

## Consumer Protection Policy

### Background and Scope

This policy applies to all students on Tes Institute programmes. The policy sets out Tes Institute's legal obligations in relation to its students as consumers and the ways in which Tes Institute ensures that students are kept informed and protected.

### Overview

The key pieces of legislation governing consumer protection are:

[Consumer Protection from Unfair Trading Regulations 2008](#)

[Consumer Contracts \(Information, Cancellation and Additional Charges\) Regulations 2013](#)

[Consumer Rights Act 2015](#)

The basic principles set out in consumer protection legislation are that:

- prospective students (including those in vulnerable groups) are given all the information they need to make informed decisions about applying for, and enrolling on, a programme
- terms and conditions between the provider and students are fair
- complaint handling processes and practices are accessible, clear and fair to all students.

### Provision of Information

The requirement to provide sufficient information means that students should be provided with all material information about a provider's programmes, including:

- title, type, structure, length, delivery mode and content (including optional modules)
- all fees (including timing of payments and any additional charges and refund information in the event of deferral or withdrawal)
- conditions to be fulfilled in order to enrol on the programme (e.g. successful completion of compliance checks)
- qualification/award attached to the programme and details of any qualification that is awarded by a different body, e.g. a validating university partner and the name of that partner
- any relevant information on e.g. access or flexibility around programme delivery should be provided, in order for students with disabilities to be able to make informed decisions about the suitability of the programme for them.

Such information needs to be comprehensive, clear and transparent and made available in a timely manner and prior to any key decision points. Providers should ensure material information is made available in multiple ways, e.g. on their website, in marketing materials and at any 'open days' or information events. Programme handbooks should set out the details of the programme and expectations of the provider.

At the point at which the provider makes an offer to the student, the provider should inform the student of their right of cancellation under consumer protection legislation relating to distance contracts – i.e. that the student has the right to cancel and withdraw during a 14-day period from the date the contract is entered into (the day the student accepts the offer). The provider should also provide them with a model cancellation form, although the student is not obliged to use the form to cancel.

The provider should also inform the student of any upfront deposit that needs to be paid prior to start of the programme. It is important to note that the right to cancellation set out above means that the student has the right to cancel the contract within the 14-day period without charge, except in certain circumstances, e.g. services have been provided to the student by the provider at the student's request.

## Terms and Conditions

For terms and conditions to be considered fair, they must:

- be easily located and accessible
- be transparent, clear and unambiguous
- not create a significant imbalance between the provider and student, to the detriment of the student
- not be contrary to the requirement of 'good faith', i.e. the principle of fair and open dealing – the provider should not take advantage of the student's weaker bargaining position.

Important terms and conditions must also be drawn to the student's attention prior to acceptance of an offer.

Examples of terms that would be likely to be considered unfair include:

- a provider having wide discretion to vary significant aspects of a programme without setting out the circumstances beforehand in which changes might be validly required and the steps the provider will take to minimise disruption
- a provider seeking to limit its liability for poor service/non-performance of its contract with the student.

## Complaint Handling Processes and Practices

Providers must ensure that information about complaint processes and practices are accessible, clear and fair to students. Providers must:

- ensure that students can easily access a copy of their complaints policy by making it available on the website and any intranet available to students
- make students aware of the different stages of the complaint process and any deadlines they must meet
- make students aware of any external organisation they can take their complaint to, if they feel that their complaint has not been satisfactorily resolved.
- not put barriers in the way of students making a complaint
- keep the student informed of the progress of their complaint.

Providers should ensure that any staff handling complaints have had adequate training and follow the processes set out in their complaints policy.

## What Tes Institute Does to Protect and Inform its Students

Key details about each programme are set out clearly on Tes Institute's website, with signposting to each area of information, e.g. course description, entry requirements, fees, course length and delivery mode. Contact information in multiple formats (phone, email, call-back contact form) is provided for any queries. Recordings of information webinars about programmes can be accessed via the website and there are a series of FAQs, addressing the main queries that potential applicants raise.

Each programme has a Programme Handbook, made available on Tes Institute's VLE, Tes Learn, to which all enrolled students are given access. The handbook provides detailed information about the programme.

Key Tes Institute policies, including the Complaints Procedure, can be found at <https://www.tes.com/institute/policies> and all policies and procedures are available on Tes Learn. A cancellation policy is included, setting out the 14-day right to cancellation, with a cancellation form if the student wishes to use it.

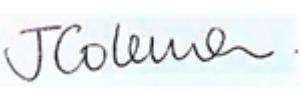
Policies, processes and all formal documents (e.g. learner agreements and registration forms) are reviewed regularly (annually at a minimum) by Heads of Programme Delivery and the Head of Governance & Regulation to ensure that they are up-to-date, fair, transparent and easy to understand.

Tes Institute's Head of Governance & Regulation (HGR) is responsible for handling all formal complaints, once the informal complaints process has been completed, and all Tes Institute members of staff are aware that they need to direct students to the HGR once attempts to resolve a complaint informally have been exhausted. The HGR liaises with the complainant, explaining the process, providing a copy of the Complaints Procedure to the complainant if they have not already obtained a copy, and keeping them informed of the progress of their complaint. The Complaints Procedure includes information about the right of students on an award-bearing course to submit a complaint to the Office of the Independent Adjudicator, once Tes Institute's complaints process has been completed.

### Students' Responsibilities

While it is the responsibility of Tes Institute to ensure that it meets its legal obligations to inform and protect students under consumer protection legislation, it is also important that students take steps to ensure that they have read and understood any programme information provided and that if they have any questions, they contact Tes Institute as soon as possible.

Upon acceptance of an offer of a place on a programme by Tes Institute, a student is entering into a legally binding contract and, if they do not exercise their right to cancel within the cancellation period (see above), they will be responsible for any fees owed under the contract. If in doubt, a student should seek independent legal advice before entering into any legally binding arrangement with Tes Institute.

Creation/ Review Dates	Reviewed by:	Confirmed by:
Created:  July 2023	 Fiona Longmore Director for Governance & Regulation Tes Institute	 Ian Hunter Global Director, Tes Institute
Latest Review:  July 2024	 Fiona Longmore Head of Governance & Regulation Tes Institute	 Director of Programme Delivery, Tes Institute
Next Review:  July 2025		