Open College of the Arts (OCA)
Learning in Secure Environments Policy

Version no	Status	Policy Owner	Approved by	Date of approval	Next review Date
1	Approved	Craig Dewis	OCA Board	7 June 2022	June 2023

1. The purpose of the policy

1.1 The Open College of the Arts (OCA) is committed to providing equality of opportunity for all students wishing to study courses with us. This includes supporting students who study from secure environments. This policy sets out the admission criteria for those students joining OCA courses, and the support available whilst studying.

2. Who does the policy apply to?

2.1 This policy applies to all OCA students undertaking an OCA course from within prisons or other secure environments.

3. Linked and other relevant policies and legislation

3.1 This policy is subject to OCA's Terms and Conditions.

3.2 This policy should be read in conjunction with OCA's Learner Support Scheme Policy, Admissions Policy, Extensions and Deferrals Policy, Student Accessibility Policy, and the regulations of the awarding institution.

3.3 Disclosing details of criminal convictions is classified as special category data under the General Data Protection Regulations and Data Protection Act 2018, or equivalent act for outside of the United Kingdom. This data is processed under the Data Protection Act 2018, Schedule 1, Part 3, paragraphs 29 & 30.

3.4 This policy references the Rehabilitation of Offenders Act 1974, the Sex Offences Act 2003, and the Terrorism Act 2006, or equivalent act for outside the United Kingdom.

4. OCA's guiding principles

4.1 A criminal conviction or settlement in a secure environment is not in and of itself a barrier to learning, however there are certain requirements on both the student and OCA to facilitate learning by distance. This involves OCA's public task of protecting the rights, property, and safety of OCA students, staff, and tutors.

4.2 OCA works in conjunction with the Prisoner Education Trust (PET) to offer learning by distance to prisoners. Students who access funding through PET by default, permit PET or their Prison Education Department representative to act as an advocate on their behalf and discuss their studies.

4.3 OCA works to embed flexibility into the curriculum design and delivery as a whole, providing an inclusive learning environment. OCA does understand that there may still be individual adjustments required to ensure students can access the curriculum whilst in prisons or other secure environments. All adjustments depend on each student's circumstances within the course being taken.

4.4 OCA will consider a number of factors when deciding whether an individual adjustment is reasonable. Such adjustments will not change the learning outcomes of a course unit which must be met, but can adjust the route to those learning outcomes. Factors may include, but are not limited to:

- The perceived effectiveness of the adjustment,
- The time or resources required to implement the adjustment,
- The student's previous experience of the adjustment and whether the need could be met through an existing inclusive approach or anticipatory adjustment.

4.5 By the nature of learning in a secure environment, some of OCAs suite of courses may not be suitable for such learning, even with potential adjustments as described in paragraph 4.4.

4.6 There may be restrictions of situation that prevent some units from being studied by those with custodial sentences. OCA must fairly balance its obligations to prospective students, including those with criminal convictions, with its obligation to the entire OCA community.

4.7 In addition, OCA has to take into account the requirements under the law to protect some student groups such as children (16–18 years old), and vulnerable adults. OCA also has a duty of care to its students, tutors, staff and others who work and study in the context of the OCA community. OCA reserves the right to refuse to enrol a student, or to expel a student where, in accordance with 3.2 and 3.3 above, their criminal record makes it inappropriate for them to be enrolled with OCA.

5. Applying to OCA

5.1 Upon application to OCA, applicants are required to disclose any relevant unspent criminal convictions as part of that application. A relevant unspent conviction involves the following:

- Offences against a person of a violent nature, including threatening behaviour and.or the intention to cause harm,
- Offences listed in the Sex Offences Act 2003,
- Offences against any person under the age of 18 as set out in the Children Act 2004
- Convictions for offences involving unlawfully supplying controlled drugs or substances where the conviction concerns commercial drug dealing or trafficking,
- Offences involving firearms,
- Offences involving arson,
- Offences listed in the Terrorism Act 2006

- Offences involving fraud
- Offences involving human trafficking, slavery, and forced labour
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5.2 If an application has a conviction for a similar offence committed outside of the UK this counts as a relevant unspent criminal conviction.

5.3 An unspent conviction is one that has not yet exceeded the rehabilitation period as defined by the [Rehabilitation of Offenders Act 1974](#). The length of the rehabilitation period depends upon the severity of the sentence.

5.4 A criminal convictions disclosure form will be required to be submitted alongside the application form.

6. Studying at OCA in a secure environment

6.1 Students who study from a secure environment are subject to the normal principles of OCA study with the following exceptions:

6.1.1 Students are allocated to OCA's team of specialist tutors who guide students in secure environments;
6.1.2 Students do not submit work directly to their tutor. Instead, students submit work in the post to OCA who send work on to the tutor;
6.1.3 Students will not ordinarily receive access to OCA's online virtual learning environment or other digital services, unless an exception to this rule is granted by OCA.

6.2 Academic support for students in secure environments is provided by academic staff who have experience of prison education, and/or want to work in this field. OCA maintains institutional membership of the Prisoners' Education Trust (PET) and may support academic staff who wish to participate in PET's work with universities and colleges through academic conferences, short courses, and/or networking opportunities as appropriate.

7. Learner Support

7.1 Upon application to an OCA course, a prisoner or their education department representative can speak to the Learner Support Team for information, advice, and guidance on which courses may be suitable for study based upon individual circumstances and restrictions. Learner support will conduct a risk assessment in conjunction with the Programme Leader for the course, to determine the level of risk and accessibility needs based upon the sentence.

7.2 The Learner Support team may agree to changes to courses, assignments, and timeframes to ensure appropriate access to courses. This is dependent upon the nature of the sentence, length of sentence, any restrictions imposed on the learner by the terms of their sentence, and the considered impact to OCA as a whole or specified groups. These changes do not alter the Learning Outcomes for the course, but provide appropriate alternative access to meet those Learning Outcomes.

7.3 The following adjustments can be agreed and put in place by the Learner Support Team:

- Exemption from use of ICT;
- Printed course materials and supplementary resources;
- Additional time for assignments subject to the overall study timeframes. This may be:-
    - Up to 3 months per unit for Foundations, Undergraduate and Personal Development study;
    - Up to 2 weeks per course for Short Courses;
    - Up to 2 weeks per component for Postgraduate study.
- Adjustments to the format of assignment tasks;
- Adjustments to exercises and projects requiring access to primary sources;
- Adjustments to the format of tutorials or feedback;
- Access to Programme Leader recommended resources via the Learner Support Scheme.

7.4 Other adjustments may be recommended and agreed by OCA's Curriculum and Quality Committee as appropriate.

7.5 Additional time may be applied to an assignment or course unit to account for delays owing to postage, difficulties in access to learning environments and resources, or other short-term issues, subject to the overall study timeframes.

7.6 Where extensions are required above and beyond that outlined in 7.3 and there is evidence of grounds as per the Extensions and Deferrals Policy, students may apply for an extension which will be considered as outlined in the Extensions and Deferrals Policy.

8. Funding applications

8.1 The Learner Support team can provide information and support with accessing funding to study an OCA course.

8.2 Students who are eligible for tuition fee loans via Student Finance will not be eligible to apply tuition fee funding from OCA.

8.3 Students are expected to access PET funding in addition to OCA funding if this is available to them.

8.4 OCA funding is provided via the Learner Support Scheme and students must meet the eligibility criteria outlined in the Learner Support Scheme Policy.

9. Support for the policy

9.1 Students or education departments should contact the Learner Support Team at learnersupport@oca.ac.uk or 01226 978618 to discuss study intentions at the earliest opportunity.

9.2 In the event that a student feels requested adjustments have not been put in place, this should be raised initially with the Learner Support Team. If the issue cannot be resolved, the student should refer to the Student Complaints and Non-Academic Appeals Procedure and

complete a formal [complaints form](#), and forward it to the Head of Student Services via studentadvice@oca.ac.uk.

10. Control of the policy

10.1 This policy was authored by Lia Harness, Senior Learner Support Adviser and Craig Dewis, Head of Student Services in consultation with OCA Staff and given approval through OCA Oversight Management Group in November 2020.

11. Reviewing the policy

11.1 OCA will work closely with OCA Leaders of Prison Learning to gather student feedback on the outline of the policy, its intentions, the administration of the policy, and a review of all these points in practice. These will then be fed into the next review point for the policy.

11.2 If you would like to raise any issues around this policy then you should contact either the Learner Support team directly at learnersupport@oca.ac.uk, or if you are a student, you might also wish to raise these with the appropriate OCASA representative.