

## **REFUND AND COMPENSATION POLICY (non-continuation of study in event of programme termination)**

### **1. Introduction**

1.1. As part of registration as a higher education provider with the new Office for Students, Bishop Burton 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.

### **2. Aims**

2.1. This Policy sets 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.

### **3. Policy statement**

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

### **4. Definitions**

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 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 programme of study on which a student is registered before that student has completed that programme.

- 4.2. 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 or a student's voluntary termination of study or as a result of disciplinary action in accordance with the student charter.
- 4.3. 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 University 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 the 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
  - 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.
- 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. As a minimum, the College will:
- i. ensure all students on the programme receive the University 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 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**

- 7.1. The compensation plan referred to in paragraph 5.iv and the refund and compensation plan referred to in paragraph 6.vi will include appropriate provision for:
- i. maintenance costs;
  - ii. lost time;
  - iii. additional tuition costs;

- iv. travel costs as a result 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 taken into account in preparing any such plans.

## **8. Payments**

- 8.1. 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.

## **9. Method of Monitoring**

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

**Reviewing Officers:** Assistant Principal Higher Education

**Date** October 2020

Queries about the application of this policy should be addressed to enquiries@bishopburton.ac.uk in the first instance.

*This document is available in a variety of formats. Student Services or main reception will supply guidance on the range of formats available*