



## Refund and Compensation Policy

### Introduction

The purpose of this policy is to provide guidance on when the College may consider offering refunds of tuition fees or compensation and how it will be calculated. This policy relates to the portion of the tuition fee paid by the SLC, private sponsor (if applicable) or the student him or herself. This policy will also determine when compensation may be payable to a student where the College accepts it has been unable to fully discharge an element of the contract.

### Background

The majority if not all students at the College access student loans from the SLC. Refund and compensation policies for students paying their own tuition fees (if any) will differ from students who are funded by the Student Loan Company (SLC) loans. Currently, for students accessing an SLC loan, the SLC appears to have no stated policy on this point and at present refunding has tended to only become an issue for discussion and clarification when students commence paying off their loans. In this respect, the College takes responsibility for ensuring that there is clarity of both parties (Student and SLC) on how refunds will work and the amount to be refunded. Thus, the policy protects both the student as a fee-paying customer as well as providing security of the loan on behalf of the SLC.

Taking the above into account the College offers a clear and concise Refunds and Compensation Policy known to the student and the SLC. The policy will be placed on the College website to ensure it is also in the public domain.

On the whole when a student enters a Course of study at the College, the SLC pays tuition fees to the College as a loan recoverable on completion of study from the student. In the event of the student never attending the College, or in the event of the College ceasing to trade, or a Course never running, the College returns the funds to the SLC in full. The difficulty arises when students leave part way through a Course and determining the proportion of the fee refundable to SLC can be somewhat equivocal. This policy aims to eradicate this uncertainty.

### Procedure

Any refund of tuition fees and/or reduction in tuition fee liability or compensation is at the discretion of Icon College, albeit in accordance with policy. Any other debt owing to the College may be subtracted from any refund of fees. In accordance with the Consumer Protection Regulatory Act 2014 this does not include monies owing to the College for non-academic matters. The calculation of any refund which may be due will be based upon the amount of tuition the student has already received within an academic year.

The College will apply the following rules:

## Course of Study commencing in both Semester 1 and 2 from Week 1 in each semester

### Withdrawal Date

### Fee Liability

Within TWO WEEKS of the start of term

No fee

Thereafter:

Pro rata on the SLC tuition fee liability period

- a) In the case of students who have left their Course of study refunds will only be made when procedures have been correctly followed and the student is recorded as withdrawn in the College's student record system. Retrospective or backdated withdrawals will be verified against College attendance records
- b) Where tuition fees are partly or wholly paid by a third party e.g. SLC, the refund rules will be superseded by any relevant arrangement agreed by the College concerning the student and the third party
- c) All refunds will only be made to the financial institution that originally paid the fee. There will be no cash refunds directly to the student.
- d) Consideration may be given to the provision of a refund under exceptional mitigating circumstances (**See: Exceptional Circumstances**) such as bereavement or serious medical condition (where evidence can be provided). Academic and financial reasons will not normally be accepted.
- e) Complaints about refund decisions must be made in writing to the Principal

### Refund of tuition fees

Except in the case where the student has funded his/her own Course of study, fees are refunded in part or entirely to the Student Loans Company. Where the student has funded his/her own study the fees or part-fees, whichever is appropriate will be refunded to the student.

The fee or proportion of the fee is nonrefundable to the SLC or student except in the following circumstances

- a) If the College cancels the Course for which the applicant has accepted an offer.
- b) An applicant withdraws from the Course or requests a refund within 14 days of the start of the Course under the Consumer Protection Regulations 2014.
- c) Where a student holds a conditional offer; the fee has been paid by SLC and the student fails to meet the condition.
- d) Where the student has been refused a visa.

### Payment of Refunds

**NB:** It is likely that most if not all refunds will be payable to the Student Loan Company except in the rare occasion a student is funding him or herself.

- Please allow 4 weeks from requesting a refund, if agreed, for the College to action it.
- All refunds will be calculated in UK sterling.
- Documentary evidence must be provided before any refund of personal contributions (if applicable).

## **Exceptional Circumstances**

Refunds in full or part, *may* be made in exceptional circumstances. For example, a serious illness; a death in the immediate family; the death of a student; serious breach of contract on the part of the College; impact of natural disaster or civil disruption. In all these cases proof of documentary evidence must be provided. NB: The College reserves the right to treat each case on its merits when deciding if refunds in part or whole are to be made.

## **Award of compensation**

The award of compensation is more difficult to qualify as there is potentially a qualitative decision to make and it is a discretionary decision based on the individual facts of each case. Thus, the possibilities for potential compensation can only be stated by examples. These are not exhaustive and the level of compensation to be awarded (if any) will be decided on a case-by-case basis. Examples might include:

- a) compensation for continuous poor teaching over the term;
- b) non-delivery of a contracted module or
- c) non-delivery of a more substantial part of the Course.

The student will seek compensation of this nature through the Complaints Procedure (**see Quality Assurance and Enhancement Handbook**) and the College will determine if any compensation is payable and the amount to be paid. The student has the right to put his/her case to the Office of Adjudication (OIA) if he/she is dis-satisfied with the remedy proposed by the College.

## **Refund process for tuition fees or compensation**

Requests for tuition fee refund or any compensation should be made by written application. To help us deal with your enquiry please quote your student number in all correspondence.

## **Monitoring**

The Refunds and Compensation Policy will be monitored by the SMT producing an Annual Report to be presented to the Academic Board and for review.