Contingency and Adverse Effects Policy

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Approved by	Board of Governors
Policy Group	Governance
Version number	V02
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External reference points	Primary Element 2: *Sustainability* in the Council of University Chairs (CUC) Higher Education Code of Governance states: 'there are effective systems of control and risk management in place'.

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1. Introduction

This Contingency and Adverse Effects Policy involves identifying and preventing adverse events and ensuring that lessons are learned so they may be prevented from occurring in future. Adverse events can pose risks to the College's operations and this policy provides a means for ensuring that the type of adverse effects that may affect the College are understood and there are plans in place for dealing with the and mitigating them.

2. Purpose and Scope

This policy prepares the College for the effects of something happening that will potentially have a detrimental impact on the achievement of organisational objectives, or even in some cases on the existence of the College. It includes risk management, which is the process of preparing for and mitigating the likelihood and potential consequences of a detrimental event occurring. Health and Safety risks are assessed and managed by the College Health and Safety Policy. All other risks are assessed and managed by the Student Protection Plan July 2024 and a Risk Register.

3. Aims and Objectives

The College aims to ensure that it considers and plans for the impact of events that may be detrimental to the College, its students, staff and other stakeholders. To this end the College will:

- Identify a range of adverse events that can impact negatively on the College, its students and other stakeholders.
- Identify a range of critical incidents that may occur
- Ensure the development and ongoing review of risk for the College and all its activities
- Determine the method of assessing and managing risks
- Ensure staff understand their responsibilities in terms of risk ownership
- Provide an updated Contingency and Adverse Effects Plan that is fit for purpose, and aligned with the Student Protection Plan

4. Identifying Adverse Events

An adverse event may impact on the College's in the following ways:

- The College is unable to meet its deadlines for the publication of results and handing out of certification with may impact in individual student plans and progress
- The College fails to adequately identify academic misconduct and malpractice which impacts on the credibility of the College and the award
- Rising costs to students due to an unforeseen event e.g. moving to a new location that may prevent them from being able to complete their course
- The College is prevented from delivering an academic programme leading to an award
- An assessment does not ensure the standards of the qualification are secure
- An assessment does not allow for a consistent distinction between the assessment of student work at different levels
- The reputation of the College if is subjected to a criminal investigation or faces sanction from regulators or awarding organisations

- The reputation of the College if a member of the Senior Management Team is subjected to a criminal investigation or other disciplinary proceedings
- Poor, inaccurate or misleading public information that impacts on student expectations and achievements.

5. Procedure for dealing with an Adverse Event

5.1. Reporting an event or near miss

Staff must report the following to the Executive Principal if an adverse event occurs:

Your Name		Your Contact	
What adverse event has occurred? Describe it briefly		Who are directly affected by the event?	
Date and time of the event		Location of the event	
What caused it to happen?		What action has been taken so far?	
How severe is the event?	Low ☐	Medium ☐	High ☐

5.2. Adverse Events Team

If there is an adverse event of the kind identified in the section above, the Adverse Events Team will investigate it and make recommendations to the Senior Management Team and Board of Governors if required:

- Managing Director (MD)
- Executive Principal
- Head of Operations
- Head of Quality
- Head of Higher Education
- Head of Compliance

5.3. Notification to Pearson Awarding Organisation

It may be necessary to report Some adverse events to be reported one if the College's Awarding Organisations (ATHE or Pearson) if the event leads to one of the following:

- The College becomes insolvent or faces bankruptcy proceedings.
- There is any change in ownership of the College.
- There is a significant change to the way in which the College is governed or its legal status.
- The College should merge with any other entity.
- There has been event that adversely affects student studying for the ATHE or HND award.
- A student wishes to transfer to another centre offering the same award

The College Adverse Effects Team will determine if there is a need to inform the awarding organization and if there is, will appoint one person to contact the awarding organization without delay and provide the following:

- How many students are affected
- How serious the event is
- If the event is due to misleading information published by the College
- The qualifications and units affected if relevant
- How the incident was first reported
- All the parties involved and aware of the incident
- A plan of action showing what steps have already been taken and what is next

6. Identifying Risks

The risk management process, excluding risks that fall more generally under the category of Health & Safety threats and hazards, are based on an assessment of risks including those identified in the Student Protection Plan and Risk Register. Risks may be added or removed, and the Risk Register is updated every four months. The following list, which is not exhaustive, includes risks that may be identified and assessed in the Risk Register:

- Student Recruitment
- Admissions Process
- Student Engagement Progression
- Student Learning
- Resources to Enhance the Student Experience
- Key Staff Retention
- Financial Resources
- Information Resources
- External Policy Environment
- Student Voice
- Student Experience
- Marketing Strategy
- Governance
- Reputation
- IT Infrastructure and GDPR
- Growth Targets
- Closure of the College
- Closure of a Course or Courses
- Change in Course Content
- Change in Location
- Limitations due to the Pandemic or Natural Disaster
- Change in law

7. Identifying Critical Incidents

The following are examples of critical incidents that may occur. This list is not exhaustive:

- The death of a student or member of the College community through crime, accident or illness.

- A serious injury to any member of the College community
- Serious damage to the College through fire, flooding or vandalism
- The disappearance of a member of staff or student
- A physical attack on a member of staff or student
- Building collapse
- Public Health threats (e.g. meningitis)
- Adverse weather conditions
- A transport-related accident
- Civil disturbances and terrorism
- Pandemic

7.1 Assessing Risk – Student Protection Plan

Each risk identified is given a score 1-5 for likelihood and 1-5 for impact, with 1 being very low and 5 being very high. These two factors of likelihood and impact are multiplied together to provide the overall degree of risk. Risks are gauged according to the following Likert Scale:

1-5	Very Low Risk	6-10	Low Risk
11-15	Medium Risk	16 – 20	High Risk
21 – 25	Very High Risk		

Risks are described and their status in terms of the extent to which they are under control is explained. There are also updates on mitigations that have or will be introduced with deadlines for their completion and review.

7.2 Senior Management Team

The Senior Management Team (SMT) is the owner of the Student Protection Plan and management of risk. It is responsible for:

- Reviewing the College's risk management framework to ensure coverage of all key risk areas
- Proposing new areas of risk as and when they are deemed necessary
- Monitoring the adequacy of and compliance with prescribed policies
- Reviewing and updating policies and procedures to manage identified risks
- Ensuring appropriate action is taken to address risk and minimise or mitigate adverse effects

7.3 Risk Owners

Each risk identified must have a risk owner, who is responsible for ensuring their assigned risk area is effectively monitored and mitigated. Risk owners should pass on any updates to the risks they are responsible for to the MD.

7.4 General Staff Responsibilities

Every TEC staff member is responsible for effective identification, reporting and management of risks. Any staff member may be assigned ownership of specific risk(s) by the Senior Management Team. Staff should report on any risk mitigation plans they are responsible for including the implementation of risk reduction strategies, which should be integrated with other planning procedures and activities.

7.5 Managing Director (MD)

The College Managing Director must ensure that competent risk management processes and managers are in place at all times and that suitable and sufficient risk assessment and management is carried out to identify and minimise risks to all College services, whether delivered online or in situ at any of the College campuses. Risk assessments must be included in the planning, development and expansion of College provision, facilities and resources.

10. Critical Incident

10.1 Aim

The aim is to ensure that key staff and management are able to respond quickly and effectively to ensure the situation is under control and minimise any adverse effects in the event of a critical incident occurring.

10.2 Critical Incident Management Team

- Managing Director (MD)
- Executive Principal
- Head of Operations
- Head of Quality
- Head of Higher Education

- Head of Compliance

The Critical Incident Management Team may co-opt other members to assist them as required including partner agencies. The MD will act as Team Leader, or in their absence, the Head Operations, Head of Quality, Head of Higher Education or Head of Community Learning. If a critical incident occurs, the College will follow the procedures below:

10.3 Terrorist Incident Occurs

In the unlikely event that there is a terrorist incident with firearms or weapons attack either in the building where delivery is taking place, or when outside on excursions, members of staff and students should follow the Hide Run Tell advice by the police on how to survive a terrorist attack in the link below: http://www.npcc.police.uk/NPCCBusinessAreas/WeaponAttacksStaySafe.aspxgiven

For this and any other critical incident:
The MD and Head of Operations, or another designated person are notified

The MD and/or Head of Operations will contact
- Emergency services 999 if needed
- All members of the Critical Incident Management Team
- The Senior Management Team if different to the Critical Incident Management Team

All Members of the Critical Incident Management Team:
- Brief and advise staff and students on-site
- Coordinate with bus travel companies if appropriate

10.4 Change of Premises

In the event that the organisation decides to change its premises or extend an existing premises, the following steps must be undertaken to ensure compliance and smooth transition:

1. Notify UKBA (UK Visas & Immigration - UKVI)

- Complete and submit the **Change of Circumstances** form via the **Sponsor Management System (SMS)**.
- Attach supporting documents, including:
    - New lease agreement or ownership proof.
    - Updated fire and health & safety compliance certificates.
    - Evidence of business continuity and operational suitability.
- Await acknowledgment from UKBA and respond to any further information requests.
- If required, arrange for a UKVI compliance visit at the new or extended premises.

2. Notify Accreditation bodies/organisations

- Prepare a formal notification letter addressed to the accreditation body/organisation.
- Provide supporting documents, including:
    - Updated lease agreement or ownership proof.
    - Floor plans and compliance certificates.

○ Revised institutional policies reflecting the new premises.
- Submit the notification via the respective online portal or email, following their specified guidelines.
- Await confirmation and schedule an inspection if required.

3. Update Stakeholders

- Inform staff, students, and external stakeholders about the premises change.
- Update marketing materials, website, and contact details.
- Ensure operational readiness at the new or extended location.

4. Compliance Follow-Up

11. Maintain records of notifications and approvals from UKBA and ASIC.
12. Address any further compliance visits or inquiries from regulatory bodies/organisations.
13. Conduct an internal review to confirm the premises meet all operational and student welfare requirements.

14. Communication in a General Emergency Situation

- A nominated member of the Critical Incident Management Team will communicate with emergency services via a mobile
- The College main contact line **+44 (0)7368971605** will be used for incoming calls
- The College emergency 24-hour mobile phone contact number may be used
- Mobiles will be used for all outgoing calls
- Staff dealing with incoming calls will keep records or date/time/who and what was said
- All calls will be recorded if possible
- A person nominated by the Critical Incident Management Team will handle all media enquiries and no-one else will communication to the media including responding to emails or phones calls without approval by the Critical Incident Management Team

15. Important Location Points in an Emergency

The following location points will be immediately established unless the College premises have been evacuated:

Control Centre:
Head Office: Digital House 2.3, Clarendon Park, Nottingham, NG5 1AH