

# Refund and Compensation Policy

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## Our Mission

**Inspire ambition and make a positive difference to lives through learning.**

## Our Values

**Learners First** - placing the learner at the heart of all we do

**Community** - working collaboratively to achieve

**Empowering** - enabling all in a caring environment to achieve their full potential

**Excellence** - a culture of creativity, high expectations, ambition and aspiration

**Diversity** - celebrating diversity and inclusivity as a key to our success

**Integrity** - honesty, openness and trust at the heart of College life

**Respect** - showing fairness, courtesy and mutual respect

# Refund and Compensation Policy

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## **1. Policy Statement**

- 1.1 This policy is in place to refund tuition fees and other relevant costs to students and to provide compensation where necessary in the event that the Windsor Forest Colleges Group (WFCG) are no longer able to preserve continuation of study.

## **2. Purpose**

- 2.1 The purpose of this policy is to set out the arrangements for the refund of tuition fees that apply to learners or their employers on further education (including apprenticeships), higher education or commercial (full-cost) programmes. This policy also outlines the circumstances when the college may consider the payment of compensation to students or their employers. This Policy is not intended, in the first instance, to be used to resolve academic disputes relating to learner success.
- 2.2 The funding and regulation of higher education in England changed in April 2018 when the Office for Students (OFS) became fully operational. The OFS will combine the existing regulatory functions of the Higher Education Funding Council for England (HEFCE) and the Office for Fair Access (OFFA). The OFS has a remit to create and oversee a regulatory environment in higher education which puts the interests of students at the heart of the system, focusing on choice and competition.
- 2.3 Learners and students are interchangeable terms within this policy as the former tends to apply in the further education sector and the latter in higher education.

## **3. Scope**

- 3.1 The OFS requires a Student Protection Plan incorporating an assessment of the range of risks to the continuation of study for the college's students and risk mitigation measures and information about the policy in place to refund tuition fees and other relevant costs to the college's students and to provide compensation where necessary in the event that the college is no longer able to preserve continuation of study

## **4. Objective**

- 4.1 The policy objective is to provide a clear and simple framework, so that learners can understand when they may be entitled to compensation or a refund of tuition fees or another type of remedy and how to make a claim.

## **5. Policy Details**

- 5.1 The WFCG aims to deliver a high quality further and higher education provision, in line with the requirements of learners, employers, awarding bodies and, for HE programmes, the validating partner universities.
- 5.2 The WFCG will provide students with as much clarity as possible about the content of their further or higher education programme, location of their studies and timetable prior to the commencement of each academic year and will aim to minimise changes to programmes of study which result in disruption to learners during the academic year.
- 5.3 This policy applies to all WFCG students, irrespective of the funding arrangements for their further or higher education programme, including:

- Students in receipt of a tuition fee loan from the Student Loans Company
- Students who pay their own tuition fees
- Students whose tuition fees are paid by an employer or another sponsor

5.4 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 group. Should this action prove necessary, the refund will be processed as part of standard procedures, there should be no need to contact the college to request this.

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.

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 WFCG on behalf of the learner

The WFCG will consider requests for a refund made in writing within 30 days of enrolment, where a student or their sponsor changes their mind and they withdraw from their programme of study, with the exclusion of short courses of less than one month. These requests should be made to the Principal at the WFCG or by email to [info@windsor-forest.ac.uk](mailto:info@windsor-forest.ac.uk). Fees will not be refunded where course closure is temporary or due to circumstances beyond our 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.

5.5 For a refund request in response to an issue or problem with a college course the Complaints and Compliments Policy and Procedures document is available on the WFCG website. In each case, the learner should explain in detail the issue/problem experienced and why the learner believes that they are entitled to a refund.

Financial compensation/refund will not always be the appropriate response to a complaint and it is unlikely that most issues will be resolved in this way. Alternatives to financial compensation might include an apology or goodwill gesture, an offer of alternative learning methods if the course cannot be delivered in the way it was originally intended or repeat delivery of the relevant course element may be offered where possible.

Refund requests of a personal nature should be addressed to the Group Principal at the WFCG or emailed to [info@windsor-forest.ac.uk](mailto:info@windsor-forest.ac.uk) giving a full explanation as to why the learner believes a refund should be considered. Whilst it is unlikely that the college will be able to accommodate these after the 30 day enrolment period, a credit note may be issued in exceptional circumstances as a goodwill gesture. The credit note will be restricted to the named student/ employer, has a time limit of twelve months for redemption and does not have a cash equivalent.

5.6 If a refund is agreed through either course closure, within the 14 day enrolment period, or as a result of an investigation through the Complaints and Compliments Policy and Procedures, the following refund process will apply:

- Where the original payment method was by cheque, refunds will be by cheque
- Where the original method was by cash, refunds will be made by cheque (the college does not hold large cash sums and adheres to the money laundering regulations covering the handling of cash)

- Where the original payment was by credit/debit card, a refund will be made back to the same credit/debit card, unless the card has expired and we are unable to contact the payer for a new expiry date, in which case the refund will be by cheque
- Where the original payment was made directly into the bank, a refund will be returned to the account from which the original payment was received.
- Where the original payment was received from the Student Loan Company, refunds will be made to the Student Loan Company. The Student Loan Company will reclaim fees as a result of the college completing a change of fee notification. The Student Loan Company will then be responsible for amending the student's repayments to reflect the reduced loan amount
- Where fees were invoiced to and payment received from an Employer/Sponsor, refunds will be returned to the Employer/Sponsor by the same payment method

5.7 The following rules apply to transfers where a student:

- Transfers from a course the WFCG has closed to an alternative higher fee HEFCE course the difference will be paid by the WFCG
- Transfers to a HEFCE course with a similar tuition fee, no charge will be made
- Decides to transfer from a HEFCE course to a HEFCE course with a higher tuition fee the student will pay the difference between the course tuition fees

5.8 In the event that it is not possible to preserve continuation of study necessitating a transfer to an alternative HEFCE course, the arrangements outlined in paragraph 6.7 above will apply.

Where it is necessary as a result of action by the WFCG (such as course closure) for students to transfer to an alternative provider or there is a change in the location of the course (which was not notified to the student prior to the commencement of the academic year) the WFCG will consider appropriate compensation for additional travel or other costs directly attributable to the non-preservation of continuation of study.

The WFCG priority will always be to ensure that students receive the education experience outlined in course information (whether on-line or in hard copy format) and their learning agreement. Where as a result of an investigation through the Complaints and Compliments Policy and Procedures it is concluded that this has not been the case appropriate financial or other compensation may be offered.

5.9 The college is cognisant of OIA guidance on Complaints and Compliments considering whether it is appropriate to recommend compensation payments to higher education students for distress and inconvenience and the following guidelines will apply in in such cases:

<b>Indicative Compensation Bands Distress and Inconvenience Awards for Higher Education Students</b>	
<b>Level of distress and inconvenience</b>	<b>Indicative compensation</b>
Moderate	Up to £300
Substantial	Between £301 and £1,250
Severe	Between £1,251 and £3,000

The above amounts are indicative only and any compensation payments will be determined by the specific circumstances applicable to the student. Any payments over £3,000 will only be considered in exceptional circumstances.

Moderate:

- An act or omission of the college which has caused some distress and inconvenience in the short term (e.g. less than 6 months)
- Moderate delays (i.e. less than 6 months) or other procedural irregularities on the part of the college where there is evidence to suggest the student suffered material disadvantage

Substantial:

- An act or omission of the college which has caused some distress and inconvenience in the long term (e.g. more than 6 months)
- Substantial mishandling of the complaint by the college which has resulted in or caused unreasonable or avoidable substantial delay (e.g. over 6 months) where there is evidence to suggest the student suffered material disadvantage

Severe:

- Cogent and contemporaneous evidence to suggest that as a result of the college's acts or omissions the student has suffered from ill health
- Major maladministration, procedural flaws, delays or other breaches of natural justice in the college's internal process resulting in material disadvantage to the student
- Where there has been a clear material disadvantage to a student as a result of the college's acts or omissions, but a practical remedy is inappropriate or impossible

## **6. Roles & Responsibilities**

The WFCG will incorporate provisions within its annual budget for the potential payment of tuition fee and other refunds and compensation payments to students.

## **7. Monitoring, Evaluation & Review**

The Windsor Forest College Group will monitor and evaluate matters arising from refunds and compensations on an annual basis.

## **8. Associated Documents**

- Compensation and refund policies- Developing Good Practice (Universities UK 27.4.2018) <http://www.universitiesuk.ac.uk/policy-and-analysis/reports/Documents/2018/briefing-compensation-refund-policies-april-2018.pdf>
- Complaints & Complements - Guidance to Customers