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Review Date:	November 2020
Version	1.1



POLICY STATEMENT NO. HE08

TITLE: **HE REFUND AND COMPENSATION POLICY**

INTRODUCTION/OVERVIEW:

1.1 This policy sets out the terms of compensation that the College will consider paying to HE students who are affected by the withdrawal of a programme of study by the College. In circumstances where the College ceases to deliver a HE academic programme of study, and students have already commenced study on that programme, the College will consider financial compensation for affected students where they are forced to withdraw from the College.

1.2 New College Stamford has published a Student Protection Plan which sets out how continuation and quality of study will be preserved for registered and prospective students if a risk to their continued study crystallises. The Student Protection Plan is designed to assure all 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 crystallise.

1.3 This policy covers all HE 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).

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. 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.

1.5 The policy will be reviewed on an annual basis

PROGRAMME CLOSURE

2.1 In the event of programme closure, the College will treat communication and consultation with students registered on the programme as a priority. As a minimum, the College will:

- ensure all students on the programme receive the College award (for example, certificate or diploma) that recognises the stage they have reached;
- 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;
- offer to pay reasonable travel costs to cover at least one visit per student to such an alternative provider;
- put in place 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.

TRANSFERS

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- 3.1 The following rules apply to transfers where a student:
- Transfers from a course the college has closed to an alternative higher fee HE course the difference will be paid by the college.
 - Transfers to a HEFC course with a similar tuition fee, no charge will be made.
 - Decides to transfer from a HEFC course to a HEFC course with a higher tuition fee the student will pay the difference between the course tuition fees.

COMPENSATION

4.1 In the event that it is not possible to preserve continuation of study necessitating a transfer to an alternative HE course, the arrangements outlined in paragraph 3.1 above will apply.

4.2 Where it is necessary as a result of action by the college (such as course closure) for students to transfer to an alternative provider or there is a change in the location of the course (which was not notified to the student prior to the commencement of the academic year) the college will consider appropriate compensation for additional travel or other costs directly attributable to the non-preservation of continuation of study.

4.3 The College's priority will always be to ensure that students receive the education experience outlined in college course information (whether on-line or in hard copy format) and their learning agreement. Where as a result of an investigation through the HE Complaints Policy it is concluded that this has not been the case appropriate financial or other compensation may be offered.

4.4 The College is cognisant of Office of the Independent Adjudicator (OIA) guidance on considering whether it is appropriate to recommend compensation payments to higher education students for distress and inconvenience and will refer to their guidance when developing individual compensation plans.

FINANCIAL IMPLICATIONS OF REFUND AND COMPENSATION POLICY

5.1 The College has appropriate cash reserves, given our high ESFA financial position which would be sufficient to provide refunds and compensation for those students for whom we have identified an increased risk of non-continuation of study. We would anticipate both the number and the likelihood to be very low.

PAYMENTS

6.1 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.

EXTERNAL REFERENCES

- 7.1 This policy has been designed with consideration of the guidance published by:
- The Office for Students
 - The Office of the Independent Adjudicator

IMPACT ASSESSMENT:

This policy has been assessed and considered for impact upon people who share the following protected characteristics and factors: race, gender and gender identity, disability (including learning difficulty), religion and belief, sexual orientation, age, pregnancy, maternity and marital status.

EQUALITY IMPACT ASSESSMENT SUMMARY:

- This policy has been impact assessed and has identified the following:
- Negative impacts N*

- Appropriate actions/mitigations to address the negative impacts have been put in place (Y/N)
- Positive impacts Y

PRIVACY IMPACT ASSESSMENT:

NCS is committed to protecting the personal data of its students, employees and other stakeholders in accordance with the General Data Protection Regulation (GDPR). We have a variety of methods and controls to ensure we protect that data appropriately. Personal data processing activities are subject to a Data Protection Impact Assessment (DPIA) as a key component of a 'Privacy by Design' approach. The risks to the rights and freedoms of individuals resulting from the processing of personal data are examined, and appropriate measures are put in place to protect these rights throughout the processing lifecycle.

LINKED POLICIES:

- HE Student Protection Plan
- HE Fees Policy
- HE Complaints Policy
- HE Appeals Policy

RESPONSIBILITY:
