

## COMPENSATION AND REFUND POLICY

1. This Policy should be read in conjunction with the [Student Protection Plan](#) and sets out the steps that the University will take if it is no longer able to provide continuity of study for some or all of its students on a permanent basis. In this policy a reference to the University no longer being able to preserve continuation of study means that the University has closed or intends to close:
  - a course of study on which an applicant has accepted a place before registering as a student;
  - a course of study on which the student is registered before that student has completed the course.
2. The University will take active steps in every eventuality to ensure that students are able to complete their course of study and, in those circumstances covered by the Student Protection Plan, will seek to treat students fairly and in accordance with its regulations, policies and procedures.
3. In cases where a student wishes to raise a complaint in relation to the provision of continuity for their course of study, the complaint should be dealt with through the [Student Concerns and Complaints Procedure](#). Where the complaint is upheld, the possible outcomes are wide ranging, will be proportionate to the circumstances and may include recommendations aimed at providing redress for the individual student as well as proposals for change in order to improve University policy and practice. Possible remedies for the student include an apology, explanation and/or practical remedies wherever possible. Any cases for compensation and/or refunds will be considered in accordance with this policy and in line with the principles and guidance issued by the Office of the Independent Adjudicator for Higher Education (OIA).
4. In exceptional cases, where an unanticipated change in circumstances means the University may not be able to provide continuity of study for some or all of its students, the University will be proactive in determining the action to be taken to remedy the situation. This may mean that in cases where a number of students are potentially affected, a separate streamlined process, specific to the circumstances of the change, is established. In such cases, the affected students will be notified of the process, and the actions that both they and the University will need to take and any cases for compensation and/or refunds will be considered in accordance with this policy and in line with the principles and guidance issued by the OIA.
5. Where appropriate, the University will aim to provide comparable levels of refund or compensation to cohorts of students affected, depending on the impact experienced. Students may be asked to produce documentation to evidence the costs they have incurred or will incur.
6. In incurring any additional costs, students will be expected to take reasonable steps to minimise any costs or losses. The University will not compensate students for costs that could have been avoided or not incurred.
7. In cases where a student or group of students were not satisfied with the action taken by the University, their concerns would be managed in accordance with [Student Concerns and Complaints Procedure](#).
8. In all cases, where the University is able to provide continuity of study leading to a University of Essex Award, the University will not normally refund any tuition or other fees, or offer any compensation, except where there are exceptional circumstances.

Examples of exceptional circumstances include: a change of campus resulting in increased travel or accommodation costs; an additional reasonable adjustment is required for an individual under the Equality Act. Any such cases would be considered on an individual basis.

9. In cases where the University is not able to provide continuity of study that leads to a University of Essex Award, the University will work with all students affected to facilitate a transfer to another UK provider. In such cases, students may apply for compensation for any necessary travel costs to secure confirmation of a place, and, where appropriate, additional accommodation costs. Students may be asked to produce documentation to evidence the costs they have incurred or will incur.
10. Applicants who have accepted a place at the University of Essex on a course which is then closed, but who have not yet commenced study on the course, will be offered advice and support to help them decide whether or not to apply for a different course at the University of Essex or to seek a suitable alternative. Deposits will be refunded where they have been paid and the course is then closed and no suitable alternative is available at the University of Essex, in accordance with our [Tuition Fee Deposit Policy](#).
11. In cases where the University is not able to provide continuity of study, students who transfer to a new provider will be responsible for the payment of any future tuition fees due to the new provider. However, if the tuition fees of the new provider exceed those which the student would have paid to the University of Essex, the University may consider making a compensation payment. The University may also consider compensation for maintenance costs.
12. For those students who are in receipt of a University scholarship or bursary, the University will continue to honour any continued payments, providing that the terms and conditions applicable continue to apply and any eligibility criteria continue to be met. The University will not compensate postgraduate research students who elect to move to another university with their original supervisor, or who reject any reasonable offer of alternative supervisory arrangements.
13. In the unlikely event that the University is unable to make any reasonable alternative teaching arrangements to enable continuation of study and all other alternatives have been exhausted, the University will:
  - refund an appropriate proportion of the tuition fees in relation to the course on which the student is registered;
  - consider refunding any appropriate losses incurred by the student in relation to accommodation or maintenance costs. Students may be asked to produce documentation to evidence the costs they have incurred or will incur.
14. In exceptional circumstances, the University may also make a payment in acknowledgement of inconvenience, disappointment or lost time. The University will take into consideration guidance from the Office for the Independent Adjudicator, in considering whether such payments may be appropriate.
15. Refunds of tuition fees where a student leaves the University (either withdraws or intermits) are covered by our [Tuition Fees Payment and Liability Policy](#) and are out of scope of this Policy.
16. This policy covers all current students of the University. It covers: students in receipt of a tuition fee loan from the Student Loans Company; students who pay their own tuition fees; and students whose tuition fees are paid by a sponsor. In all cases,

tuition fees and other costs will only be refunded to the original fee-payer/sponsor (whether Student Loans Company, individual student or sponsor of a student).

August 2018

Owner: Academic Registrar

Approver: Registrar and Secretary