

**Fee Refund and
Compensation**



1. Purpose

This Policy collates how London Brookes College will respond to the financial implications for enrolled students who are affected by the closure, suspension of, or major modification to, programmes of study. It aligns with the College's plan for protecting students from discontinuity of study due to their programme being suspended or terminated, or of major modifications to the programme affecting their academic progression.

2. Context

The risk that the College will suspend or close a programme of study with short notice is judged to be very low. Wherever closure or suspension of, or major modifications to, a programme of study is likely to affect currently enrolled students there will be consultation with the students affected. The outcome of this will be reported on during the consideration of the proposal. Student representatives are also involved in consideration of these proposals.

3. Principles

- The College aims to honour their commitment to each student that it admits, to deliver the programme of learning including providing the services and facilities necessary to undertake the programme, within the normal time frame.
- On rare occasions, however, it may be necessary to make major changes to a programme of study, or to suspend or discontinue the programme, or to offer the programme at an alternative location.
- Where it is not possible to honour the original commitment, the College will consider refunding the student's tuition costs, and / or paying the student discretionary compensation.
- This policy does not address payment of any statutory compensation which the College might be obliged by law, or by the Office for the Independent Adjudicator (OIA), to pay. It details the College's approach to discretionary compensation where we believe that it is appropriate to compensate the student for costs incurred and financial loss as a consequence of the College's action or inaction. This policy aligns with the [Consumer Protection from Unfair Trading Regulations 2008](#).
- The Policy does not apply where the student has made a claim for compensation through legal proceedings, or via the OIA. In such cases the compensation determined by those bodies will apply.
- Every student who claims a refund or makes a claim for compensation will be treated with respect and understanding.
- Claims for compensation will be considered on a case-by-case basis, taking into account for example, loss of earnings, and any other factors relevant to the case.
- The College will apply a test of reasonableness, based on evidence of the student's expenditure, in assessing the amount to be refunded, or the costs to be compensated.
- The College will follow the recommendations and guidance provided in the Money Laundering Regulations and will notify the [National Crime Agency](#) (NCA) if the College suspects any suspicious activities or fraudulent transactions

4. Compensation

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 to apply for a different programme at the college or seek a suitable alternative.

The compensation plan referred above will include appropriate provision for:

- maintenance costs.
- lost time.
- additional tuition costs.
- travel costs as a result of relocation of provision.

Relevant guidance published by either the Office for Students or the Office of the Independent Adjudicator for Higher Education will be considered in preparing any such plans.

5. The Procedure in Considering Refunds and Compensation

In the unlikely event that the College closes or suspends a programme of study and is unable to teach out the provision or otherwise ensure that enrolled students complete the programme that they are embarked on the principal, in consultation with the Academic Board, consider whether any refund or compensation may be due.

Wherever possible, academic departments will make major modifications to programmes in such a way as to enable enrolled students to complete the programme they embarked on without disruption. Occasionally modifications to programmes impact on the ability of a student who has taken a leave of absence to resume their studies at the point in the year when they left off and a period of repeat study is required to enable the student to join the new programme content or structure. In such an event the principal is empowered to approve a fee waiver and, in consultation with the Academic Board, to consider whether any other compensation may be payable.

The College will consider on a case-by-case basis the costs incurred by, and compensation due to, visa-holding students and students who are otherwise sponsored specifically to study at this institution or on a particular programme of study.

6. Appeals Process

Appeals against compensation offered may be made in writing to the principal within fifteen working days of the proposed compensation being offered. Appropriate grounds for appeal include the following: -

- new information has come to light which was not available at the time that the original decision was determined,
- there was a procedural error or irregularity, or other inadequacy on the part of the College of such a nature as to cause doubt as to whether the result would have been

- different had there not been such an irregularity,
- there exists evidence of prejudice or bias on the part of the persons making the original decision, the original decision was manifestly unreasonable in the circumstances.

Should the student remain unhappy with the outcome of the appeal they may be able to take their concern to the [Office for the Independent Adjudicator](#).