

**POLICY/PROCEDURE: HIGHER EDUCATION REFUND AND COMPENSATION
(NON-CONTINUATION) POLICY**

Approval required by:	SLT	Y	Governing Body	Y
SMT Lead:	Director of Quality Higher Education			
Responsible Manager:	Director of Quality Higher Education			
Date approved:	30 April 2020 (SLT) / 19 May 2020 (Governors)			
Date to be reviewed:	May 2021			

Relevant to:	Students	Y	Staff	Y
	Visitors	N		
Relevant to:	All students	N		
	16-18 Vocational	N	Sixth Form	N
	Higher Education	Y	Adults	N
	Apprenticeships	N	14-16	N
Relevant to:	Other	N	
	All staff	Y		
	Board	Y	SPH	Y
	Managers	Y		
	Teaching staff	Y	Support staff	Y

Accessible to	Students	Y	Staff	Y
Friendly version	Students	Y	Staff	Y

EQIA required	N
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Significant changes to policy:

- None
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Impact of changes:

Not applicable

POLICY AIMS AND OBJECTIVES

The Higher Education Refund and Compensation Policy aims to set out the provision of compensation and tuition fee refunds for student(s) in the event of non-continuation of any prescribed Higher Education programme.

College staff, students, prospective students and students' sponsors will understand:

- The measures the college will take to compensate students for non-continuation of studies.
- How refunds of tuition fees and compensation will be determined.
- Payment of bursaries, where applicable.

SCOPE AND PURPOSE

As a registered provider of Higher Education, Barnsley College has a Student Protection Plan which sets out how the measures the college will take to ensure the continuation and quality of study will be preserved for current and potential students if a risk to their continued study materialises. The Student Protection Plan is designed to assure current and future students that the college has appropriate arrangements in place to protect continuation of study; it assesses the risks to continuation and identifies action to minimise both the possibility and potential impact on students.

In addition to the Student Protection Plan, the college is required to adopt a Refund and Compensation Policy in the event of the college being unable to preserve the continuation of study. This policy sets out the circumstances in which the college will provide a refund of tuition fees and provide compensation where the college is not able to continue delivering a particular programme of study.

This policy is applicable to students in receipt of a tuition fee loan (Student Finance England), students who pay their own fees and those whose tuition fees are paid by a sponsor.

The college considers refunds and compensation as a final resort, and will do everything reasonably possible to ensure that all students have the opportunity to complete their chosen programme of study. However, there may be rare instances where the college is unable to do this, and this Policy outlines where refunds and compensation may be possible.

In this policy, where the college is no longer able to preserve continuation of studies, we are referring to the closure or intention to close:

- A Programme on which individual(s) have been offered or accepted a place **prior** to enrolment.
- A Programme on which student(s) are **enrolled** before those student(s) have completed that Programme.

The college recognises two sets of circumstances where the college would not be able to continue delivering a particular programme of study:

- Planned non-continuation of programme.
- Unexpected non-continuation programme.

This policy does not cover the closure of programmes where all registered students who would normally have been expected to complete at the date of closure have done so.

Planned Non-continuation of Programmes Enrolled Students

Where the college takes the decision to close a programme, the college will, wherever possible, ensure that all enrolled students are able to complete their programme of study. Only in extreme circumstances, this may not be possible and in the event of such an occurrence the college will:

- Consult with **all** students at the earliest opportunity.
- Offer advice, support and guidance to assist **all** students in deciding whether to transfer to another programme within the institution or to transfer to an alternative provider.
- Implement, in consultation with the Students' Union, a compensation plan relevant to the circumstances of the particular closure that will include provision for compensation in respect to additional costs reasonably incurred by students as a result of any relocation. This may include:
 - Additional tuition costs.
 - Maintenance costs.
 - Additional travel costs.
 - Lost study time.
- Ensure that any entitlement to a bursary will continue if the student transfers to another programme or alternative provider

Any appropriate guidance published by the Office for Students or the Office of the Independent Adjudicator for Higher Education would be consulted in preparing any such plans.

Unexpected Non-continuation of Programmes

Unexpected non-continuation (closure) could occur under two circumstances:

- An **unforeseen** situation occurs which leaves the college unable to offer a programme.
- Failure to recruit viable student numbers to a programme.

Enrolled Students

In exceptional circumstances where the college is unable to offer a programme and cannot permit enrolled students to complete their programme, the college will:

- Consult with **all** students at the earliest opportunity.
- Offer advice, support and guidance to assist **all** students in deciding whether to transfer to another programme within the institution or to transfer to an alternative provider.
- Implement, in consultation with the Students' Union, a compensation plan relevant to the circumstances of the particular closure that will include provision for compensation in respect to additional costs reasonably incurred by students as a result of any relocation. This may include:
 - Additional tuition costs
 - Maintenance costs
 - Additional Travel costs
 - Lost study time
- Ensure that any entitlement to a bursary will continue if the student transfers to another programme or alternative provider

Please note this policy would only be implemented in extreme circumstances. Such circumstances have not yet arisen at the college.

Applicants

The college will ensure that all applicants to the effected programme are notified at the earliest opportunity and are offered advice, support and guidance to help them find a suitable alternative, either at the college, or with an alternative provider.

Communication

- This policy will be reviewed annually via scheduled college meetings and approved by the college Senior Management Team.
- The review process will involve student consultation.
- This policy will be published on the college website and intranet.
- The College Offer letter will signpost applicants to this policy.
- College staff will receive annual updating.

External Reference

This policy has been designed with consideration of the following guidance:

[Office for Students Regulatory Advice 2: Registration of current providers for 2019-2020](#)

This policy has been designed with consideration of the following guidance:

[Higher Education course changes and closures: statement of good practice](#)

The Competition and Markets Authority- [Higher Education Consumer Law Advice for Providers and Students](#)

EQUALITY AND DIVERSITY

An EqIA is not required for this policy.

LINKED POLICIES AND PROCEDURES

- Barnsley College Higher Education Terms and Conditions.
- Barnsley College Student Protection Plan.
- Barnsley College Higher Education Course Changes and Closure Policy.
- Barnsley College Complaints Policy and Procedure.