

# Competitions & Markets Authority (CMA) Compliance Advice



## CMA guidance relates to three specific areas of practice where we, as a University, need to take action:

1. Information provision – clear, comprehensive and timely
2. Terms and conditions – fair, clear and transparent.
3. Complaint handling processes – accessible and fair

The University must provide clear and accurate material information before and after an offer is made:

- **Pre-contractual stage** - the promotional and recruitment period
- **Post-contractual stage** - from the point at which an offer is accepted

# Material Information

*i.e. via website, online prospectus,  
open days*

## **Pre- application stage:**

- Course content, structure and duration
- Total costs of course (incl tuition fees and additional costs)

## **Offer stage:**

- Course content, structure, duration, costs
- Identify any changes since they applied
- complaints handling and cancellation rights
- Terms and conditions, regulations, codes of conduct

# Course Information

|                          |                             |
|--------------------------|-----------------------------|
| Course title             | Entry requirements          |
| Award                    | Course structure            |
| Awarding body            | Modules – core and optional |
| Length of course (PT/FT) | Delivery methods            |
| Location of study        | Assessment methods          |
| PSRB Accreditation       | Costs                       |

# Course Changes

- Changes made in response to subject or pedagogic developments, in response to wider stakeholder feedback and to benefit students.
- Faculties encouraged to submit CA3 forms to CMS by:
  - **Semester 1 modules** - 31 March (*or 31 July for changes arising from recommendations of EE or staff departure*)
  - **Semester 2 modules** - 31 October
  - **Semester 3 modules** - 30 April
- Online prospectus updated following DFO approval.

# Substantial Material Changes

|                          |                           |
|--------------------------|---------------------------|
| Course title             | Mode of attendance        |
| Aims/outcomes            | duration                  |
| Core modules             | Nature of award           |
| Contact hours (over 33%) | Accreditation status      |
| Range of option modules  | Discontinuation of course |
| Assessment methods       |                           |

# Consulting students

- Course changes *after* an offer – change of contract
- Substantial changes – current students must be consulted
- Consultation via:
  - Staff-student consultative committees
  - Student focus groups
  - Student representatives
- Nature of consultation:
  - Nature of change
  - Impact
  - Rationale
  - Methods of feeding back

*CA3 forms include section on  
Student consultation*

# Online Prospectus

- OLP displays all courses on offer
- Must provide consistent, relevant and correct information
- Information draws from CMS, Banner or inputted directly
- Course Directors – OLP editors
- Course Director nominated in CMS - must be kept updated
- Marketing & Comms support:
  - [Accessing the OLP](#)
  - [Guidance notes for OLP](#)
  - Faculty Marketing Business Partners

# Blackboard Course for staff: [CMA Compliance - Guidance for Staff](#)

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▼ **CMA Compliance - Guidance for Staff** 🏠

CMA and Consumer Legislation

Student Research & Application Stage

Offer Stage, Enrolment Stage & Ensuring terms and conditions are fair

Requirements: Complaint Handling

Consideration of changes to Programmes

OLP - Maintaining and Publishing Course Information

Contacts

Announcements

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Learning Materials

Mobile Device Access

Module Builder Guide

Remote Teaching Resources

## CMA and Consumer Legislation

Build Content ▾

Assessments ▾

Tools ▾

Partner Content ▾

Discover Content

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### About this site

This Blackboard site provides readers with an overview of consumer protection law whilst outlining the University's steps to ensure that prospective students have all the information they need to make an informed choice about which institution and course to study at. Additionally, the site outlines the steps we take to ensure that existing students are treated fairly during their course of study, and summarises the student complaints handling process should potential problems arise.

You are invited to read through the pages of this site and click the 'mark reviewed' tab at the bottom of each page which will then reveal a short quiz at the end of the final page. Please complete this quiz to confirm that you have completed this CMA Compliance training.

### A Background to CMA

The Competition and Markets Authority (CMA) is a Government Department that was formed in 2014 after merging with the Office of Fair Trading and the Competition Commission. The CMA is responsible for strengthening and promoting business competition whilst preventing and reducing anti-competitive activities. The Department aims to help consumers exercise informed choice, using both competition and consumer powers to help markets work well and it holds power to enforce a range of consumer protection laws.

In 2015, CMA provided guidance to HE providers about their obligations to students in terms of consumer regulations, and the provision of accurate and current course information including costs. As a University, we must ensure that we continue to meet our obligations, otherwise we may be in breach of consumer law.

CMA guidance relates to three specific areas of practice where we, as a University, need to take action. We must:

- give prospective students the clear, accurate and timely information that they need so they can make an informed decision about what and where to study.
- ensure that our terms and conditions are fair, for example, we cannot make surprising changes to course content or costs.
- ensure that our complaint handling processes are accessible, clear and fair.

The University must provide clear and accurate material information both at the pre-contractual stage *before* an offer is made, and at the post-contractual stage *after* an offer is made.

**Pre-contractual stage - the promotional and recruitment period**



## CMA Advice:

# UK higher education providers – advice on consumer protection law

Helping you comply with your obligations

# CMA compliance and COVID 19 pandemic

- CMA recognises that providers had to adapt LT&A approaches during the pandemic
- Pedagogic change = change in material information provided to prospective and current students
- CMA recognises that these changes have been necessary to implement public health advice and to keep staff/students safe
- Where changes were necessary (in covid context), investigation/regulatory action is unlikely