

Guidance on student consultation and consent

In line with the [BU retention policy](#), and in accordance with 6.3 of [4B – Programme and Unit Modifications: Policy](#), Faculties are responsible for maintaining an audit trail of the student consultation and consent process, including any information shared as part of the consultation and consent processes, correspondence with students, feedback and responses to any potential issues that are raised. This information may be requested at any point, and it may be subject to review by external bodies.

This guidance document is aimed at individuals proposing programme/unit modifications – typically Programme and Unit Leaders. In the context of this document “you” refers to the person responsible for conducting student consultation and consent. The “approving committee” is either Faculty Academic Standards and Education Committee (FASEC) (for modifications to taught awards/credit) or Faculty Research Degrees Committee (FRDC) (for modifications to Professional Doctorates).

The processes for student consultation and (where required) consent must be carried out in relation to all changes managed through the [programme review](#) and [modifications](#) policies; the former where changes affect current students.

Student consultation

Student consultation is distinct to the processes for student consent, and student consent should only be sought (where required) after student consultation has been undertaken and consultation feedback has been taken into account by the relevant Department Committee. See below for guidance on student consent.

Why consult with students?

To comply with consumer protection law requirements and assess the fairness of a proposed modification for students, BU needs to understand the student perspective on the impact of the change and whether it would result in the course being out of line with what students are expecting. Decisions cannot be made based on assumptions about what students think or expect, or how they will be affected – they need to be asked for their views. Consultation is therefore essential to enable BU to identify and assess the potential impact of proposed changes on students.

Consultation is also an important step in the process of asking for student consent for material changes. Consent will only be valid if the students understand what they are being asked to agree to and why. Consent may be more likely to be given if BU has accurately identified and responded to the potential impact on students.

In addition to meeting legal and regulatory responsibilities, consultation allows opportunities for students to contribute to the development of their academic experience as part of the enhancement exercise.

When to consult students?

You are advised to start this early in the development of your proposal, taking into account the University’s timescales for the approval of programme/unit changes.

You should also factor in sufficient time for students to respond to the consultation. This is particularly relevant if you are planning to gather feedback through non-face-to-face mechanisms, e.g., survey or email.

Who to consult and methods of consultation?

The level of consultation required for each change will depend on the nature of the change (specifically whether it is “material” (changes which are considered to have consumer protection implications) or “non-material” (changes which are not considered to have consumer protection implications)).

Before carrying out consultation, you will therefore need to assess (in collaboration with the Department Committee) whether the change is material or non-material. See **4B – Programme and Unit Modifications: Policy and Guidance on Assessing Whether a Change is Material**. This assessment will be subject to confirmation (or re-classification) by the approving committee as part of their consideration.

The consultation requirements are as follows:

Type of change ¹	Who to consult	Typical methods of consultation (not exhaustive)
Material	All affected students	<ul style="list-style-type: none"> • Meetings with students as a group face-to-face or online. • Email • Online survey. <p>(All affected students must have a reasonable opportunity to provide views even if more than one type of consultation method is employed)</p>
Non-material	Student Reps (programme level) as a minimum	<ul style="list-style-type: none"> • Student-staff forum. • Focus group with Student Reps.

Wherever possible, it is recommended that consultation takes place directly in-person as to give students the best opportunity to engage.

What to include in the consultation?

The information you share with students should include the following:

1	An overview of the proposed change and impact	Be clear on what is changing, i.e. the position pre modification vs post modification.
2	The reason(s) for the change	Any change made through the programme review and modification policies should be fair and not disadvantage students. When explaining the change, you should set out the rationale for the change, highlighting the benefits. You could include evidence to support the change, e.g., student feedback. If a change is being made to preserve the accreditation of a programme, you should make this clear.
3	The timeline for the change	You should be clear on when the change will occur.
4	A clear route for students to provide any feedback/raise concerns	Include contact details

What to do with the consultation feedback?

After the consultation process, you should discuss any feedback with the Department Committee who will then decide whether to proceed with the proposal on the basis of the consultation responses. You should not proceed to seek student consent until approval has been granted by the Department Committee.

¹ Under consumer protection principles "material change" includes any change which would require a significant amendment to the course-related material already published by BU.

If students provide negative comments and/or overwhelmingly reject the proposed change, the Department Committee should seek advice from the Chair of the approving committee, Academic Quality, and Legal Services as to decide whether the change should proceed. It may involve making amendments or discussing the proposal further with students to see if a compromise can be reached otherwise the programme/unit should remain as initially approved.

If the Department Committee agrees to proceed on the basis of consultation feedback, you should communicate the results of the consultation to those who were consulted, including a summary of the feedback received, a response to any significant issues raised, and, if applicable, any amendments to the proposal originally submitted for consultation.

Next steps (where the Department Committee has considered the consultation feedback and decided to proceed with the proposal):

- For a '**non-material**' change, this will include submitting the modification to the approving committee for consideration before communicating the decision of the approving committee to all affected students.
- For a '**material**' change – the next step will involve obtaining student consent from all affected students before presentation to the approving committee – see below.

Process maps can be found in appendix 1.

Student consent

The process of seeking consent is distinct to consultation and is required for all 'material' changes; however, consent can also be required for 'non-material' changes where an approving committee decides it appropriate to do so after reviewing a modification proposal.

What does student consent involve?

Consent involves directly informing all affected students of the proposed change (referencing the results of consultation) and asking students to indicate consent or objection.

When to seek consent?

The process for seeking student consent **should only be commenced after consultation** has been undertaken and consultation feedback has been appropriately taken into account by the relevant Department Committee.

The University's timescales for the approval of programme/unit changes should be taken into account when completing student consent.

You should also factor in sufficient time for students to respond to the consent request.

What is the consent threshold?

The agreement from more than 50% of affected students needs to be obtained before a change can be approved and implemented.

However, there may be instances where the approving committee considers it appropriate to increase the consent threshold beyond the minimum level (i.e., 50% +1) having regard to the feedback received during the consultation process.

What to include in the consent request?

You are required to:

1. Refer to the results of the student consultation. If not shared previously, you should provide a summary of the consultation feedback, including a response to any significant issues.

2. Provide an overview of the proposed change (if applicable, and if not shared previously, you should outline any amendments to the proposal originally submitted for consultation)
3. Ask students to indicate consent or objection.
4. Provide students with a clear route to raise queries.

Who to consent?

You should seek consent from all affected students impacted by the change. For example, if you change a Level 6 unit for the next academic year, you will need to obtain consent from Level 5, Level 4, Level 0, and any placement students, including any cohorts the unit is common within or outside the faculty.

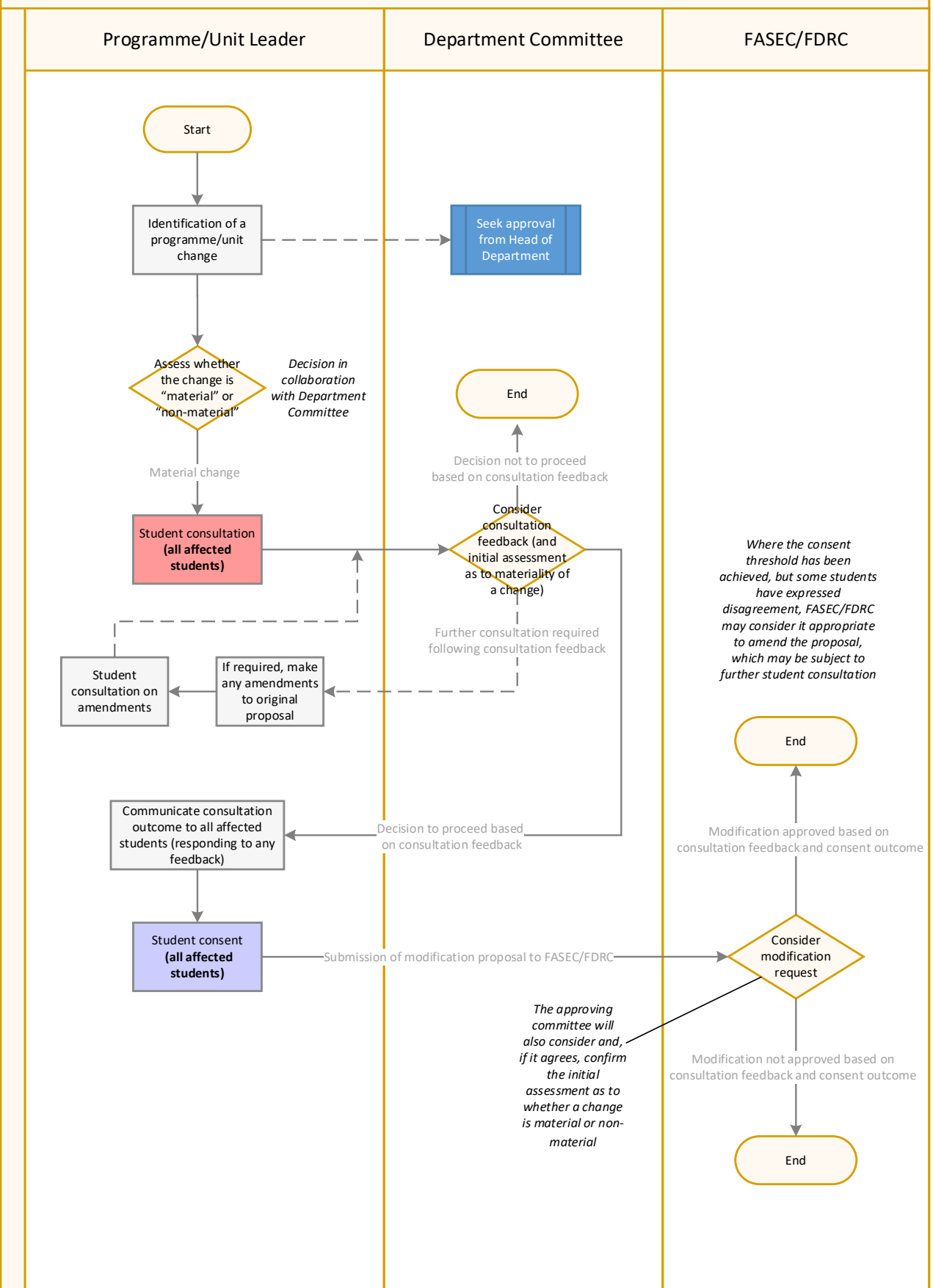
What to do after seeking consent?

The approving committee must consider the outcome of the consent process before taking a decision on final approval of a modification.

Scenario	Possible outcome
The consent threshold has been achieved without any disagreement or negative feedback from affected students.	The outcome of the consent process will be taken into account when the approving committee makes a decision on final approval of a modification.
The consent threshold has been achieved, but some students have expressed disagreement or provided negative feedback	The approving committee should consider any feedback received from students during the consultation and consent exercises and the number of affected students refusing consent. The approving committee may consider whether it is appropriate to take further steps to reduce, mitigate or remove any adverse effects for those students as individuals or as a group and whether it is still appropriate for a change to be approved. Any resulting amendment to the proposed modification may need to be subject to further student consultation.
Less than 50% of affected students have responded to the consent request	Based on the risk, the University may exceptionally decide to vary the threshold requirement for student agreement. This may include reducing the approval thresholds in terms of the percentage of affected students required to indicate consent or accepting non-objection (i.e. non-response) as indicating agreement to a change. Any such decision is exceptional and should be made in consultation with the Chair of the approving committee and Head of Academic Quality (taking advice from Legal Services).
More than 50% of students have responded, but less than 50% of affected students have consented	A view on student support should have been identified during the consultation process; however, in this scenario, the change would not be approved by the approving committee for current students. It might be considered appropriate for the change to be implemented for new intakes only.

Process maps can be found in appendix 1.

Student consultation and consent process – material changes



Student consultation process – non-material changes

