

# HIGHER EDUCATION REFUND AND COMPENSATION POLICY



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## PURPOSE OF THE POLICY

This policy should be read in conjunction with the Yeovil College **Customer Feedback Policy and Procedure (Including Complaints)**, **Student Protection Plan**, and the HE **Student Charter**.

The objective of this policy is to ensure that whilst Yeovil College University Centre (YCUC) aims to deliver high quality educational standards, processes are in place that recognise the inconvenience caused to students when the service drops below the expected standard. Such inconvenience can be recompensed by a system of fair and equitable compensation within set guidelines to ensure value for money in applying the most suitable outcome for both student and YCUC.

## OVERVIEW

- 1.1. Our **Student Terms and Conditions** explain that, in exceptional circumstances, it might be necessary for the College to alter the content or delivery of taught programmes or to suspend programmes. Whilst this is unlikely the impact of external factors could result in the reduction of expected standards of programme delivery or administration.
- 1.2. It is possible that the College may cancel a programme before the set start date if it is deemed that it would not be viable for academic, regulatory, legal, commercial, financial or other reasons. This policy would then only apply in these circumstances if an individual had applied and was accepted for a place on the programme of study at Yeovil College University Centre.

## SCOPE

- 2.1. This policy applies to students studying with Yeovil College University Centre and sets out circumstances in which payments by means of compensation may be made to students who are or have recently attended YCUC. Learners studying on a 'Franchised' or 'Flying Faculty' programme may be entitled to request refund / compensation under this Policy or may be required to use the Policy of their awarding university, depending on the nature of the issue they have faced. Students can contact the University Centre department for guidance if they are unsure as to how to proceed.
- 2.2. For the avoidance of doubt students are not able to obtain redress under both the Student Protection Plan and this policy; in some instances, students might be given a choice between accepting redress under either the Plan or this Policy but not both.

## THE POLICY

- 3.1. Any instances where refunds or compensation may be applicable are rare and the College works hard to ensure that any disruption is minimised, and students are supported to complete programmes of study as planned. This is detailed in the Yeovil College Student Protection Plan. If after all relevant options are investigated and exhausted continuation of study is not possible or is significantly disrupted, the individuals affected may be able to apply for a refund of fees and payments made to the College in full or part and or compensation for relevant losses incurred.

- 3.2. The College does not accept any liability for any consequential or other economic loss (including loss of profits, loss of goodwill or loss of opportunity) resulting from any of the matters covered by this policy. Only foreseeable loss will be covered by the College.
- 3.3. Yeovil College will consider individuals' eligibility for refund and/or compensation on a case-by-case basis and will take into account factors including (but not limited to):
- The scale and impact of the matters affecting the individual;
  - Travel costs (e.g. where an individual has to transfer to another provider);
  - Maintenance costs (e.g. childcare if student contact sessions have to be delivered at times outside the normal teaching day/week);
  - What mitigation we have put in place that students may or may not have taken advantage of – including the provisions set out in the Student Protection Plan;
  - How much of the programme has been completed;
  - What is reasonable in all of the circumstances.
- 3.4. Eligibility for refund and/or compensation, and the amounts to be awarded will be considered by the Senior Management Team. In some cases, the college will establish set rates for compensation of travel costs, which will be applied automatically to all affected students. We will explain clearly how we have calculated these set rates. In other cases, we may ask students to provide evidence of costs which have been incurred for which individuals are seeking compensation.
- 3.5. Compensation Claim Forms must be submitted by the complainant, providing full and clear details of the claim. It is the student's responsibility to provide all necessary evidence to support the claim.
- 3.6. Any compensation paid after an investigation has taken place will be in full and final settlement of the claim, the acceptance of the compensation determines the individual's acceptance that the claim has been settled in full.
- 3.7. The calculation of the compensation will be based on a fair assessment of the fees paid within the current or last academic year. If any fees are outstanding the compensation if awarded will be offset against the debt.
- 3.8. Compensation will only be considered once a related complaint has been investigated. If an individual wishes to make a claim for compensation, then it should follow the set policy and will only be considered after the complaints process has been followed.

## **TIMEFRAME**

- 4.1. The Compensation Policy is separate from the Complaints Policy and all claims for compensation will be reviewed and responded to within 20 working days. Any compensation payments, if awarded, will be made within 14 days of the official response. If the compensation claim is linked to a complaint the timeline will follow the closure and completion of the complaints process.

## **COMPENSATION ENTITLEMENT**

- 5.1. Each case/claim for compensation will be assessed individually and any compensation paid will not exceed the sum of the fees paid in the current/last academic year.
- 5.2. Compensation relating to missed teaching sessions, failure to return assessed work or teaching quality will not normally exceed 20% of the total fees paid.

## **APPEALS**

- 6.1. If a compensation claim is refused claimants have the right to appeal. Any appeal must be made within 10 working days of the initial response. The appeal will be considered by the Principal whose decision is final.
- 6.2. A 'Completion of Procedures' letter will be issued alongside the outcome of the appeal, in line with OIA guidance <https://www.oiahe.org.uk/providers/completion-of-procedures-letters/>.
- 6.3. Where an individual feels that their claim for compensation and complaint has not been dealt with appropriately by Yeovil College they can then raise their complaint directly with the relevant University partner. Once internal procedures have been exhausted (or the University procedures) and the outcome is not satisfactory, advice can be sought from the Office of the Independent Adjudicator who operate an independent review scheme acting as an appeal body within 12 months of receiving a decision. Details can be found at <http://www.oiahe.org.uk/> or via

Office of the Independent Adjudicator  
Second Floor  
Abbey Gate  
57-75 Kings Road  
Reading  
Berkshire RG1 3AB

## **RESPONSIBILITY**

- 7.1. The Senior Management Team in conjunction with the Higher Education office is responsible for ensuring that the colleges approach to compensation is appropriate and fair.

## **REVIEW AND EVALUATION**

- 8.1. This policy will be reviewed every two years, but the frequency of review may be amended depending on any alterations to associated policies such as the Complaints Policy.

## **RESPONSIBILITY AND AUTHORITY**

The responsibility for the Compensation Policy and Procedure lies with the Vice Principal, Curriculum and Quality.

## **RELATED POLICIES, PROCEDURES, DOCUMENTS, DEFINITIONS**

Customer Feedback Policy and Procedure (including complaints)

Student Contract

HE Fees Policy

Student Protection Plan

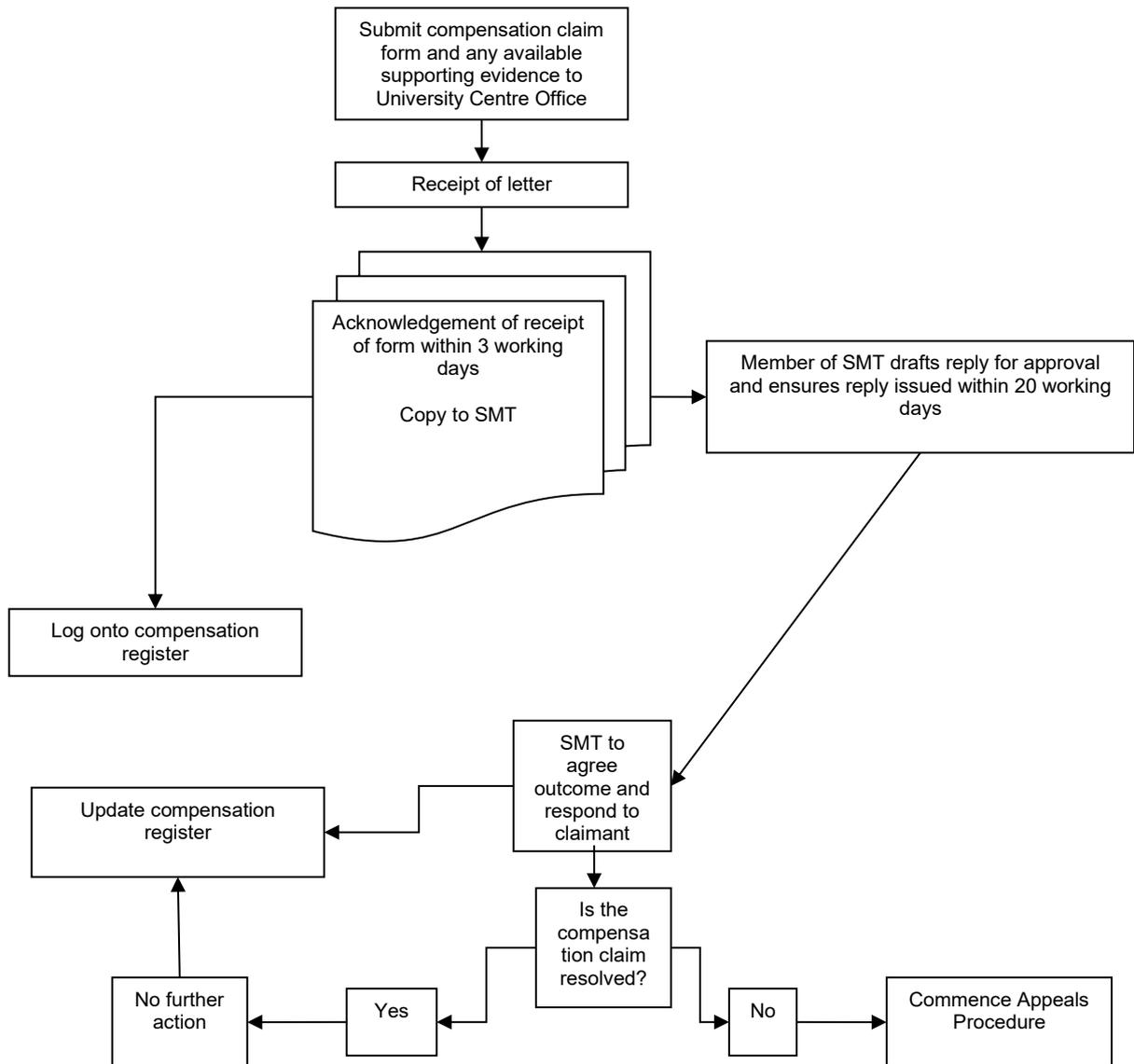
HE Terms and Conditions

HE Student Charter

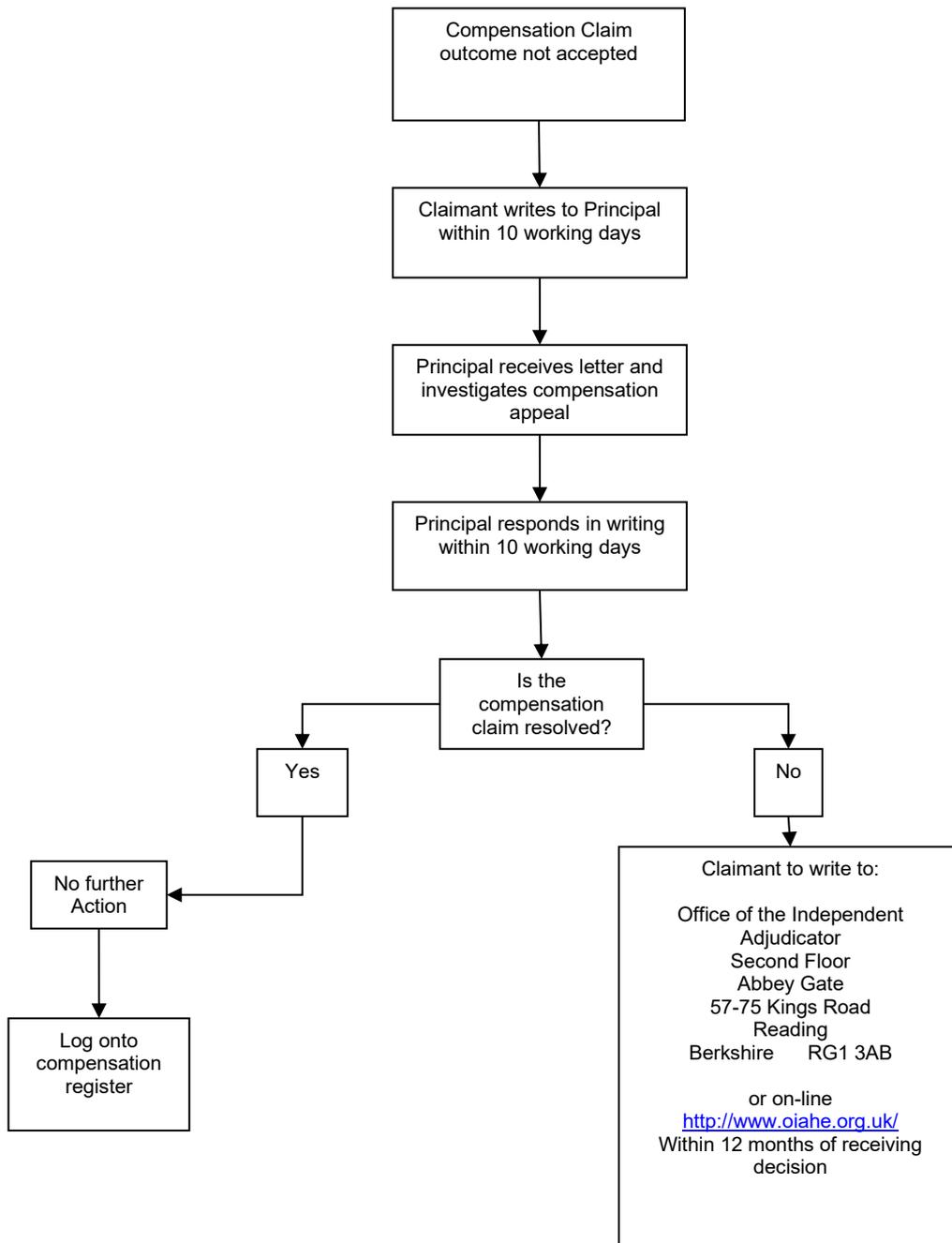
<https://www.oiahe.org.uk/>

*If this document is required in an alternative format, please contact [University.Centre@yeovil.ac.uk](mailto:University.Centre@yeovil.ac.uk)*

# Compensation Policy Procedure



## Compensation Policy Appeals Procedure



**YEOVIL COLLEGE UNIVERSITY CENTRE  
HIGHER EDUCATION COMPENSATION CLAIM FORM**

<b>Section 1: Claimant Contact Details</b>	
<b>Title</b>	
<b>Claimant first name</b>	
<b>Claimant last name</b>	
<b>Student Identification Number</b>	
<b>Email address</b>	
<b>Mobile telephone number</b>	
<b>Section 2: Details of Claim</b>	
<b>Programme Name</b>	
<b>Programme Code</b>	
<b>Mode of study (delete those that do not apply)</b>	<b>Full time Part time Distance</b>
<b>Date(s) of incident or event/reason for claim</b>	
<b>Description of incident or event/reason for claim</b>	
<b>Evidence submitted</b>	<b>Yes / No</b>
<b>Details of evidence submitted</b>	

Submit form, and any appropriate supporting evidence, to: [university.centre@yeovil.ac.uk](mailto:university.centre@yeovil.ac.uk) or post to Yeovil College University Centre, Kingston Building, Mudford Road, Yeovil, Somerset, BA21 4DR.

Policy Review				
Author/Owner	Position	Approved by SMT	Approval date	Review date
Mark Bolton	Principal	Signed: 	7/6/22	Annually at the start of the new Academic Year
				June 2023

### Document Control – Revision History (Policies only)

Author/Owner	Summary of Changes	Date	Date last reviewed by SED	Version	Recommend to SED Y/N
Mark Bolton	New Policy	15.06.18	-		Yes
Sian Deasy	Minor amends, restructure of pro-forma to improve usability.	15.05.21			
Sian Deasy	Updated OIA timeframe to 12 months, added LoC reference, added numbered formatting.	14.04.22		v1	

Initial Equality Impact Screening			
Have you consulted on this policy? Yes Details: consulted with relevant staff and legal team; under consideration with Office for Students with no feedback from them at this point.			
What evidence has been used for this assessment?			
Could a particular group be affected differently in either a negative or positive way? Indicate Y where applicable			
<b>Group</b> Age Disability Gender (incl. Transgender) Race (incl. Gypsy & Traveller) Religion or belief Sex Sexual orientation Marriage & civil partnership Pregnancy & maternity Other groups (see guidance)	<b>Negative impact</b>	<b>Positive impact</b>	<b>Evidence</b>
Please give details:			
If any negative impacts are identified, are there any related policies, services, strategies, procedures or functions that need to be assessed alongside this screening? If yes, please detail below: N/A			
Should the policy proceed to a full Equality Impact Assessment? No If no, please give reasons: there are no negative impacts identified.			
<b>Declaration</b> We are satisfied that an initial screening has been carried out on this policy and a full Equality Impact Assessment is not required.  We understand that the Equality Impact Assessment is required by the College and that we take responsibility for the completion and quality of this assessment			
Completed by Author: Mark Bolton		Position: VP Curriculum & Quality	Date: 15.06.18
Reviewed by Safeguarding, Equality & Diversity Group:			Date: 27.06.18
<b>Comments from Safeguarding, Equality &amp; Diversity Group Review:</b>			