

BIMM Limited - Student Protection Plan

Provider's name:

BIMM Limited

Provider's UKPRN:

10037544

Legal address:

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Contact point for enquiries about this student protection plan:

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Purpose of this Student Protection Plan ('SPP'):

The purpose of the SPP is to set out how continuation and quality of study will be preserved for current and potential students if a risk to their continued study crystallises.

BIMM Limited is Europe's leading provider of popular music education and training, with over 5,000 students enrolled at its six colleges in London, Brighton, Bristol, Manchester, Birmingham and Dublin offering predominately degree level courses working with four Awarding Institutions: Bath Spa University, University of Sussex, University of West London, and Technological University Dublin.

The SPP applies to UK Colleges only. BIMM Dublin Limited is not included within the scope of this plan because it is franchised provision so that students are on a franchise arrangement with the Technological University Dublin and covered by a separate approved Protection of Enrolled Learners Plan.

BIMM Limited is an independent provider and is majority owned by Sovereign Capital Partners (SCP) and is governed by the BIMM Limited Board (the Board or Governing Body) which has specific responsibility for the determination of the educational character and mission of BIMM Limited.

BIMM Limited has a long established and respected reputation for provision with its Awarding Institutions. The origins of BIMM Limited date back to 1983 when its first college (then known as 'Drumtech') was established in London. Since that time, BIMM has grown to be a leading provider of first-degree courses outside of the mainstream university sector. BIMM Limited has continued to attract more students each year with its distinct and differentiated courses, coupled with strong links to the music and broader creative industries. This experience has included preserving the continuation and quality of study for all students. BIMM Limited has not ceased any particular area of curriculum or closed any individual college at any time. This SPP builds on our experience and is intended to assure current and future students that we have appropriate arrangements in place to protect continuation of study. It outlines the types of risks, gives examples of events that might trigger action and explains what BIMM Limited would do to minimise the impact of these events if they were to occur.

As well as considering regulatory risk and the risk to continuation of study for students, a primary objective of the SPP is to take into account the differing needs, characteristics and circumstances of our student body. Based on our successful track record of delivering undergraduate degree

programmes in popular music for over 30 years and providing confident and employable graduates for the music and creative industries, BIMM Limited has applied to take on the responsibility of granting our own taught degrees. In parts, this SPP considers the maturity of BIMM Limited which led to this decision being taken.

Risk Assessment:

This section of the SPP contains an assessment of the range of risks to the continuation of study for students, how those risks may differ based on different students' needs, characteristics and circumstances, and the likelihood that those risks will crystallise

Categorisation of risk:

- **Risk** is what might happen
- **Likelihood** is the probability of it occurring
- **Impact** means the effect on an applicant or current student

We have estimated the likelihood of each risk based on the following scale:

- **Low:** less than 10% probability of occurring
- **Medium:** >10% but less than 51% probability of occurring
- **High:** 51%+ probability of occurring

Throughout this assessment we have also considered the impact on students on the following basis:

- **Low:** Resolution would require input from the College Management teams
- **Medium:** Resolution would require input from the College Management teams and perhaps additional support from Group functions such as the Academic Development and Quality Assurance or Finance teams
- **High:** Resolution would require support and input from the Executive Management Group and the Governing body.

BIMM Limited undertakes to provide students advice and support in the event that any of the risks to the continuation of study crystallise.

Risk 1: BIMM Limited faces financial instability that could lead to a course being discontinued, removal from the OfS register or a risk to delivery of teaching at an entire college or BIMM Limited as a whole.

Explanation of the risk and mitigation

BIMM Limited's courses are distinctive to those which have historically been on offer in the mainstream University sector.

The Institution exercises strong financial Governance through the Committee structure of BIMM Limited.

BIMM Limited operates five colleges in the UK. Each college is financially sustainable in its own right and individually and collectively continue to see a strong level of demand for places. This is evidenced by demand that has underpinned the successful launch of the BIMM Institute Birmingham in October 2017.

BIMM Limited has a good track record of accurately forecasting student numbers and the impact of those student numbers on its operating cash flows and servicing of debt.

BIMM Limited's stated aim of maintaining sound financial governance to underpin continued growth is a priority. There are well-qualified senior individuals responsible for financial governance:

1. Adam Carswell, Chief Executive and Head of Institution (BIMM Limited), has previous experience in the education sector as a Finance Director, and is a Chartered Accountant. Adam spent the first eight years of his career with PwC.
2. Bernard Yeboah, Director of Finance (BIMM Limited), is a Chartered Accountant. Bernard qualified as a Chartered Accountant with Baker Tilly and joined BIMM Limited in 2016.
3. David Jones-Owen who joined in 2015 as Finance Director and who is now the UK COO of BIMM Limited is also a Chartered Accountant, having previously worked for 6 years with KPMG.

Both Adam Carswell and David Jones-Owen are members of the BIMM Limited Board (the Governing Body).

The Board considers the likelihood of a fall in demand for courses that threatened the financial viability of BIMM Limited to be low.

Mitigation:

- The BIMM Limited Board receives a detailed financial report at each Board meeting compiled by the Director of Finance. The report includes but is not limited to information on Financial performance against budget and Business Plan, Cash generation and capital expenditure analysis, Performance against bank covenants, both historic and forecast and Key KPI data. The forecast information allows for any potential deterioration in financial

performance to be identified early in order that any necessary corrective action could be taken.

- An annual external audit is undertaken by Grant Thornton, which is scrutinised by the Audit Committee prior to consideration by the BIMM Limited Board.
- Internal audit is undertaken by Mazars, which is also reviewed and scrutinised by the Audit Committee.
- The BIMM Limited Board has strong non-executive representation in terms of financial expertise including:
 - an independent non-executive senior business executive as its Chair, Alistair Cox, CEO of Hays plc the specialist recruitment group. Hays plc is listed on the London Stock Exchange and is a constituent member of the FTSE-250.
 - Music industry non-executive director Tony Wadsworth CBE (Former Trustee, Brit Trust; Trustee, EMI Sound Foundation; Former Chairman & CEO EMI Music UK and Ireland; former Chairman, BPI);
 - Academic non-executive director, Professor Mark Hunt, Emeritus Professor and former Deputy Vice-Chancellor, University for the Creative Arts. Professor Hunt also chairs the Academic Board and the Audit Committee.
 - An experienced marketing and branding executive, Jez Frampton, former Global Chairman and Chief Executive Officer the Interbrand Group (an Omnicom Company, quoted company on the New York Stock Exchange). Jez was also a non-executive director at Ocado.com for ten years.
- In a situation where a course is discontinued BIMM Limited provides a commitment to teach out of all students currently registered on a course. In this situation BIMM Limited would also cease recruiting new students and provide support and guidance through UCAS for applicants who had already applied for the course effected. Due to the predictability of BIMM Limited's student numbers this risk is again considered low.
- In a situation where BIMM Limited fails to recruit sufficient students to make one BIMM Limited college financially sustainable BIMM Limited would:
 - Offer the opportunity to students to transfer to one of its other colleges. The benefit of having a network of colleges is that there would be four other choices for students and they would not have only a single option. BIMM would also provide an incentive for students, which would include a discount on their tuition fees, by way of compensation to reflect the fact that they would not be studying at their preferred location.
 - Work with those students who do not wish to transfer to another BIMM college, to transfer to another Higher Education Institution.
 - Firstly, BIMM Limited would seek arrangements for the University of Sussex to teach out all students currently registered on a course.

- Secondly, BIMM Limited would work with other Higher Education providers to identify suitable courses which students could transfer to, using the credits they have gained for their studies whilst at BIMM to transfer to the new institution. Support for such ‘transfer of study’ would include, certification of credit or a record of academic achievement to facilitate admission to the receiving provider. This support will be provided by the established student services teams in the colleges.
 - Thirdly, BIMM Limited would offer refunds or compensation for students who were unable to transfer to another course of their choosing for tuition fees in respect of undelivered course provision and in line with BIMM Limited’s refund and compensation policy
- BIMM Limited has a good track record in raising finance from existing lenders to fund the growth in the operations of the business.
- BIMM Limited has a comprehensive business continuity insurance policy which would provide additional sources of financial resources to continue to deliver courses under certain specific circumstances. BIMM are insured for business interruption. The insurance provided is on a full loss of revenue basis over a period of 24 months and covers all insured locations up to a maximum of £83m. The purpose of this cover is to ensure BIMM Limited are compensated for loss of revenue in order to continue delivery of courses. The policy is designed to address significant property damage incidents and compensate for the costs incurred to obtain, and fit-out, existing or alternative locations to ensure courses can continue to be delivered with as little disruption to courses as possible.

Risk 2: Loss of registered status or suspension from regulatory bodies. BIMM Limited is regulated by the Office for Students. BIMM is also subject to educational oversight from the Quality Assurance Agency (QAA), the UK’s quality body for Higher Education.

Likelihood: Low

Impact: High

Explanation of the risk and rationale for assessment:

BIMM Limited has successfully engaged with the QAA since 2012. BIMM Limited ensures that critical self-assessment determines actions to address matters raised through internal or external monitoring or review. BIMM Limited was commended for the quality of learning opportunities we provide to our students in the January 2016 Higher Education Review. Furthermore, the QAA review team commended BIMM Limited for, ‘the engagement of staff at all levels in the preparation and consideration of annual monitoring reports.’

BIMM Limited is subject to review of its financial sustainability, management and governance and student outcomes by the OFS.

The impact of losing registration would be high, potentially leading to non- continuation on courses and or a college but the likelihood is considered low.

Mitigation:

- To ensure ongoing positive feedback from the QAA, BIMM Limited ensures its financial planning, quality assurance, and resource allocation policies are coherent and relate to its higher education mission, aims and objectives.
- Responsibility for academic matters is delegated by the Governing Body to the Academic Board, which meets at least three times a year and reports to the Governing Body through its minutes and an overlap of membership. The Academic Board has an experienced non-executive Chair and three subcommittees:
 - Learning, Teaching and Enhancement Committee (LTEC)
 - Quality Assurance Committee (QAC)
 - Research and Enterprise Committee (REC)
- Boards of Studies includes student representation and reports into LTEC, through its minutes. This structure ensures that monitoring of provision is central to quality assurance, academic development and enhancement along with student representation. This was the primary driver for moving to a centralised academic committee structure, replacing the previous individual college-based arrangements and reduces the risk of regulatory risk to an acceptable level. All courses are reviewed through a systematic annual monitoring process.
- In addition, BIMM Limited maintains a proactive approach in engaging all stakeholders including the creative industries, students and alumni continues to be a defining aspect of BIMM Limited’s operation.
- The risk of a deterioration in BIMM Limited’s financial sustainability is considered in Risk 1

Risk 3: Risk to continued validating partner arrangements

Likelihood: Low

Impact: High

Explanation of the risk and rationale for assessment:

Delivering education of the highest quality to meet the needs of the music industry that it serves has always been the priority for the BIMM, and we have benefited greatly in England from long-standing partnerships with three Awarding Institutions:

1. University of West London (since 1995),
2. University of Sussex (since 2002) and
3. Bath Spa University (since 2008).

It is this continuity which leads us to consider that the likelihood of a relationship deteriorating to be low.

Further the SPP has considered feedback from our Awarding Institutions who have commended our approach to quality assurance at approval events as follows:

1. Clear and proactive deliberative management structure, including a comprehensive remit for quality assurance.
2. The wide consultation undertaken in the development of new programmes (alumni, current students, industry, external examiners, QAA) and the thorough documentation provided.
3. The quality of the substantial and detailed submission documentation and the engagement with QAA processes, particularly the Quality Code mapping

The quality of our relationships is therefore considered to be high.

BIMM Limited has consolidated the validation of all BIMM Limited provision with the University of Sussex with effect from the new intake for the 2017/18 academic year.

Mitigation:

- The nature of the relationships is long term.
- BIMM Limited has rectification provisions with validation partners. Rectification planning ensures that a validating partner works with BIMM Limited to collectively address any delivery failure or anticipated delivery failure, rather than terminating a relationship.
- Governance arrangements between BIMM Limited and its validating partners are also used to provide leadership and to manage the ongoing success of the relationships.
- Partners have representation on Boards of Studies and joint steering groups that manage Academic matters and provide leadership and strategic direction. Such Governance arrangements ensure the early detection of delivery issues to prevent them leading to a deterioration in the relationship.
- In the event of a breakdown of the relationship BIMM Limited would seek a validation arrangement with an alternative HEI to guarantee the course delivery of existing provision.

Risk 4: BIMM Limited loses its Tier IV sponsor licence (or it is suspended)	
Likelihood: Medium	Impact: Medium
<p>Explanation of the risk and rationale for assessment:</p> <p>The changing requirements and regulations of the Home Office demand constant vigilance and tight control. Within the BIMM, UKVI compliance is centrally managed, with the Admissions team taking responsibility for:</p> <ol style="list-style-type: none"> 1. Pre-arrival visa advice; 2. Confirmation of Acceptance for Studies (CAS) issues; 3. Advice and support to current Tier IV students; 4. Visa extensions; and 5. Overseeing regime for UKVI monitoring and compliance. <p>To enable recruitment of international students, BIMM Limited has obtained a Home Office sponsorship licence and Tier 4 Sponsor status. This allows the College to issue a CAS to each international student. The students then use the CAS number issued to them by the College to apply for a Tier 4 visa from the Home Office to allow them to study in the UK.</p> <p>Given the complexity of this area, and issues observed in HEIs and other providers the likelihood of risk was considered medium.</p> <p>Mitigation:</p> <ul style="list-style-type: none"> • Identification of Tier IV sponsorship as a risk, which receives scrutiny from the Audit Committee • Compliance with Home Office’s Guidance for Sponsors Appendix D – Keeping Documents is monitored and reported • Internal Audit reviews on compliance on a rolling basis • The Institute has issued clear guidelines that are in accordance with the UKVI requirements and provide clear instructions of the required processes to be followed and actions to be undertaken; • Copies of passport details with individual identity, UK Biometric Card (Visa) information is being retained in the case of each international student; • Documentation is retained in line with Appendix D of the Home Office’s Tier 4 Guidance; • The contact details of international students are recorded, checked and updated on a timely basis; 	

- Records are kept, and evidence retained of the international students’ absence/ attendance during the course of their studies;
- Student records have been made available to all relevant staff; and
- The UKVI sponsorship management system is updated on a timely basis where there are changes to a student’s member’s details.
- If BIMM Limited lost its Tier IV licence, BIMM Limited would:
 - guarantee existing students complete their degrees (where allowed by UKVI)
 - provide support to transfer effected students (those unable to complete their degrees) to another provider
 - provide financial compensation if no suitable alternative arrangements can be made

Risk 5: Loss of equipment or facilities (including temporary loss of entire college building and / or IT Infrastructure)

Likelihood: Medium

Impact: Low to Medium

Explanation of the risk and rationale for assessment:

BIMM Limited’s estate runs to 17 separate buildings across 6 cities. This creates a risk that physical equipment and facilities, or IT infrastructure is damaged, or subject to unforeseen disruptive incident. The likelihood is considered to be medium.

Mitigation:

Each College is required to have a business continuity plan. The purpose of the plan is to provide a flexible response so that the colleges, supported by BIMM Limited can:

- Respond to a disruptive incident (incident management)
- Maintain delivery of critical activities/services during an incident (business contingency)
- Return to ‘business as usual’ (resumption and recovery)

The plan is owned by the College Principals and is distributed to College Management Teams.

The plans remit is to cover all activities of a College from student services through to Academic administration and facilities.

These plans are associated with:

- ICT Data Continuity Plan
- ICT Network Connectivity Continuity plan
- BIMM Group Extreme Weather Policy

The plan covers the following:

- A communication plan
- Incident management (including where appropriate, evacuation, dealing with emergency services, reception record keeping of visitors)
- Business contingency with focus on:
 - Student facing education and welfare
 - Staff welfare
 - Building construction
 - Assessments, exams, open days and entry assessments

BIMM Limited has suitable insurance cover for business interruption which would, depending on the specific circumstances, would fund the plan requirements. [see risk 1 for detail]

Risk 6: Loss of key member of staff

Likelihood: Medium

Impact: Low

Explanation of the risk and rationale for assessment:

The risk that BIMM Limited loses staff through planned or unplanned events is medium.

This might include, key members of staff taking up positions in other Institutions, restructuring activities or redundancies.

However, the impact of such an event is considered low, since BIMM Limited has successfully engaged with the creative industries to develop a strong network of potential tutors and manages the recruitment and retention of senior staff carefully through its Committee structures. BIMM’s ability to address such an event is ensured through the mitigating actions below.

Mitigation:

- At college level, senior academic leadership is provided by the Head of Education who is responsible for the operational leadership of all aspects of the college’s curriculum, reporting to the College Principal. The Head of Education is supported by Course Leaders who are responsible for the day-to-day running of their course and are also respected industry practitioners in their field as well as experienced music educators. This ensures that the course leadership is not reliant solely on one individual.
- Centrally the Academic Development and Quality Assurance (ADQA) team provides support for the colleges to develop good practice in academic leadership and curriculum delivery.
- The Board (Governing Body of BIMM Limited) takes a strategic approach to managing nominations and has delegated authority to a formerly constituted Nominations committee with appropriate terms of reference

- Students with particular needs may suffer most if a particular member of staff with skills to address those needs leaves. In such circumstances, the Course leader would be responsible for ensuring that a successor is found with those skills, and if that were not possible, making alternative arrangements.
- The College Principal would take overall responsibility for such a matter in the college.

Risk 7: Britain exits from the European Union without a deal and / or regulatory change as a consequence of that exit means that it is harder for a student from the European Union to study in the UK and secure funding for tuition fees

Likelihood: Medium

Impact: Low

Explanation of the risk and rationale for assessment:

The number of students enrolled at BIMM colleges in the UK who come from the rest of the EU is 15%, which is higher than the average across UK Higher Education (around 6%). BIMM has consistently attracted students from the rest of the EU and despite the uncertainty created by the Brexit vote in June 2016 there has been no impact on the number of students applying or enrolling from the rest of the EU during the last two and a half years.

In BIMM’s experience, the propensity of students from the rest of the EU to access a tuition fee loan is significantly lower than for UK students and on this basis they are less dependent on finance for this element of their studies. A significant number of students attending BIMM from the rest of the EU come from Sweden and these students are able to avail of finance for their studies from their home country.

The UK is a key location to study modern music and to access a role in the music industry. On this basis BIMM is comfortable that it will continue to attract students from the rest of the EU.

Most students (over 95%) enrolled at BIMM Dublin are Irish and, on this basis, we believe there are no risks associated with the departure of the UK from the EU in that college.

The likelihood of this risk is considered medium, but it is very difficult to assess this with any real accuracy given the political backdrop.

Mitigation:

- Should the UK exit the European Union without a deal or clarity on the status of on-board students BIMM Limited would recruit sufficient admissions team members to cope with the potential additional demands of managing the immigration status of students and applicants.
- In the event that that was a significant impact in the number of EU students, BIMM Limited is confident it would be able to mitigate the shortfall by attracting more UK and international students and would direct its marketing activity accordingly.

Risk 8: A sale of BIMM Limited changes the strategic direction, governance and management arrangements, and, in turn, to disruptions to the student experience and financial instability

Likelihood: Medium

Impact: Low

Explanation of the risk and rationale for assessment:

This risk is considered medium since the ultimate controlling party of the BIMM Group is not responsible for running the day to day operations of BIMM Limited.

Mitigation:

- The Corporate Governance of BIMM Limited is likely to be unchanged (the Board, sub committees and Executive Management Group would remain unchanged)
- BIMM Limited's regulators have oversight of the process as BIMM Limited would be required to apply for a change of control. Such an application would require regulatory consent.

Refunds and Compensation:

Refunds and Compensation are dealt with in our Refunds and Compensation Policy available on BIMM Limited's website.

It outlines the circumstances in which we will refund tuition fees and other relevant costs to students if we are no longer able to preserve continuation of study.

The refund of tuition fees may include amounts payable by the student directly, or with a loan from the Student Loan Company. BIMM Limited would also have regard for any bursaries a student had been offered, should that be relevant to an individual's circumstances.

Our complaints and appeals policy and process has been designed to align with the Office of the Independent Adjudicator's (OIA) Good Practice Framework.

Applicants and students are able to access clear and accessible guidance on making a complaint or appeal through our website here: <https://www.bimm.co.uk/appeals-process/>.

Communication Plan:

In this section of our SPP we consider how we will communicate with students and staff about BIMM's student protection plan

To ensure that the SPP is effectively communicated to students BIMM Limited will:

- Publish the SPP on its website
- Include the SPP within the material that is provided to applicants when BIMM Limited make an offer to study on a course
- Draw the SPP to the attention of current students on a regular basis by including for discussion in the Boards of Studies and Student Representation forums. These meetings allow for annual consideration of the plan, but the Boards of studies meet termly allowing more frequent consideration should the need arise. Boards of Studies are formerly constituted and report to:
 - Learning, Teaching and Enhancement Committee (LTEC)
 - Quality Assurance Committee (QAC)
 - Research and Enterprise Committee (REC)

During the AY 2018/19, the SPP will be discussed and revised with input from students. BIMM Limited undertakes to ensure that students are consulted and listened to and has the committee structure in place to ensure that this occurs.

To ensure that the SPP is effectively communicated to staff BIMM Limited will:

- Circulate the SPP to staff by e mail and keep a copy available on a shared access policy folder
- Share through the committee structure of BIMM Limited

If the SPP needs to be implemented:

- Students will be given as much notice as possible if a course or college closes. The amount of notice will depend on the nature and scale of the event and BIMM Limited will aim to provide sufficient notice to allow:
 - An applicant to a course or college to re-apply to another course and / or another institution within the UCAS cycle
 - An on-board student to consider all options and seek appropriate guidance and support to change courses and / or college as part of the SPP that BIMM Limited has
- students may make a complaint about the way that BIMM Limited may seek to address such an issue through the complaints and appeals process. <https://www.bimm.co.uk/appeals-process/>.