

Nottingham College – HE Refund and Compensation Policy (Non-Continuation of Study)

Introduction

1.1 This policy provides details of the terms for refunds and compensation that Nottingham College will consider paying to HE students should a Higher Education course of study be cancelled by the College.

1.2 It covers all HE students of the College. Namely: 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.

Rationale

1.3 Nottingham College has published a Student Protection Plan that sets out how continuation of study will be preserved for current and potential students if a risk to their continued study crystallises. Nottingham College's Student Protection Plan is intended to assure current and future students that it has appropriate arrangements in place to protect continuation of study. The Plan states the risks that might apply and explains mitigating actions should those risks happen.

1.4 In addition to the Student Protection Plan, the College is required to adopt an HE Refund and Compensation Policy (aside from the College's own general Charges, Payments and Refund Policy). This is to set out the circumstances in which it 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 student(s). This Policy, therefore, should be read alongside the Student Protection Plan, and the HE Terms and Conditions that forms a contract between Nottingham College and an HE student. All are available for current and prospective students on the College website at: <https://www.nottinghamcollege.ac.uk/study/university-centre/welcome-to-the-university-centre-at-nottingham-college/key-information-and-supporting-documents>

1.5 Nottingham College confirms that refunds and compensation are 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 it is unable to preserve that continuity of study.

1.6 The Student Protection Plan states that this is unlikely but agrees that if it were to occur, affected students should receive a refund of fees and appropriate compensation in accordance with this policy and our Refunds Policy for HE courses. This is also in accordance with the College's statutory responsibilities under the Consumer Rights Act 2015 and the Higher Education and Research Act 2017. It also forms part of our duty to register as an HE provider with the Office for Students following their guidance and guidance by the Office for the Independent Adjudicator.

Inability to preserve continuation of study

1.7 In this Policy a reference to the College no longer being able to preserve continuation of study means that the College has cancelled or intends to cancel either:

- an HE course on which an individual has been offered or accepted a place before that individual can enrol as a student; or
- an HE course on which a student is enrolled before that student has completed that course.

1.8 It does not include changes to or cancelling of courses where all enrolled students who would normally have been expected to complete at the date of cancelling have done so.

Refunds

1.9 As stated in our current Charges, Payments and Refunds Policy for HE Courses (Section 7) refunds are normally only made in the following circumstances:

- the College cancelling a course;
- fees have been wrongly assessed;
- where there are exceptional circumstances for withdrawing from a course.

1.10 The College recognises that in severe circumstances it reserves the right to withdraw a course from provision.

1.11 If such circumstances arise, the College will communicate and consult the students registered on the programme as a priority and, as a minimum, will:

- ensure all students on the programme receive the HE award (for example, certificate or diploma) that recognises the stage they have reached at cancellation;
- offer those students advice and support to help them decide whether or not to transfer to a different course at the College or seek transfer to a suitable alternative provider to complete the course which is to be terminated;
- offer to pay reasonable travel costs to cover at least one visit per student to an alternative provider;
- put in place a compensation plan relevant to the circumstances of the particular cancellation that includes provision for compensation in respect of additional costs reasonably incurred by students as a result of any relocation; and
- 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 course not been cancelled, receives the remainder of that bursary or funding should they transfer to a different HE course at Nottingham College.

Compensation

1.12 The College will also ensure that its plan for dealing with the cancellation includes appropriate provision for communicating with and compensating individuals who have been offered or who have accepted a place. This includes, as a minimum, an offer of advice and support to help them decide whether to apply for a different programme at the College or seek a suitable alternative.

1.13 In the circumstance that is not possible to preserve continuation of study by effecting a transfer to an alternative course, eligibility for compensation will be made on a case by case basis, including appropriate provision for:

- maintenance costs;
- lost time;
- additional tuition costs;
- travel costs as a result of relocation of their course.

1.14 Eligibility for refunds and/ or compensation and the specific amounts for each will be considered by Nottingham College's Senior Leadership Team. Relevant guidance published by the Office for Students and the Office of the Independent Adjudicator for Higher Education will be taken into account in making such considerations.

1.15 Should a student be dissatisfied by the action taken by this College relating to matters of refund and compensation they may use the College's Complaints procedure to raise further concerns.

Payments

1.16 Refunds will normally only be made to the bank and account holder that originally paid the tuition fee and will not be paid in cash. This applies whether the students are in receipt of a tuition fee loan from the Student Loans Company, pays their own tuition fees or whose tuition fees are paid by a sponsor.

Financial assurance

1.17 As stated in Nottingham College's Student Protection Plan, the College has sufficient cash reserves to provide refunds and compensation for students who have been identified at a heightened risk of non-continuation of study. Since numbers of most courses are low, therefore, the numbers that anticipated to be affected is low.

1.18 This Refund and Compensation Policy is linked to the College's Student Protection Plan and forms an important part of the College's HE Terms and Conditions. It will be reviewed annually along with associated documents.

1.19 Any queries of feedback about this policy can be made to: he.team@nottinghamcollege.ac.uk