

Press release: University improves its approach to dealing with course changes

The Competition and Markets Authority (CMA) stepped in after the UEA made significant changes to the content of a course – by introducing compulsory modules thus limiting students’ choice of optional modules – and not adequately informing prospective students who had received course offers about the changes.

UEA regarded the changes as ‘minor’ – in line with its contract terms at the time – and therefore did not consult existing students or inform offer holders immediately, as they would have done if they had considered the changes to be ‘substantial’. The CMA welcomes UEA’s undertaking which ensures that, in future, it will treat the addition of a compulsory module to a course as a ‘substantial change’.

UEA has also confirmed that it will make timely updates to its website of any substantial changes. This will ensure that anyone thinking about applying has access to up-to-date and accurate information.

Nisha Arora, CMA Senior Director, Consumer, said:

For most students, going to university is an expensive, once-in-a-lifetime event and they should enjoy the best possible experience. So it’s important that prospective students have accurate and up-to-date information when choosing their course and existing students are given timely information about any substantial changes that are made to their course. And any contract terms which deal with variation, for example to course content, must be fair.

The CMA welcomes UEA’s constructive approach and its commitment to revise its terms and conditions and comply with consumer protection law.

The CMA published [advice for higher education providers](#) on how to comply with consumer protection law in March 2015, as well as [guidance](#) on consumer rights for students.

Following that work, the CMA launched a compliance review and published the results in July 2016. The review revealed that awareness of consumer protection law obligations has increased since the CMA’s work began in this sector with many universities reporting improvements in their practices and terms. However, the CMA’s review also revealed examples of poor practice.

The CMA has now secured commitments from 6 universities since November 2015. Further information about the compliance review and the action taken to date

against universities, is on the [case page](#).

Notes for editors

1. The CMA is the UK's primary competition and consumer authority. It is an independent non-ministerial government department with responsibility for carrying out investigations into mergers, markets and the regulated industries and enforcing competition and consumer law. For CMA updates, follow us on Twitter [@CMAgovuk](#), [Flickr](#), [LinkedIn](#) and like our [Facebook](#) page.
2. UEA fully co-operated with the CMA's investigation and agreed a Part 8 undertaking with the CMA, which reflected the changes which it had made voluntarily to its terms and conditions.
3. The key pieces of consumer protection legislation relevant to this investigation were the Consumer Protection from Unfair Trading Regulations 2008, the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 and the Consumer Rights Act 2015, Part 2 and the Unfair Terms in Consumer Contracts Regulations 1999 (for contracts concluded prior 1 October 2015).
4. The above legislation is enforced through the courts. Ultimately, only a court can determine whether a particular term or practice infringes the law and no such finding has been made in this case.
5. UEA made changes to the content of Year 2 of its 4-year undergraduate American Literature with Creative Writing course. Prior to the changes being made, Year 2 of this course consisted entirely of optional modules. Year 2 was changed when UEA introduced 2 new compulsory modules which then reduced the number of optional modules that students could choose to take. UEA considered that these changes enhanced the course and were of benefit to students.
6. UEA of its own accord made concessions to existing students on the American Literature with Creative Writing course BA, for example, allowing them to pursue optional modules which were not in the new course profile.
7. Media enquiries should be directed to Simon Belgard (simon.belgard@cma.gsi.gov.uk, 020 3738 6472).