

## 1 Introduction

As a registered provider of higher education, York St John University (the University) has published a Student Protection Plan (the Plan) which sets out how the University will preserve the continuation of study for all students whenever a risk to the continued study of students crystallises. The Plan provides an assessment of risk to the continuation of study, the likelihood and impact of that risk, and the measures that would apply if one or more identified risks were to crystallise.

The University considers refunds and compensation to be a remedy of last resort, and is committed to seeking to preserve continuation of study for its students. The Refund and Compensation Policy (the Policy) sets out the University's approach to refund and compensation in the unlikely event that, following the implementation of the measures identified in the Plan, the University is unable to

## 2 Context

Consideration of compensation will be on a case-by-case basis, taking into account the context in which the University was unable to preserve the continuation of study for students, considering (but not limited to):

- the timing of any termination of a programme of study;
- the contract with students, and what part of that contract would not be fulfilled;
- credit that students have achieved and will take with them; and
- the impact of any mitigating factors that the University has taken (for example, facilitating transfers).

In this Policy, a reference to the University being unable to preserve the continuation of study means that the University has terminated or intends to terminate a programme of study as the result of the crystallisation of a risk identified in the Plan. This will apply to:

- a University programme of study on which an individual has been offered or accepted a place, but prior to the student's registration, within 30 days of the specified start date of the programme;
- a University programme of study on which a student is registered, but prior to their completion of that programme.

The Policy will not apply to:

- a University programme of study on which all registered students would normally have been expected to complete their studies by the date of the termination of the programme.

If the University is unable to preserve the continuation of study, it will consult with affected students and, as a minimum will:

- 2.1 offer those students advice and support to transfer to a different programme at the University, or seek to transfer to an equivalent or relevant programme of study at another higher education provider;
- 2.2 offer to pay such reasonable travel costs as to cover at least one visit per student to another higher education provider, where required;
- 2.3 put in place a compensation plan in respect of additional costs reasonably incurred by students as a result of any relocation relevant to the circumstances which have resulted in the University being unable to deliver the relevant programme/s of study and thereby unable to preserve the continuation of study;

- 2.4 ensure that any student who has been in receipt of a bursary or similar funding and who would have continued to receive that bursary or funding had the programme of study not been terminated receives the remainder of that bursary if they transfer to a different programme of study at the University; and
- 2.5 ensure that any student who has been in receipt of a bursary or similar funding and who would have continued to receive that bursary or funding had the programme of study not been terminated receives the remainder of that bursary for the current level of study if they transfer to an equivalent or relevant programme of study at an alternative higher education provider.

### 3 Compensation Plan Panel

In the event that the University is unable to preserve the continuation of study on a Programme, and where the measures outlined in the Plan are unable to remedy the situation for students, the Academic Registrar will convene a Compensation Plan Panel, which will include the Director of Finance, the Pro Vice Chancellor: Education, the University Secretary and Registrar, a Head/Dean of School, and a President of the Students' Union. Other members may be co-opted onto the panel (for example the Head/Dean of School or Associate Head/Dean for the affected Programme). The Panel will consider the points outlined in section 2 above and propose a compensation plan, setting levels of compensation and outlining the reasons for each decision, to be agreed by the Executive Board.

### 4 Payments

To comply with various legislation including UK money laundering laws, repayment of tuition fees will be made by the method the original payment was made. For example an amount paid by credit card will be refunded to the same credit card. This will apply whether the student is in receipt of a tuition fee loan from the Student Loans Company, pays their own tuition fees, or has their tuition fees paid by a sponsor.

### 5 Review

This policy will be reviewed annually by the Academic Board and People Committee.

### 6 General

This Policy will not apply to individuals who have completed the studies for which they registered as a student with the University.

Queries about the application of the Policy should be addressed to the Student Casework Manager, via email at [casework@yorks.ac.uk](mailto:casework@yorks.ac.uk), in the first instance.

The University reserves the right to make reasonable changes to this Policy without consultation:

- as required by law, government policy, regulatory requirements or guidance or decision of a competent court or similar body;
- to comply with any requirements set by the Office for Students (OfS), Research England, or any other funding body;
- to implement legal advice or sector-specific good practice;
- to clarify the terms of the Policy and make them more favourable to the student;
- to make it consistent with any changes to the University's Student Protection Plan, Student Terms and Conditions, or regulations and policies.

### Version Control Statement

Version:	1.4
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Version:	Detail of revision:	Date of revision:	Revision approved by:
<b>1.0</b>	Reformatted using new Brand guidelines.	08/03/2019	Approval not required.
<b>1.1</b>	Updated role titles and membership for the Compensation Plan Panel.	29/04/2019	People Committee.
<b>1.2</b>	Minor amendments to reflect changes in role titles.	15/12/2021	Academic Board, People Committee
<b>1.3</b>	Minor amendments to reflect changes in role titles.	14/12/2022	Academic Board, People Committee
<b>1.4</b>	Minor amendments to reflect changes in role titles.	31/01/2024	Academic Board