

1. Policy Context

1.1 Funding and regulation of higher education in England changed in April 2018 when the Office for Students (OfS) became fully operational. The OfS requires a Student Protection Plan incorporating a series of assessments of the range of risks of the continuation of study for college students and risk mitigation measures. This will also include information about the policy in place to refund tuition fees and other relevant costs to the college students and to provide compensation where necessary in the event the college is no longer able to preserve continuation of study. The risk that we will no longer deliver courses at Tameside College is low:

- Recruitment to courses is good and is growing year on year.
- Applications and continuation are closely monitored on a programme by programme basis and decisions would be made in a timely manner.
- With our partner Universities (the University of Huddersfield, University of Salford and the University of Chester) we have an institutional level agreement to teach out any course that will no longer to run at the Tameside site.

2. Policy Content

2.1 The College has a published 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 outlines the types of risks that may occur and explains what the College would do if these risks were to materialise. It is designed to assure current and prospective students that the College has extensive and appropriate arrangements in place to ensure the continuation of study in the majority of situations.

2.2 Alongside the Student Protection Plan, this policy articulates the circumstances in which the College will refund tuition fees and other relevant costs to students. It also confirms the circumstances in which compensation may be paid if the College is no longer able to preserve continuation of study for one or more students.

2.3 The College is committed to endeavouring to ensure all students are able to continue and complete their studies. The College considers refunds and compensation to be a remedy of last resort.

2.4 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 higher education programme of study on which an individual has been offered or accepted a place before that individual can enrol or
- (ii) a higher education programme of study on which a student is enrolled before that student has completed that programme.

2.5 It does not include changes to or termination of programmes where all enrolled students who would normally have been expected to complete at the date of termination have done so. The policy is intended to provide a clear and simple framework so that students can understand when they may be entitled to compensation or refund of tuition fees and how to make a claim.

3. Grounds for Refunds

- 3.1 The college will provide students with as much clarity as possible about the content of their further education programme, location and timetable prior to the commencement of each academic year, and will minimise changes to study which result in disruption to learners during the academic year.
- 3.2 The college does not offer refunds to students unless it is unable to deliver or has to cancel the course due to lack of numbers making the course financially unviable or resulting other potential operational issues. In such an instance a full refund of any monies paid will be returned to the student or sponsor or an alternative date or time of the course may be offered.
- 3.3 Where a student withdraws from a course a refund of the fees will not normally be made unless their application to withdraw has been as a direct result of the failure of the college to deliver what could have been reasonably expected.
- 3.4 The words student and learner are interchangeable throughout the document.
- 3.5 The College recognises two sets of circumstances, planned mid-programme termination and unexpected programme termination.

4. A planned mid-programme termination

- 4.1 This 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.
- 4.2 If such circumstances arise, the College will consult with enrolled students when preparing its plan for termination. The College will, as a minimum:
 - (i) ensure all students on the programme receive the award that recognises the stage they have reached;
 - (ii) offer those students advice and support in deciding 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) 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;
 - (iv) 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.
- 4.3 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.

5. Unexpected Programme Termination

- 5.1 This is when a risk to continuation of study crystallises unexpectedly and the College has no alternative but to terminate during the course of an academic year or
- 5.2 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.
- 5.3 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:

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- (i) ensure all students on the programme receive the award 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) 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; and
 - (iv) 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.

5.4 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 University or seek a suitable alternative.

6. Tuition Fee Liability & Refunds

6.1 Tuition fees are normally charged on an annual basis. For example, for a course being delivered over two years, a student can expect to pay a tuition fee for each year of study. The guidance below details a student's tuition fee liability for the academic year in the event that a student withdraws or interrupts their study before the end of that academic year.

6.2 HE students who are required to pay tuition fees and withdraw from or suspend their studies during the year will be charged a proportion of the fee for their course as set out below. For starters at other times of the year the fee will be adjusted accordingly. For home and EU students leaving in:

- First Month - no charge
- Term 1 - 25% charge
- Term 2 - 50% charge
- Term 3 - 100% charge

6.3 Where a student is due a bursary or other payment from the college, the college reserves the right to make deductions from such payments for any outstanding fees that may be due to the college.

6.4 Where an employer is paying a fee towards an apprenticeship programme, if the apprenticeship is terminated for any reason, a fee proportionate to the length of time the apprentice was on programme will be calculated and the difference between this calculated amount and payments received by the employer will be either refunded or charged to the employer.

6.5 Refunds will be made where it is necessary to close a class due to insufficient numbers or where the attendance of learners is made impossible or inappropriate by some action of the college. Should this action prove necessary, the refund will be processed as part of the standard procedures; there should be no need to contact the college to request this.

6.6 In the event of a course closure, refunds will not be paid to those learners who have:

- i. voluntarily left the course
- ii. not attended for a period of four weeks prior to closure without previously agreeing a period of planned absence with their course tutor.

6.6 Refunds will not be made for any personalised kits or materials which are being retained by the learner or any registration fees which have been paid to another party by the college on behalf of the learner.

6.7 Fees will not be refunded where course closure is temporary or due to circumstances beyond the

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college's control, including but not exclusive to fire, flood or other force majeure, adverse weather conditions, failure of public utilities or transport systems/networks, restrictions imposed by the government, terrorist attack or threat of epidemic or pandemic disease, temporary staff absences or changes including those due to industrial action#

6.8 If you feel you are entitled to a refund follow the link to the Customer Care Policy

<http://www.tameside.ac.uk/pdfs/Customer%20Care%20Policy%20March%202018.pdf>

6.9 The College will consider eligibility for refund and/ or compensation on a case by case basis. It will take into account factors including (but not limited to):

- (i) Maintenance costs;
- (ii) What mitigation we have put in place that you may or may not have taken advantage of
- (iii) Additional tuition costs;
- (iv) Travel costs as a result of relocation of provision
- (v) How much of the programme you have completed

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.

7. Payments

7.1 Eligibility for refund and/ or compensation and the amounts to be awarded will be considered by the Principal.

7.2 Refunds will be made to the bank and account holder (or other financial institution) that originally paid the tuition fee. Refunds 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

9.1 This Refund and Compensation Policy is linked to the College's Student Protection Plan. It aligns to the College's Student Contract Terms and Conditions.

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

9.3 Complaints about refund decisions or the refund process should be made in accordance with the College's Student Complaints Procedure.

Related Policies and Procedures

- Fees Policy
- HE Student Protection Plan
- Complaints Handling procedure
- Course Closure Policy

9. LOCATION AND ACCESS TO THE POLICY

The Refund and Compensation Policy and supporting policies and other documents are available via SharePoint on the College network and through course handbooks and inductions for students.

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10. POLICY STATUS

Responsibility: Assistant Principal Academic
Approved by: Senior Leadership Team
Issue Date: May 2018
Last Review Date: May 2019
Last Review Date: May 2020
Next Review Date: May 2021

Review/Change History:

Version	Description/Detail of Update & Name of Person who has carried out Update	Approval	Date of Issue
1	Reviewed by K Sykes	Not required	May 2020