



## REFUND AND COMPENSATION POLICY 21/22

<b>Document title:</b>	Refund and Compensation Policy 21/22
<b>Audience:</b>	Students on Higher Education Programmes
<b>Version:</b>	V1
<b>Approved by:</b>	SLT
<b>Date approved:</b>	July 2021
<b>Date of next review:</b>	July 2022
<b>Document author(s):</b>	Vice Principal Development and External Relations
<b>Date issued:</b>	August 2021
<b>Document reference:</b>	Refund and Compensation Policy 21/22

Version	Type (e.g. replacement, revision etc...)	Date	History (reason for changes)
V1	New Version of Policy for 21/22	July 2021	

### Monitoring and review

This procedure will be reviewed by SLT at least every year.

## **1. Executive Summary**

This policy sets out the terms of compensation that the College will consider awarding to students. The policy sits alongside the College's complaints procedure, which utilises best practice as advised by the Academic Registrars Council (ARC) and the Office of the Independent Adjudicator (OIA).

As far as possible, the College aims to resolve complaints through dialogue between the student and the College. Where dialogue fails, students will be directed to the below complaints procedure.

The College's complaints procedure consists of 3 stages:

Stage 1 – Informal

Stage 2 – Formal

Stage 3 – Appeal

Where concerns are around a specific issue, students can complete an informal complaints form. The complaint will be investigated within 20 days of it being received.

If a student is unhappy with the outcome of their stage 1 complaint, they can escalate it to stage 2, a formal complaint. The complaint will be investigated within 20 days of it being received.

If a student is unhappy with the outcome of their stage 2 complaint, they can escalate it to stage 3, appeal. Any decision to appeal the decision at stage 2 must be made within 10 working days of receiving the stage 2 decision. An appeal will normally be dealt with within 30 days of it being received.

## **2. Refund/Compensation Definitions**

Financial compensation will not always be an appropriate response to complaints and it is unlikely that most issues will be resolved in this way. It is accepted, however, that on some occasions a financial settlement will be appropriate.

Refund – this relates to the repayment of sums paid by a student to the College. This could include tuition fees, course costs or accommodation costs.

Compensation – this relates to a recognisable loss suffered by the student and normally falls within two categories: (a) recompensing the student for wasted out-of-pocket expenses they have incurred which were paid to someone other than the university (such as travel costs) or (b) an amount to recompense for material disadvantage to the student arising from a failure by the College to discharge its duties appropriately.

## **3. Other considerations when completing your claim**

The College is obliged to comply with the registration requirements for the Office for Students (OFS) and within Quality Assurance Agency (QAA) guidelines. Any claim that a student makes will have no effect on their statutory rights as highlighted in the Consumer Rights Act 2015 (CRA) and guidance provided by the Competition and Markets Authority (CMA) or the Higher Education and Research Act 2017 (HERA).

## **4. Occasions where compensation or refund may be considered**

Where a complaint has been upheld and proven to show:

- Failure to deliver against material information agreed with the student at the point of acceptance of offer.
- Major changes in course delivery that have negatively impacted on the student
- Prolonged disruption that jeopardises students chances of succeeding on the course.
- A demonstrable loss to the student, the student has not been able to achieve the learning outcomes of their course
- The College has not followed its own Internal quality assurance processes
- The student has been affected in relation to:
  - Final degree award
  - Accreditation award
  - Ability to take up a job offer
- Consideration of any alternative arrangements or adjustments that were implemented for students to mitigate against any loss.
  - Did the student take up what was offered?
  - Were they still disadvantaged despite alternative arrangements?

*The College has the final decision whether or not to award compensation or a refund.*

## **5. Process for a Refund/financial compensation**

Where a student has submitted a formal complaint and the resolution is to offer financial compensation, the College will pay this within 14 days from the agreement that a refund is due on the basis that if:

- students are in receipt of a tuition fee loan from the Student Loans Company then repayment will be made to the Student Loans Company;
- students have paid their own tuition fees then refunded fees will be paid directly to them;
- a sponsor has paid the tuition fee then the refunded fees will be paid directly to the sponsor;
- tuition fees have been paid by a combination of the above, refunded fees will be paid pro-rata.

Students who are awarded financial compensation will be contacted by the college. Payments will usually be made by BACS.