

HE Refunds and Compensation Policy (Non Continuation of Study)

Review

Formal Review Cycle	Annually		
Latest Formal Review (date)	29/02/2024	Next Formal Review Due (date)	29 Feb 2025
Policy Owner	Chief Financial Officer		
Policy Author	David Howells		

Approvals

Board of Corp Y/N	Y	Committee		Date Board approved	19/03/2024
SLT Y/N	Y	SLT date approved	29/02/2024	Additional committee	

Publication

Website Y/N	Y	Intranet Y/N	Y	Student VLE Y/N	Y	Other	Student handbook
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Change History

Version	Date Reviewed/ Revised	Description of Change	Reviewed by	Approved by
2024V1 Split from the FE policy to ensure	Feb 2024	Split from the FE policy	ELT	ELT

HE Refunds and Compensation Policy (Non- Continuation of Study)

1. Policy Statement

- 1.1 City of Sunderland College (“the College”) is an incorporated body established by Act of Parliament (Statutory Instrument).
- 1.2 As a registered provider of higher education, the College has published a Student Protection Plan which sets out how continuation and quality of study will be preserved for current and potential students if a risk to their continued study crystallises. The Student Protection Plan draws on the College’s experience and 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.
- 1.3 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 students and provide compensation where necessary if the College is no longer able to preserve continuation of study for one or more students. The Student Protection Plan identifies this as an unlikely risk but the College recognises that if it were to occur, affected students should receive a refund of fees and appropriate compensation in accordance with this policy.
- 1.4 The College considers refunds and compensation to be a remedy of last resort and is committed to using its best endeavours to ensure all students are able to continue and complete their studies at the College. It is however important to explain how the College will refund or compensate students if the College is unable to preserve that continuity of study.

2. Scope

- 2.1 This policy applies to all students undertaking a higher education programme at the College and to applicants where applicable and any staff member who enrolls as a student. It does not apply to students undertaking any other form of study including FE courses, apprenticeships and programmes funded via a 19+ Advanced Learner Loan.
- 2.2 City of Sunderland College is the incorporated name covering all sites trading as Sunderland College, Hartlepool Sixth Form and Northumberland College. This policy applies to all students and staff of those institutions.

3. Responsibilities

This Policy will be implemented by the Executive Leadership Team (ELT).

4. Definition of Non Continuation of Study

- 4.1 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:
 - (i) 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;

- (ii) 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.

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

5. Planned Mid-Programme Termination

- 5.1 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.
- 5.2 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:
 - (i) ensure all students on the programme receive the College award for which they are registered (for example, certificate or diploma);
 - (ii) we will ensure where a programme is not continuing, teach out will occur or alternative arrangements will be sought
 - (iii) 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;
 - (iv) offer to pay reasonable travel costs to cover at least one visit per student to such an alternative provider;
 - (v) put in place, in consultation with students, a compensation plan relevant to the circumstances of the particular termination that includes provision for compensation in respect of additional costs reasonably incurred by students as a result of any relocation; and
 - (vi) ensure that any student who has been in receipt of a bursary or similar funding and who would have continued to receive that bursary or funding had the programme not terminated receives the remainder of that bursary or funding whether they transfer to a different programme at the College or to the same programme at an alternative provider.
- 5.3 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.

6. Unexpected Programme Termination

- 6.1 An unexpected programme termination occurs when:
 - (i) a risk to continuation of study crystallises out of the blue and the College has no alternative but to terminate during the course of an academic year or
 - (ii) 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.

6.2 If such circumstances arise, the College will treat communication and consultation with the students registered on the programme as a priority per the Programme Changes, Suspension and Closure Policy. As a minimum, the College will:

- (i) ensure all students on the programme receive the College award (for example, certificate or diploma) that recognises the stage they have reached;
- (ii) 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;
- (iii) offer to pay reasonable travel costs to cover at least one visit per student to such an alternative provider;
- (iv) put in place, in consultation with students 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
- (v) ensure that any student who has been in receipt of a bursary or similar funding and who would have continued to receive that bursary or funding had the programme not terminated receives the remainder of that bursary or funding whether they transfer to a different programme at the College or to the same programme at an alternative provider.

6.3 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.

7. Compensation and Refund Payments

7.1 The compensation plan referred to in paragraph 5.2 (iv) and the refund and compensation plan referred to in paragraph 6.2 (iv) will include appropriate provision for:

- (i) maintenance costs;
- (ii) lost time;
- (iii) additional tuition costs;
- (iv) travel costs because of relocation of provision.

7.2 Relevant guidance published by either the Office for Students or the Office of the Independent Adjudicator for Higher Education will be considered in preparing any such plans.

7.3 Refunds 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.

8. General

8.1 This Refund and Compensation Policy is linked to the College's Student Protection Plan and forms an important part of the College's Student Contract Terms and Conditions. It will be reviewed from time to time with those documents.

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

8.3 Queries about the application of this policy should be addressed in the first instance to:

quality@educationpartnershipne.ac.uk

9. Complaints and Appeals

If a Higher Education student is unhappy with the College's decision on refund and compensation, then they may use the College's How are we Performing? Procedure to raise their concerns. The College hopes this procedure will satisfactorily resolve the problem. Very occasionally this may not be the case; in this instance, a student of Higher Education is able to ask the Office of the Independent Adjudicator for Higher Education (OIA) to review the complaint and the way in which it has been handled by the College. The student can only refer the complaint to the OIA when they have exhausted the College's How are we Performing procedure.

10. Associated Documents

The following documents should be read in conjunction with this Policy:

- 10.1 HE Fees and Refunds Policy
- 10.2 Student Protection Plan
- 10.3 Equality, Diversity and Inclusion Policy
- 10.4 College's How are we Performing? Procedure

11. Policy Monitoring and Review

- 11.1 This policy will be reviewed on an annual basis by ELT and the Board of the Corporation
- 11.2 This policy will be monitored by ELT.

12. Equality Impact Assessment

Have you sought consultation on this policy?				
Details:				
Could a particular group be affected (negatively or positively)?	Impact Y/N	Description of Impact	Evidence	Mitigation/Justification
Protected characteristics under the Equality Act 2010				
Age	N			
Disability	N			
Gender Reassignment	N			
Marriage and Civil Partnership	N			
Pregnancy and maternity	N			
Race	N			
Religion or belief	N			
Sex	N			
Sexual Orientation	N			
Additional characteristics to consider				
Young Persons in Care & Care Leavers	N			
Young Carers & Care Givers	N			
Young Parents	N			
Youth Offenders	N			
Those Receiving Free School Meals	N			
If there is no impact, please explain:	The policy is designed to promote and enable access to courses for all learners and to provide access to careers advice and welfare. It is a requirement of the policy to apply it consistently with the Colleges Equality, Diversity and Inclusion Policy.			