



HE REFUND AND COMPENSATION POLICY

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Scope

This policy applies to offer holders and registered students on higher education programmes which fall within the remit of the Office for Students (OfS). It applies when the College needs to discontinue a higher education programme.

Introduction

The College has a Student Protection Plan that sets out how the continuation and quality of study will be preserved for current and potential students if there is a risk to their continued study. The Student Protection Plan is designed to assure current and future students that the College has appropriate arrangements in place to protect continuation of study. It outlines the types of risks that might apply and explains the approach the College would take if these risks were to materialise.

In addition to the Student Protection Plan, the College is required to adopt a Refund and Compensation Policy setting out the circumstances in which the College will refund tuition fees and other relevant costs to offer holders and students and provide compensation if the College is no longer able to preserve continuation of study.. The Student Protection Plan (SPP) identifies this as an unlikely risk, but the College recognises that if it were to occur, affected offer holders and students should receive a refund of fees and appropriate compensation in accordance with this policy.

The College is committed to using its best endeavours to ensure all offer holders and registered students are able to commence, continue and complete their studies at the College. However it is important to outline how the College will refund or compensate offer holders and registered students if the College is unable to achieve that.

In this Policy a reference to the College no longer being able to preserve continuation of study means that the College has terminated or intends to terminate either:

1. a College programme of study on which an individual has been offered or accepted a place before that individual can register as a student or
2. a College programme of study on which a student is registered before that student has completed that programme.

It does not include changes to or termination of programmes where all registered students who would normally have been expected to complete at the date of termination have done so.

The College recognises two sets of circumstances, planned mid-programme termination and unexpected programme termination.

Planned Mid-Programme Termination

A planned mid-programme termination occurs when the College can no longer preserve continuity but is able to plan and align the termination with the end of an academic year, this is referred to as "teach out" in the SPP. If such circumstances arise, the College will when preparing its plan for dealing with the termination, consult the students registered on the programme and, as a minimum, will:

1. ensure all students on the programme receive any award to which they might be entitled for the studies they have completed;
2. offer those students advice and support to help them decide whether or not to transfer to a different programme at the College or seek transfer to a suitable alternative provider to complete the programme which is to be terminated;

3. offer to provide transport for, or to pay reasonable travel costs to cover, at least one visit per student to an alternative provider;
4. ensure that any student who has been in receipt of a bursary or similar funding and would have continued to receive that bursary or funding had the programme not terminated, receives the remainder of that bursary or funding if they transfer to a different programme at the College or to the same programme at an alternative provider.

The College will also ensure that its plan for dealing with the termination includes appropriate provision for communicating with and compensating individuals who have been offered or who have accepted a place on the programme, to include as a minimum, an offer of advice and support to help them decide whether or not to apply for a different programme at the College or seek a suitable alternative.

Unexpected Programme Termination

An unexpected programme termination occurs when

1. the College becomes aware of an immediate risk to continuation of study and has no alternative but to terminate the programme during an academic year

Or

2. the College has failed to recruit sufficiently to a programme and closes to new recruits to the detriment of individuals who have already been offered or accepted places on that programme.

If such circumstances arise, the College will treat communication and consultation with the students registered on the programme as a priority. As a minimum, the College will:

1. ensure all students on the programme receive any award to which they might be entitled for the studies they have completed – module accreditation
2. offer those students advice and support to help them decide whether or not to transfer to a different programme at the College or seek transfer to a suitable alternative provider to complete the programme which is to be terminated;
3. offer to provide transport for, or to pay reasonable travel costs to cover, at least one visit per student to such an alternative provider;
4. put in place a refund and compensation plan relevant to the circumstances of the particular termination that includes provision for a refund of tuition fees and compensation in respect of additional costs reasonably incurred by students as a result of the termination, any change of programme and any relocation; and
5. ensure that any student who has been in receipt of a bursary or similar funding and would have continued to receive that bursary or funding had the programme not terminated, receives the remainder of that bursary or funding if they transfer to a different programme at the College or to the same programme at an alternative provider.

The College will also ensure that it communicates with and compensates individuals who have been offered or who have accepted a place on the programme, to include as a minimum an offer of advice and support to help them decide whether or not to apply for a different programme at the College or seek a suitable alternative.

Students who have been awarded extenuating circumstances

Students who have been awarded extenuating circumstances are advised that the College does not guarantee that their study programme will remain open indefinitely and students accept this risk.

Consequently, for the purposes of this policy students who have been awarded extenuating circumstances will be treated as applicants holding a firm offer of a place rather than as current students.

Compensation

The plans referred to above will include appropriate provision for:

1. maintenance costs;
2. lost time;
3. additional tuition costs;
4. travel costs as a result of relocation of provision.

Relevant guidance published by the Office for Students (OfS) and the Office of the Independent Adjudicator (OIA) for Higher Education will be taken into account when producing plans.

The College will not compensate for hypothetical or speculative financial losses or for lost opportunities. Compensation will be limited to reasonable, evidenced direct losses and may be reduced if the student has failed to take reasonable steps to mitigate his/her losses.

Payments

Payments will normally only be made to the bank and account holder (or other financial institution) that originally paid the tuition fee and will not be paid in cash.

This applies whether the student is in receipt of a tuition fee loan from the Student Loans Company, pays their own tuition fees or has their tuition fees paid by a sponsor.

The College reserves the right to deduct any debts owed to the College from any payments made.

General

This Refund and Compensation Policy is linked to the College's Student Protection Plan and forms an important part of the College's Higher Education Student Agreement that is subject to annual review.

This Policy will not normally apply to individuals who have completed the studies for which they registered as a student with the College.