



Refund and Compensation for Higher Education Policy

New College Durham is committed to safeguarding and promoting the welfare of children and young people, as well as vulnerable adults, and expects all staff and volunteers to share this commitment.

Policy Title	Refund and Compensation for Higher Education Policy
Document Owner	Chief Financial Officer
Owning Directorate	Corporate Services
Owning Department	Finance
Directorates and Departments affected by this Policy	All Staff
Policy Effective From	March 2021
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New College Durham

Refund and Compensation Policy

(Equality and Diversity Assessment)

We will consider any request for this Policy to be made available in an alternative format.

We review our Policies regularly to update them and to ensure that they are accessible and fair to all. All Policies are subject to Equality Impact Assessments. Equality Impact Assessments are carried out to see whether the Policy has, or is likely to have, a different impact on grounds of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity.

We are always keen to hear from anyone who wants to contribute to these Impact Assessments, and we welcome suggestions for improving the accessibility or fairness of the Policy.

If you require any further information regarding tuition fee refunds please email the Income Team at income@newdur.ac.uk or by telephoning 0191 3754010.

To help us deal with your enquiry please quote your enrolment number in all correspondence.

Equality Impact Assessment: February 2021

New College Durham

1. Scope

This policy sets out how the College will authorise and administrate compensatory refunds in order to protect the consumer rights of students and will apply to all Higher Education students of New College Durham irrespective of the funding arrangements in place for their programme.

In the highly unlikely event that the College is unable to preserve continuity of study for a student, the College may, in order to protect the consumer rights of students, refund tuition fees, other relevant costs, and/or pay compensation.

2. Responsibilities

The Chief Financial Officer is responsible for ensuring a policy is in place defining responsibility for the procedures and management of Refunds and Compensation. Any refunds or compensation payments will be agreed by the Chief Financial Officer in agreement with the Deputy Principal or Vice Principal for HE who will be responsible for adjudicating on compensation claims.

The Head of Finance is responsible for ensuring this policy is maintained, monitored and disseminated, ensuring responsibility for procedures are clearly assigned.

The College Administration Manager is responsible for processing Complaints as described in the College's Complaints Policy.

The Treasury Manager (Income) is responsible for ensuring all tuition fees refund enquiries are processed in a timely manner and any compensation is paid in accordance with the procedure detailed in this Refund and Compensation Policy.

Programme Teams are responsible for monitoring and recording engagement and attendance to allow them to identify where a student is not attending/engaging as described in the Student Engagement in Learning Policy and the HE Withdrawal Policy.

External partners - It is expected that any partners will have a Withdrawal Policy that mirrors the requirements of the New College Durham Policy. College staff are expected to be familiar with this policy and to contribute to its effective implementation. The policy can be viewed under the Higher Education Section of the College Website.

3. Tuition Fee Liability where Student is Withdrawn

3.1 Early withdrawal from studies or suspension of studies.

It is the student's responsibility to formally notify the College of their intention to withdraw at the point at which they leave the course, either explicitly or by implied consent as described in the HE Withdrawals Policy and Procedure.

Students that withdraw from a course of study may be liable to pay tuition fees for all or part of the academic year as detailed below. Before withdrawing, students are encouraged to discuss matters in detail with the academic department, the Income Team and Advice Support Careers (ASC) teams.

On submission of a formal withdrawal notification to the CIS Department the College will record the event and make appropriate adjustment to the tuition fees as stated below. Without this information a student is liable for the full tuition fee. The College and its External partners are expected to process all withdrawals to meet the service standards set out by the Student Loans Company in the HEP/SLC Service Agreement.

If a student suspends their studies with the intention of returning to the College at a later date, they will continue to be liable for the tuition fees.

3.2 Tuition fee liability for withdrawal/suspension from studies

The College will charge the student fees for every term that the student attended the College in line with tuition fee loan dates set by the Student Loans Company (SLC). If the student leaves in term one, two or three, the College will charge the student the following:

- Term one: 25% fees (beyond the third week)
- Term two: 50% fees
- Term three: 100% fees

All Refunds will be made back to the original source e.g., Student Loans Company (SLC), Student or Sponsor.

In cases of hardship a recommendation can be made to the Chief Financial Officer who will make the final decision.

4. Compensation and support for students in the event the College is unable to continue to provide the course – Student Protection Plan provisions

The provisions within this section will only apply in the event of there being a requirement to transfer as a result of the College being unable to teach out the student's course. The College's default position is that an offer will be made to 'teach out' the student's course to enable the student to complete their studies and graduate with New College Durham. In the event that this is not possible, the College will support the student in transferring to another suitable provider to enable them to continue their studies. In the event that this leads to the student incurring additional expense, the College will reimburse the student subject to this Refund and Compensation Policy. If transfer is not possible the College will compensate the student for reasonable losses incurred in accordance with this Refund and Compensation Policy.

4.1 Transfer of student to another provider

In the event of there being a requirement to transfer as a result of the College being unable to teach out the student's course. If a transfer is deemed to be in the student's best interest, then reimbursement will be undertaken on a case by case basis and on the basis of evidence of additional costs being incurred.

The additional costs reimbursed might include the following:

- travel expenses in excess of the student's current cost of travel;
- assistance towards accommodation and subsistence if the transfer would mean that it would be impractical for the student to travel to your place of teaching on a regular basis;
- childcare where the transfer has necessitated additional arrangements for childcare needing to be put in place to complete the period of study at the College.

Additional payments are at the College's discretion and will be paid for the duration of the student's current course on the production of sufficient evidence that the costs are over and above current costs of study as a result of transferring to a new place of study.

Where it is agreed that the College will meet additional costs as a result of transferring, these costs will be made at the beginning of the Semester while the student continues to study on their current course.

If having transferred from New College Durham to a new provider the student decides to transfer again to another institution to complete the course, the reimbursements will cease and the student will be asked to repay any monies received in advance.

4.2 Students with College Bursaries and Scholarships

In the event that a student who transfers is in receipt of a College scholarship or bursary the College would maintain and continue to pay the scholarship or bursary for the duration of the award given. If having transferred from New College Durham to a new provider the student decides to transfer again to another institution to complete the course, the entitlement to New College Durham scholarship or bursary will cease and the student will be asked to repay any monies received in advance.

4.3 Where transfer of a student is not possible

In the event of a transfer not being possible a refund will be made for the element of the Programme that had not been provided but where fees have been paid.

Refunds detailed above in respect of students in receipt of tuition fees and maintenance loans from the SLC will be repaid direct to the SLC by the College.

Refunds in respect of students who pay their own fees, or which are paid by a sponsor, will be repaid to the original source of funding. This is detailed further in section 5 below.

Compensation in respect of maintenance and lost time, where it is not possible to preserve continuation of study, will be assessed on a case by case basis and on the basis of additional costs having been incurred.

5. Payment of Refunds

Before applying for a refund or compensation under this Policy, the College expects students to have completed the College's Comments, Suggestions, Compliments & Complaints Form which is available on the College's website. Prior to consideration of a compensatory refund, the College would expect to have received and investigated a relevant complaint as per the Complaints Policy.

Refunds will only be paid on request and are at the College's discretion. Students must not intentionally overpay their fees in order to obtain their living costs or circumvent any government regulation or restriction. Any fee payments received intended for living costs will, upon receipt of a refund request, be returned to the original sender in compliance with UK money laundering legislation in force.

All authorised refunds are returned to source. For fees that are paid by credit or debit card (either online or offline) refunds will be credited back to the card charged with the original payment.

Refunds will usually be made within two weeks of receipt of the request. If the student has a recorded debt to the College, any requested fee refund may be with-held and applied to the outstanding balance.

In very exceptional circumstances where a refund must be made to someone other than the original payer (e.g. a parent/carer), authorisation must be obtained from the original payer prior to the refund being processed.

This Policy does not cover the following:

- Library debts – please contact College Library.
- Trips – please contact your school.

6. Policy Review

This policy will be reviewed every 5 years but may be amended by the College from time to time, as is deemed necessary.

Any changes made will follow the approval process documented in the 'Review and Approval Framework'.