

## What the Law Says

### The Consumer Rights Act (2015)

The Consumer Rights Act (2015) forms the legal basis under which your School makes contract with each student. The Act is split into three parts:

- Part 1 concerns consumer contracts for goods, digital content and services
- Part 2 concerns unfair terms
- Part 3 concerns other miscellaneous provisions

Since 2015, the provision of higher education falls under the Consumer Rights Act.

**The Act explicitly states that the ‘trader’ (in this instance your School) is required to provide information to the consumer (i.e. applicants) before the contract becomes binding and that a change to any of this information, made before entering into the contract or later, is not effective unless expressly agreed between the consumer and the trader.<sup>1</sup>**

### Goods, Digital Content and Services

The Act requires goods to be:

- Of satisfactory quality<sup>2</sup>
- Fit for [the consumer's] particular purpose<sup>3</sup>
- As described<sup>4</sup>

The requirements for digital content are identical to those of goods, stated above.

The Act requires services to be performed:

- With reasonable care and skill<sup>5</sup>
- Within a reasonable time<sup>6</sup>

The Act also ensures that **any statement made by a School when an applicant is either deciding to enter into the contract, or is making a decision about ‘services’ after entering into the contract, is now a binding contractual term.** This would include, for example, statements made by staff/students at open days, content on your School website, content in prospectuses and other published information.

---

<sup>1</sup> <http://www.legislation.gov.uk/ukpga/2015/15/section/12>

<sup>2</sup> <http://www.legislation.gov.uk/ukpga/2015/15/section/9>

<sup>3</sup> <http://www.legislation.gov.uk/ukpga/2015/15/section/10>

<sup>4</sup> <http://www.legislation.gov.uk/ukpga/2015/15/section/11>

<sup>5</sup> <http://www.legislation.gov.uk/ukpga/2015/15/section/49>

<sup>6</sup> <http://www.legislation.gov.uk/ukpga/2015/15/section/52>