1. Policy Aim

Stoke on Trent College aims to ensure learners are supported to achieve their qualification, however this HE Student Refund and Compensation Policy enables students to claim compensation from the College following completion of the complaints procedure, were the complaint is upheld or more rarely, where there has been a material breach of contract. Compensation may take the form of a financial refund, financial re-imbursement, price reduction or repeat provision of service.

2. Introduction

This policy is part of the College's Student Protection Plan and reflects the College's commitment to the student experience and sets out the terms of financial compensation that the College would consider paying to students in the event that the college is not able to preserve continuation of study.

The HE Student Refund & Compensation Policy sets out the circumstances in which the College will refund tuition fees and other relevant costs to students. The policy covers situations where the College is no longer able to preserve continuation of study for one or more students. The policy may also cover situations where there has been disruption to a course of study. The Student Protection Plan identifies the risk of non-continuation along with mitigating actions the college takes or will take. However, should such circumstances arise, this policy sets out how affected students may, following completion of the complaints procedure; claim a refund of fees and/or appropriate financial or other compensation.

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.

The College is not liable for events outside of its control, as set out in the Terms and Conditions of Offer.

3. Explanation of Terms

In this policy a reference to a 'refund' means the repayment of sums paid by a student to the College or an appropriate reduction in the amount of sums owed in future by the student to the College. This could include tuition fees or other course costs.

In this policy 'compensation' means an action taken in recompense for a demonstrable material failing on our part in the complete provision of an advertised programme of study. It may take the form of a remedy without a financial element such as an apology or a good will gesture but could also take the form of a discount, a financial payment or some other form of benefit.

Students are advised that in addition to the rights set out in this policy they also have additional statutory remedies under the Consumer Rights Act 2015. This policy is informed by the Consumer Rights Act 2015 (CRA) and the Higher Education and Research Act 2017 (HERA). The College is regulated by the Office for Students and conforms to the requirements set out in the Student Protection Plan.

This policy will be reviewed on an annual basis.

4. Refunds or Compensation in the event of change or dis-continuation of a programme of study

Tuition Fees

Dis-Continuation

In the unlikely event that the College should not be able to "teach out" current students on a discontinued programme of study; students (or their sponsor or the Student Loans Company) will be offered a refund of any fee payments made towards that programme of study in the year of non-continuation, when the student is required to withdraw from the College as a result of the programme non-continuation. The refund of fees will only apply to tuition fee costs incurred in the year in which the academic programme ceases to be offered.

Programme dis-continuation resulting in student transfer to an alternative programme at this College

Where a programme is discontinued and student transfer to an alternative programme of study at this College with tuition fees different from the original course, the College will charge students the lower of the two fees for their continuing studies. Where the fees of the new programme are less than those of the discontinued programme, the College will refund or adjust future fees already paid fairly. If a student is transferring to an alternative programme at this College following discontinuation of their original programme but suffers a disrupted year as a result, any tuition fees already paid for the affected year will be refunded.

Programme dis-continuation resulting in student transferring to an alternative programme at this College with a change in location

Where a programme is discontinued and students accept an alternative programme of study at the College which is delivered at a location substantially removed/distant from the location of the original course, the College will provide students with adequate compensation in respect of additional travel costs that are incurred as a result of transferring programme.

Programme dis-continuation resulting in student transferring to an alternative programme at another UK Provider

Where a programme is discontinued and students transfer to an alternative programme of study at another provider, the College will utilise student transfer arrangements to enable a transfer to the new provider. Where the transfer involves students receiving 'credit' at the receiving provider, through an approved prior learning mechanism for study undertaken at the College, no refund will be offered in relation to the elements of study which count towards that credit. Refunds of tuition fees incurred at the College will be provided in respect of elements of study which do not receive credit for future study at a receiving provider.

Where transfer to another provider involves a disrupted semester or year of study that does not count towards the new award, the College will refund the tuition fees for the disrupted period of study.

5. Who is covered by the policy

This policy covers all students of the College. It covers students in receipt of a tuition fee loan from

the Student Loans Company; students who pay their own tuition fees; and students whose tuition fees are paid by a sponsor. In all cases, tuition fees and other costs, will only be refunded to the original fee-payer/sponsor (whether student loans company, individual student or sponsor of a student).

This policy does not apply to individuals who have completed the studies for which they registered as a student with the College unless, under the Student Complaints procedure, they have taken forward a complaint within three months of the end of their registration period that becomes upheld.

6. External Review

If a student remains dissatisfied with the outcome of a claim for compensation under this policy, the student may be able to apply for a review of the claim by the Office of the Independent Adjudicator for Higher Education (OIA). This is an independent review scheme external to and independent of the College's complaint procedure. The OIA will normally only review issues that have been dealt with through the College's internal procedures. The Executive Director of Adults, HE and Curriculum Support can advise on this.

7. Compensation Plan

The College will put in place a compensation plan relevant to the circumstances of the individual student or students, which includes provision for compensation in respect of additional costs reasonably incurred by students as a result of any transfer of programme or cessation of programme of academic study.

The College will also ensure that its plan for dealing with the programme cessation includes appropriate provision for communicating with, and compensating applicants, who have accepted a place on the programme, and will 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.

Enrolled students and any applicants who have accepted a place on the relevant programme of study, should also take such reasonable steps, in line with advice given by the College, to mitigate the situation.

Any payments associated with a 'compensation plan' will include appropriate provision for:

- Tuition fee costs (to cover tuition fee loans from the student loans company, self-funded tuition fees or payment of tuition fees from a sponsor)
- Maintenance costs
- Student bursaries
- Lost time
- Travel costs as a result of relocation of provision
- Other College related costs.

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

8. Payment

Refunds will only be made to the bank and account holder (or other financial institution) that originally paid the tuition fee or other costs and will not be paid in cash. This applies whether the student is in receipt of a tuition fee loan from the student loan company, pays their own tuition fees or has their tuition fees paid by a sponsor.

9. Individual Claims Process

Before seeking redress under the terms of the HE Student Refund and Compensation Policy, students/individuals affected should submit a complaint to the College in accordance with the College's Complaints Procedure.

Upon completion of the Complaints Procedure, a student may seek to use the provisions of this policy to seek financial redress if they remain dissatisfied with the outcome. Queries about the application of this policy should be addressed to the Executive Director of HE, Adults and Curriculum Support.

Claims submitted under the terms of this policy should:

- Make it clear that the complaints procedure has been exhausted
- Set out the impact of the programme change, including in financial terms, and what steps have been taken by the complainant to mitigate them.

Upon receipt of a claim under this policy, the College will consider the detail of the claim against the factors set out below. A response will be provided within 15 working days.

Factors the College will consider in assessing claims under this policy:

a) Whether the College has failed to deliver any specific undertakings that had been given to the students for the way in which the programme was delivered
b) Whether there has been a failure by the College to deliver against material information agreed with the student at the point of acceptance of the offer
c) Whether a period of prolonged disruption, without sufficient remedial action, has jeopardised the ability of the College to offer guided learning in a manner that ensures students have a fair and reasonable opportunity to develop appropriate levels of understanding required for the programme.
d) Whether there has been a material change made by the College that has led to a demonstrable loss to the student
e) Whether the College followed its own processes in delivering the programme of study
f) Whether the student has been affected in relation to a final qualification award, accreditation award or ability to take up a job offer
g) Whether the student has met their own responsibility to minimise losses
h) Whether the student took up any reasonable adjustments or arrangements that were implemented for students to mitigate against the loss and if so consideration of whether a student was still disadvantaged despite alternative arrangements
i) Whether, if a complaint is made due to disruption to a student's learning experience which is beyond the student's control, the College communicated with student adequately throughout the process.

10. Group Claim Process

Where a problem has potentially affected a large number of students, a separate streamlined process for dealing with groups of complaints efficiently and consistently may be used. This will be consistent with the existing complaints procedure and should this situation arise the College will make the process clear to students and ensure that this is fair and proportionate. In the event that a student prefers to use the established complaints procedure individually, they will not be prevented from doing so. The College may decide that an issue arising from an individual complaint affects more than just that individual and apply this policy more widely.

The College will consider the factors for assessing claims outlined above in assessing any group claim.

If a student complaint is dealt with through this group process rather than the established complaints procedure and any student is dissatisfied with the outcome, the student will be offered the option of receiving a Completion of Procedure letter in order to progress a complaint to the OIA.

If students use the group process and are satisfied with the proposed outcome, this will be in full and final settlement of all claims arising out of the same issue.

11. Responsibility for the Fees and Remission Policy

The responsibility for review and update of this policy lies with the Executive Director HE, Adults and Curriculum Support

12. Monitoring and Review

The policy will be reviewed on an annual basis.

13. Approval

Approved by the College Executive Team

Signed:

(Principal & CEO)

Endorsed by the College Corporation

Signed:

(Chair)

Issued	Rev 1	Rev 2	Rev 3	Rev 5	Rev 5	Rev 6	Rev 7	Rev 8
11/07/19								