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| **Student Refund and**  **Compensation Policy** |
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| **Responsibility for Policy:**  **Relevant to:**  **Approved by:**    **Responsibility for Document**  **Review:**  **Date introduced:**  **Date(s) modified:**  **Next Review Date:** |

Registrar and Chief Operating Officer

All LJMU Staff, Students and Academic

Partnerships

Academic Board (Chair) 04 April 2022

Academic Registrar and Head of RegistryServices

May 2018

July 2020, Sep 2021

May 2023

**RELEVANT DOCUMENTS**

Student Protection Plan



Student Complaints Procedure

Financial Regulations

Academic Regulations

**RELATED POLICIES & DOCUMENTS**

 Office for Students – Regulatory Advice

 Student Support Regulations

 Competition & Markets Authority – Guidance March 2015

**LJMU Student Refund and Compensation Policy**

# Introduction and purpose of the Student Refund and Compensation Policy

This Student Refund and Compensation Policy sets out Liverpool John Moores University’s approach to refunds and compensation in the unlikely event that the University is unable to preserve students’ continuation of study.

The University will make all endeavours to preserve continuation of study and has a range of measures as detailed in the Student Protection Plan and the Conditions of Offer and Enrolment, to deliver programmes.

# Context

Any consideration of compensation is context dependent, and will be considered on a case-by-case basis (for an affected cohort of students or a student/students from a cohort for whom alternative measures were not possible), taking into account (but not limited to):

* The context in which the potential need for a refund and/or compensation has arisen, as set out in the Student Protection Plan.

* The following reference points:
  + The legal and regulatory environment, including consumer protection law and any CMA published case findings.
  + The published decisions on compensation made by the Office of the Independent

Adjudicator for Higher Education. (OIA)

* The OIA’s published remedies and redress guidance.

# Refunds and compensation

Students will be treated on a case by case basis. Whenever possible, the University will aim to provide broadly similar levels of refund or compensation to cohorts of students who are affected. However, the University will also take account of the individual student’s specific circumstances, through reasonable adjustments for example, when deciding refund or compensation awards. This means that in some situations, individual students in an affected cohort would be entitled to different refunds or compensation, depending on their personal circumstances; similarly, different cohorts of students affected by the same issue might be entitled to different refunds or compensation. When it is necessary to look at individual students’ circumstances, students may be asked to produce documentation to evidence the costs they have incurred or will incur, so that the University can work out the level of appropriate compensation.

In the situation that the University makes significant changes to a course, or ceases to deliver it completely, students are entitled to a full refund of the tuition fees paid for the relevant academic year, unless arrangements can be made for the student to transfer elsewhere with credit (or an alternative exit award can be given).

Any decision will take into account the impact upon the student in terms of direct material loss to the student, such as (but not limited to):

* Direct costs that the student will incur, for example:
  + Refund of tuition fees
  + Relocation costs to transfer to another University: this will be determined at the point of transfer
  + Refund of accommodation costs

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* + Refund of maintenance costs: it should be noted that an individual would have incurred general living expenses and related costs if they had not attended the University, and therefore this will be taken into account in any calculations.
  + Student bursaries: in the case of a student transferring to another provider the University will honour any University scholarship or bursary payments provided the terms and conditions applicable continue to apply and any eligibility criteria continue to be met. If it is not possible for the University to continue to make the scholarship or bursary payments then an equivalent payment, which mirrors the terms of the scholarship or bursary, would be considered by the University where appropriate and fair.
  + Travel costs
  + Other costs e.g. childcare
* Compensation for indirect or non-material costs such as distress and inconvenience caused; lost time and opportunity. A decision on whether to make a payment for distress and inconvenience would take into account whether the student has acted unreasonably in refusing or rejecting alternative solutions proposed by the University. The decision will consider:
  + The extent of the inconvenience
  + The severity of any distress, and whether any supporting evidence exists to document it
  + Whether the student raised these issues at the time
  + The period over which the problem occurred
  + Whether there have been failures or delays by the University in dealing with the issues which were within its control.
  + The nature and number of the University’s acts which led to the complaint being upheld
  + Whether the University had taken steps to address or reduce any distress or inconvenience
  + Whether the handling of the case has created additional distress or inconvenience above that inherent in any complaint or appeal.

Refunds will only be made to the same payee or account as the original payment, and usually by the same payment method.

Sponsored students (excluding Student Loans Company): refunds are only made to sponsors at the request of the sponsor.

# Process

The Student Protection Panel will consider all of the above factors, submissions from the student body and will propose levels of compensation, with justifications/reference points against each decision.

If a student is not satisfied with the refund and compensation offer made by the University, they can appeal the decision through the Student Complaints Procedure.

If the student still remains dissatisfied, she/he can then take the case to the Office of the Independent

Adjudicator for Higher Education (OIA). This does not affect the student’s rights in law, though courts may expect that students have exhausted the procedures open to them internally and with the OIA before taking a case to court.