

Refunds and Compensation Policy (HE) 2018-2021

Revision number	
Author/policyholder	Head of Registry
Approved by	Academic Council
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Linked external codes/regulations
Consumer Rights Act 2015 (CRA) Equality Act 2010 Higher Education and Research Act 2017 (HERA) Office for Students Regulatory Framework Office of the Independent Adjudicator (OIA)
Linked documents/references
Complaints Policy HE Tuition Fees and Academic related charges policy Student Protection Plan Terms and Conditions for Applicants and Students
Equality Impact Assessment information
Scope of policy (audience)
Higher Education students and applicants
Alternative Formats
Audio, large font upon request

Policy statement
Leeds College of Music is committed to protecting the consumer rights of its students and ensuring that students receive the education they are entitled to expect as a student of the conservatoire. In the rare event that the conservatoire falls short of or is unable to meet its obligations, students are entitled to make a complaint via the conservatoire's Complaints Policy.

Whilst refunds and compensations will not always be an appropriate remedy to complaints, the conservatoire will consider refunds and compensation as a remedy to complaints where appropriate and in accordance with the Refunds and Compensation Policy. Claims for refunds and compensation by students will be considered in a fair, transparent, and consistent manner.

Background/vision (if applicable)

As a registered provider of higher education, Leeds College of Music has published a Student Protection Plan which provides assurance to current and future students, and the Office for Students (OfS), that we have in place appropriate arrangements to protect the quality and continuation of study for all of our students.

In addition to the Student Protection Plan, the conservatoire is required to publish a refunds and compensation policy that sets out the circumstances under which the conservatoire will refund tuition fees and other relevant costs to students, and provide compensation where necessary should the conservatoire be unable to preserve the continuation of study.

This policy aims to not only meet this requirement, but also provide transparency for students as to how claims for refunds and compensation will be considered in the general context of complaints.

Policy

1. Overview

- 1.1. Refunds and compensation will only be issued where a complaint has been made via the Complaints Policy with a complaints investigation concluding that a refund and/or compensation is the most appropriate remedy.
- 1.2. Refunds and compensation will not always be the most appropriate response to complaints. By engaging with the complaints process, the conservatoire aims to identify and agree with the student the most appropriate outcome and remedy.

2. Definitions

- 2.1. A refund relates to the repayment of sums paid by a student to the conservatoire or an appropriate reduction in the amount of sums owed in future by the student to the conservatoire.

2.2. Compensation relates to a recognisable loss suffered by the student. This normally falls into two categories, either:

- Recompensing the student for wasted out-of-pocket expenses they have incurred, which were paid to someone other than the conservatoire (such as travel costs)
- An amount to recompense for material disadvantage to the student arising from a failure by the conservatoire to discharge its duties appropriately.

2.3. Compensation may take the form of a financial payment, a discount, or some other form of benefit.

3. Circumstances where refunds and compensation may be considered

3.1. A refund or compensation may be issued where:

- The conservatoire is no longer able to preserve the continuation of study for students (as detailed in the conservatoire's Student Protection Plan)
- The conservatoire fails to deliver, to the appropriate standard, the services promised in its contract with students
- The student has been disadvantaged as a result of a delay on behalf of the conservatoire
- The conservatoire has had opportunity to resolve a complaint but has failed to do so, allowing the complaint to escalate unnecessarily and cause unnecessary distress to the student.

3.2. Tuition fee refunds for early withdrawals, suspensions or transfers to other providers for reasons unrelated to a complaint or the implementation of the conservatoire's Student Protection Plan, will be handled in accordance with the HE Tuition Fees and Academic related charges policy.

4. How claims for compensation and/or refunds will be considered

4.1. The conservatoire will consider each complaint in the context of its contract with the student and what has or has not been fulfilled, what credits the student has achieved, and what mitigation the conservatoire has provided, as well as the student's engagement with that mitigation.

4.2. The conservatoire will consider the following:

- Has the conservatoire failed to deliver on the material information agreed with the student at the point of accepting their place?
- Has the student had fair and reasonable opportunity to develop the appropriate levels of understanding required for their course and achieve the anticipated learning outcomes?
- Has the student met their own responsibilities to minimise losses?
- Has the conservatoire followed the appropriate processes in delivering the course?
- Has the student been affected in relation to their final degree award or ability to take up a job offer?
- Were alternative arrangements or adjustments implemented for the student to mitigate against any loss and, if so, did the student engage with this mitigation and/or were they still disadvantaged despite this mitigation?
- Where a complaint relates to disruption to the student learning experience outside of the student's control, has the student received appropriate communication throughout the process?
- Is a refund or compensation the most appropriate remedy?

5. Payments

5.1. Partial or full refunds will be provided within 14 days from the agreement that a refund is due.

5.2. Where tuition fee refunds for students are agreed, refunds will be issued as follows:

- Tuition fees for students in receipt of a tuition fee loan will be returned to the Student Loans Company (SLC)
- Tuition fees for students whose tuition fees are paid by a sponsor will be refunded to the relevant sponsor
- Tuition fees for self-funded students will be refunded to the student.

Breach of policy (if applicable)

Students are entitled to make a complaint via the conservatoire's Complaints Policy if they feel the conservatoire has not complied with its responsibilities under the Refunds and Compensation Policy.