 'important information' about a programme or studying at the University, that might affect a prospective student's choice when making an informed decision about what and where to study. Examples include title, fees, additional costs, modules, duration, assessment methods. A full list can be found in Appendix 1\*

A2.2 **Material change** is the term used for a change to the important information ('the material information') provided about a programme post contract.

A2.3 Pre-contractual stage includes the promotional and recruitment period. For home and international applicants this can be from 18 months (UG) and 12 months (PG). For Foundation Year and Pathway applicants this period can be extended by 12 months as their target programme should also be considered.

A2.4 Post-contractual stage starts from the point at which the offer is made and accepted, which could be from 1 October in the year preceding the student enrolling the following September, therefore up to almost 12 months prior to enrolment. For Foundation Year and Pathway applicants this period can be extended by 12 months as their target programme should also be considered.

A2.5 Major/Minor Framework - an assessment framework developed by QTE to determine whether a planned programme change has CMA implications (major) or not (minor)

## **A3 Legislative Context**

A3.1 The University has a legal obligation to comply with consumer protection legislation including [The Consumer Protection from Unfair Trading Regulations 2008](#) and [The Consumer Contracts \(Information, Cancellation and Additional Charges\) Regulations 2013](#).

A3.2 Compliance with consumer protection laws is monitored externally by the Competition and Markets Authority (CMA) and the Office for Students (OfS). The CMA has issued [advice on consumer protection law](#) in relation to higher education in England. This guidance sets out the responsibilities of higher education providers in relation to both prospective and current students. The CMA have also published a [guide to consumer rights for students](#).

## **Section B: Scope and application of this policy**

B1.1 This Policy applies to:

- All staff, governors and third parties (including agents) acting on behalf of the University and
- All University-controlled activities undertaken in the UK and overseas, involving students and partner organisations.

B1.2 The Policy does not apply to Northumbria Students' Union, although they will seek to comply with the guidance, managed within their own governance structures.

## **B2 The University's approach to CMA compliance**

B2.1 The University is required to:

- 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.
- Ensure that our complaints handling processes are accessible, clear and fair

B2.2 The University will seek 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 and for the duration of their programme). It should be noted that this material information may differ from cohort to cohort, depending upon the year of entry. The reference source is the Offer Letter and accompanying Handbook of Student Regulations.

B2.3 The following principles apply:

- 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.
- Each person involved in the process has responsibility for checking that the information provide is consistent with the approved specifications for programmes, modules and studying at Northumbria.
- We clearly identify and communicate changes. When changes are made to programmes, modules and other core aspects of studying at Northumbria, the changes are evaluated via

the Quality Assurance procedures and major changes are communicated to prospective and/or current students.

### **B3 Implementing the policy**

#### **B3.1 Policy responsibilities**

The Academic Registrar and Director of SLAS is the University Executive Sponsor for CMA Compliance and is accountable for this Policy and future Policy Reviews.

#### **B3.2 Pre-contractual information**

A The Chief Marketing Officer is accountable for:

- Accurately promoting the material information to all prospective applicants/applicants, agents and partners, using SITS information as a foundation
- Producing compliant offer letters for Northumbria, Amsterdam and London Campus plus all Distance Learning Students
- Leading the collation, approval and publication of fees, discounts and additional costs across Newcastle and Amsterdam Campus
- Providing CMA guidance and training to all colleagues and third parties (agents and partners) participating in recruitment activity and events

B The Academic Registrar is accountable for

- Ensuring SITS is used as the 'Single Source' of programme specific material information and that information is accurate for all programmes taught across all campuses
- Ensuring all material changes are assessed against the Major/Minor framework and GM&B colleagues are informed where major changes are being made
- Leading the programme change process and ensuring 'single source' (SITS) data is up to date for all programmes across all campuses
- Providing clarity over compulsory and optional modules

C The Faculty Pro-Vice Chancellors are accountable for ensuring

- Academic Colleagues follow the programme change process and plan appropriately to ensure offer letters are correct
- Additional Costs are updated annually as per process led by GM&B
- Withdrawals and suspensions are planned to align with recruitment cycles, before offer letters are distributed
- Academic Colleagues attend training regarding CMA compliance before presenting at an Open Day/NUx Day or representing the University at Clearing

D The Director of London Campus is responsible for ensuring London Campus partner, QA

- Has up to date marketing collateral and programme specifications
- Has a process to brief recruitment teams and agents on material changes to programmes
- Ensuring London Campus fees and additional costs are correct

E The Pro Vice Chancellor International is responsible for ensuring NU Pathway (in partnership with QA)

- Has up to date marketing collateral and programme specifications
- Has a process to brief recruitment teams and agents on material changes to programmes
- Ensuring Pathway fees and additional costs are correct

#### **B3.3 Post-contractual information**

A The Chief Marketing Officer is accountable for

- Updating and redistributing offer letters following any major changes

B The Academic Registrar is accountable for

- Ensuring all 'material' changes are assessed against the Major/Minor framework and GM&B colleagues are informed where major changes are being made.

- Managing the QTE programme change process, including: advising academic colleagues on whether consultation with current students is required; keeping records of consultation activity via the completed CMA Programme and Module Change Requests Form; and ensuring 'single source' (SITS) is up to date
- C Faculty Pro Vice-Chancellors are accountable for
- Ensuring students are consulted regarding on programme changes and correct records are kept
- B3.4 TNE
- Pro Vice-Chancellor International is accountable for ensuring partner contracts and operating handbooks accurately reflect Northumbria's and the partners obligations regarding CMA
- B3.5 Dealing with Complaints - Complaints will follow the standard University process under the relevant policy
- Prospective students via the Admissions Complaints policy
  - Current students via the Complaints Policy detailed in the Handbook of Student Regulations

## Section C: Record keeping and Information Sharing

### C1 Record Keeping

#### C1.1 Pre-contractual information

The Chief Marketing Officer is responsible for ensuring the following information is available if required

- Previously published material information by programme
- Individual offer letters, including updates following programme changes
- Open Day/NUx Day presentations, on campus and virtual
- Information provided to agents and partners regarding material programme changes

#### C1.2 Post-contractual information

The Academic Registrar is responsible for ensuring the following information is available if required

- Assessment of programme changes against the Major/Minor Changes Framework
- Changes to programmes, date and content
- Confirmation of consultation with students for on-programme changes via the completed CMA Programme and Module Change Requests Form
- Relevant copies of the Handbook of Student Regulations

#### C1.3 London Campus

- Previously published material information by programme
- Information provided to agents and partners regarding material programme changes

### Related Policies and Regulations

Other relevant policies linked with this Policy include:

- Complaints Policy
- Handbook of Student Regulations

## **\*Appendix 1**

### **Material Information**

1. Programme Title
2. Entry Requirements (both academic and non-academic)
3. Core modules and likely optional modules
4. Likely contact hours and independent study time
5. Method of Assessment
6. Award title on completion
7. Awarding body on completion
8. Accreditation
9. Length of programme
10. Location (s) of study and placements
11. Tuition Fees both cost and how/when payable
12. Additional costs and any direct impact on the outcome of a students' academic success e.g. a field trip on which an assessment is based