

Contents

Summary of policy	2
Summary of significant changes since last version	2
Scope	2
What this document covers	2
What this document does not cover	3
Related Documentation	4
The Open University Student Charter Principles	4
Introduction	5
Policy	6
1. Principles	6
2. Transfer to an alternative Open University qualification	6
3. Transfer to an alternative qualification at another institution	7
4. Unable to preserve continuation of study	8
5. How to apply	10
6. Payments of refunds and compensation	10
Glossary of terms	11
Affiliated Research Centre (ARC)	11
Compensation	11
Local Education Centre	11
Qualification	11
Refund	11
Reasonable rejection of offered alternative course (either at The Open University or elsewhere)	11
Teach-out	12
Further clarification	12
Alternative format	12

Version number: 1.0	Approved by: University Secretary
Effective from: May 2023	Date for review: May 2024

Summary of policy

This policy outlines the circumstances where The Open University will offer compensation and/or refunds in the unlikely event that it is not possible to preserve continuation of study as a result of the withdrawal of a programme of study, in accordance with our Student Protection Plan. It also explains the limits to any refunds or compensation awarded and what students must do to make a claim.

It is applicable only in exceptional and rare circumstances where, for taught undergraduate and postgraduate study, it is not possible to apply the terms of the teach-out arrangements detailed in Section B2 'Changes to Open University curriculum and qualifications' of the [Academic Regulations](#) or give sufficient notice of any qualification withdrawal, for example where it is not economically viable to continue offering the qualification. Alternatively, for postgraduate research study, where it is not possible to provide an alternative supervisor.

Summary of significant changes since last version

This policy was first published in February 2019.

April 2023:

- a) Update to the Scope section to clarify that Professional Development course learners and Short Course students are not in scope.

February 2020:

- a) An amendment to the contact details.

October 2019:

- a) Update to the Scope section to clarify that Microcredential students are not in scope.

Scope

What this document covers

This policy applies to students who have formally told The Open University that they are studying towards a qualification. This includes undergraduate, taught postgraduate and postgraduate research students, Higher Technical Qualifications (HTQs), Vocational Qualifications, students on Open University accredited awards delivered in collaboration with other providers (where the student is registered with The Open University but receives supplementary face to face teaching from the other provider) and wholly owned subsidiary organisations.

Version number: 1.0	Approved by: Delegate of Director, Academic Services
Effective from: May 2023	Date for review: May 2024

What this document does not cover

This policy does not apply where the terms of the teach-out arrangements Section B2 'Changes to Open University curriculum and qualifications' of the [Academic Regulations](#) are in force, or where sufficient notice of a qualification withdrawal has been given.

In addition, it does not apply to students who are:

- Studying under an apprenticeship programme, who should refer to their Written Agreement and contact the [Apprenticeship Services Team](#).
- Studying under a partnership agreement with another organisation who should contact their Local Education Centre or Affiliated Research Centre (ARC) to gain further advice.
- Studying modules on a standalone basis.
- Studying a Microcredential on a standalone basis.
- Studying a Professional Development course.
- Studying a Short Course.

It is not applicable in the following situations:

- To remedy disputes surrounding student dissatisfaction or complaints. Please refer to the [Student Complaints and Appeals Procedure](#).
Where students are already approaching the time limit of their qualification (as outlined in the specific Qualification Regulations for their chosen qualification) and have no realistic prospect of finishing that qualification within that time limit, regardless of whether The Open University subsequently decides to withdraw that qualification.
- Where an undergraduate or taught postgraduate student has not registered for or linked their study towards a qualification.
- Where The Open University is permitted to vary or amend a course under the conditions outlined in Section B 'Changes to regulations and curriculum' of the [Academic Regulations](#) and in the [Research Degree Regulations](#) for postgraduate research students.
- Where students have voluntarily cancelled, deferred, or withdrawn from their studies. For information about how and when standard and discretionary Fee Credits and/or Fee Refunds apply, please refer to the [Fee Rules \(Undergraduate\)](#), or [Fee Rules \(Taught Postgraduate\)](#).

Version number: 1.0	Approved by: Delegate of Director, Academic Services
Effective from: May 2023	Date for review: May 2024

Postgraduate Research students should refer to the Fee Information documents on the [Graduate School Network](#). This policy does not supersede or replace these rules or processes.

- Where a postgraduate research student's supervisor leaves The Open University and there is no suitable replacement. Please refer to the [Research Degree Regulations](#) on the [Graduate School Network](#).

Related Documentation

Refer to the following documentation in conjunction with this document:

- [Academic Regulations](#)
- [Equality Act 2010 for England, Scotland and Wales](#)
- [Fee Rules \(Undergraduate\)](#)
- [Fee Rules \(Taught Postgraduate\)](#)
- [Research Degree Regulations](#)
- [Student Complaints and Appeals Procedure](#)
- [Student Protection Plan](#)

The Open University Student Charter Values

[The Student Charter](#) was developed in partnership by The Open University and the OU Students Association. It sets out our shared values and the commitments we make to each other as a community of staff and students. This document has been developed with the Student Charter values as its foundation.

Commitment to Equality, Diversity and Inclusion at The Open University

Our policies are inclusive of all Open University Students, Learners, Enquirers and Alumni, regardless of age, civil status, dependency or caring status, care experience, disability, family status, gender, gender identity, gender reassignment, marital status, marriage and civil partnerships, membership of the Traveller community, political opinion, pregnancy and maternity, race, religion or belief, socio-economic background, sex, sexual orientation, or trades union membership status.

Version number: 1.0	Approved by: Delegate of Director, Academic Services
Effective from: May 2023	Date for review: May 2024

Safe Space Reporting

The University is committed to creating a diverse and inclusive environment in which everyone feels safe and is treated with dignity and respect. Unlawful discrimination of any kind across our University will not be tolerated. Safe Space Reporting is available through [an online tool](#) through which staff, students, learners and visitors are encouraged to report incidents of assault, bullying, harassment, hate crime, or sexual harassment. It also provides information about what you can do if these incidents happen to you, or to someone you know, and where you can find support.

Introduction

This policy outlines the circumstances where The Open University will offer compensation and/or refunds in the unlikely event that it is not possible to preserve continuation of study as a result of the withdrawal of a qualification, in accordance with our [Student Protection Plan](#). It also explains the limits to any refunds or compensation awarded.

The Open University will make every attempt to put measures in place to allow students to continue and complete their studies, including giving sufficient notice of changes to or the withdrawal of a qualification, in line with the teach-out arrangements detailed in Section B2 'Changes to Open University curriculum and qualifications' of the [Academic Regulations](#), or by providing alternative research supervisors for postgraduate research students, according to the [Research Degree Regulations](#).

Version number: 1.0	Approved by: Delegate of Director, Academic Services
Effective from: May 2023	Date for review: May 2024

Policy

1. Principles

- 1.1 If The Open University makes a decision to withdraw a qualification and it is not possible to employ the teach-out arrangements, students may be offered the following options in order to preserve continuation of study:
- a) The opportunity to transfer to an alternative Open University qualification;
 - b) The opportunity to transfer to an alternative qualification at another institution, where 1.1 a) is not available or is not accepted by the student. Where you are studying a taught or research qualification at a partner institution, this may include transfer to study at The Open University;
 - c) Refunds and/or compensation as outlined in Section 4 'Unable to preserve continuation of study' where there is no suitable alternative qualification at either The Open University or another institution or the proposed options are reasonably rejected.
- 1.2 The Open University will consider a student's rejection of any proposed solutions to be reasonable where this rejection is on the grounds of, for example, a new qualification bearing a significantly different name than that originally intended or a new qualification featuring time restrictions that are shorter than that of the original qualification. Rejection could be considered unreasonable on the basis of, for example, changes to contact hours with tutors, assessment strategies, taught content or the mode of delivery.
- 1.3 Any requests for refunds and compensation will be considered on an individual basis, taking account of any specific needs and circumstances, including characteristics protected by equality law, in order to comply with its obligations under the Equality Act 2010 or any other statutory duty or obligation.

2. Transfer to an alternative Open University qualification

- 2.1 Where possible, The Open University will offer students the opportunity to study towards a different Open University qualification at the same level. For undergraduate or taught postgraduate study, this may include a qualification that forms part of the Open Programme, or an alternative named qualification.

Version number: 1.0	Approved by: Delegate of Director, Academic Services
Effective from: May 2023	Date for review: May 2024

- 2.2 Where a student accepts an offer of changing to an alternative qualification of the same level, compensation will be limited to any increased costs incurred as a result of the new qualification, for example increased tuition fees or additional costs as a result of the new study (such as the cost of a residential school). No refunds of tuition fees will be awarded against modules that can be counted towards this new qualification. However, if modules completed as part of the original qualification cannot be counted towards the new qualification, a refund will be offered for those modules.
- 2.3 In cases where a student reasonably rejects an offer of an alternative qualification at the same level, they will be offered the opportunity to claim a lower qualification, where available, using the study they have completed to date. If this offer is accepted, the refund of module fees will be limited to modules that cannot be used to count towards this lower qualification and/or modules that could not be completed as a result of the qualification withdrawal. Compensation and/or a partial refund will be considered on an individual basis where a student has accepted an offer of a lower qualification, in recognition of the fact that the qualification offered is different to their original intention.

3. Transfer to an alternative qualification at another institution

- 3.1 Students are unable or are unwilling to study towards a different Open University qualification, they may continue their study by making arrangements to transfer to another institution, either independently or with the support of The Open University.
- 3.2 Should transfer to another institution be accepted by a student, The Open University will ensure that they are no worse off as a result of the qualification withdrawal and will provide compensation for foreseeable increased or additional costs reasonably incurred as a result of the transfer. Examples of reasonable increased or additional costs that The Open University will compensate include:
- a) Additional travel costs
 - b) Additional tuition fees
 - c) Maintenance costs (such as increased accommodation costs incurred by changing geographical location or increased childcare costs due to alternative study requirements)
 - d) Loss of paid work as a direct result of different or longer study hours
 - e) Relocation costs (postgraduate research students only)
 - f) Visa transfer costs (international postgraduate research students only)

Version number: 1.0	Approved by: Delegate of Director, Academic Services
Effective from: May 2023	Date for review: May 2024

- 3.3 Students are required to provide evidence to demonstrate increased or additional costs as a result of their change of study intentions.
- 3.4 Where a student transfers to another institution, The Open University will pay the tuition fees to enable completion of the new qualification and will uphold payments of any funding or bursaries that the student was eligible for as a result of their original study.
- 3.5 If the student is able to independently find a means of completing their undergraduate or taught postgraduate study elsewhere without the support of The Open University, The Open University may consider funding this new study as an alternative to providing the refunds and compensation outlined in this policy. Students should discuss this with The Open University when considering their options.
- 3.6 If a student unreasonably refuses to take up an alternative course that is offered to them, compensation will be limited to the additional costs that would have applied if the student had taken up the offer of continued study.

4. Unable to preserve continuation of study

- 4.1 If The Open University is unable to preserve continuation of study through the options outlined in Sections 2 ‘Transfer to an alternative Open University qualification’ or 3 ‘Transfer to an alternative qualification at another institution’, or the student reasonably rejects the offers made, The Open University will make all efforts to return the student to the position they were in before beginning study.

This will include:

- a) A refund of tuition fees to the method used to pay for completed modules that can no longer be counted towards a qualification (including refund to government funding providers such as Student Finance England or the Student Loans Company, where the student has not already started repaying their loan), or, in the case of postgraduate research, years of study. This will include a refund of any previous module fees paid in relation to study of the qualification that is being withdrawn
- b) Compensation for maintenance costs incurred as a result of the study that cannot be completed
- c) Compensation for losses suffered as a result of not completing the qualification that is being withdrawn, including losses of paid work and lost time, limited to the expected amount of hours

Version number: 1.0	Approved by: Delegate of Director, Academic Services
Effective from: May 2023	Date for review: May 2024

- 4.2 Students will be required to provide evidence for any claims that cover maintenance costs or losses suffered to enable The Open University to consider the claim appropriately and make a suitable award of compensation.
- 4.3 Where a student makes a claim for losses of paid work, any compensation will be limited to losses equivalent to the expected hours of study required to complete the qualification. The Open University reserves the right to refuse to reimburse any particularly highly paid work.
- 4.4 Compensation awarded for lost time where there is no financial loss (e.g. no loss of paid work) will be based on the indicative compensation bands for awards for distress and inconvenience outlined by the [Office for the Independent Adjudicator \(OIA\)](#) and summarised in Table 1.

Table 1: Indicative compensation bands for awards for distress and inconvenience

Level of distress or inconvenience	Description	Indicative compensation band
Moderate	An act of omission of the provider caused some distress and inconvenience in the short term (e.g. less than 6 months).	Up to £500
Substantial	An act or omission of the provider caused some distress and inconvenience in the long term (e.g. more than 6 months).	Between £501 - £2000
Severe	A more significant case of distress or inconvenience where, for example, the provider has failed to consider its responsibilities under discrimination legislation, or where there has been a clear material disadvantage to the student that has not been remedied.	Between £2001 - £5000

Version number: 1.0	Approved by: Delegate of Director, Academic Services
Effective from: May 2023	Date for review: May 2024

5. How to apply

- 5.1 As part of its plan for the withdrawal of a qualification, The Open University will identify and contact all affected students to provide full information, advice and guidance on both the withdrawal of their qualification and their options for continuing their study. Any decisions taken and offers made will take student preferences into consideration.
- 5.2 Students will be contacted directly if circumstances arise where this policy can be invoked. However, if students believe their circumstances mean that this policy should be invoked on an individual basis, they should contact The Open University via the [Student Complaints and Appeals Procedure](#).
- 5.3 Where this policy is invoked, an offer will be made in writing and will stipulate the amounts of refunds and/or compensation proposed as well as how and when these will be paid. Students will then have the opportunity to accept or decline this offer, with written confirmation sent on acceptance. If the offer is declined, the student will be offered a Completion of Procedures letter, and will be directed to the [Student Complaints and Appeals Procedure](#) should they wish to appeal.
-

6. Payments of refunds and compensation

- 6.1 Wherever possible, refunds will be made to the original payment method. This may include a refund to Student Finance England, Student Finance Wales, Student Finance Northern Ireland or the Student Awards Agency for Scotland, or to a third party who has provided payment via sponsorship or third-party credit or debit card.
- 6.2 Where a student studying on a part time basis who has funded their studies by tuition fee loan has commenced repayments during their study, it may not be practicable to make the refund to the original payment method. In these circumstances, The Open University will liaise with the student and the appropriate body (such as Student Finance England) to establish the sum already paid by the student, including any interest charged, and the sum currently required by the student to clear their debt. This figure may, in some circumstances, be paid to the student directly and, where this occurs, the student will be responsible for making arrangements to settle their loan balance with the funding body.
- 6.3 Compensation will usually be paid via cheque or BACS. Any refunds and compensation will be paid within 28 working days of the date of written confirmation of the agreement.

Version number: 1.0	Approved by: Delegate of Director, Academic Services
Effective from: May 2023	Date for review: May 2024

Glossary of terms

Affiliated Research Centre (ARC)

An Affiliated Research Centre (ARC) is a research institute that provides postgraduate research study in partnership with The Open University.

Collaborative Partnership

The University collaborates with a variety of third parties to widen access and participation in higher education. A collaborative partnership involves partner institutions in the origination, and/or assessment, and/or teaching of specific modules contributing to Open University qualifications.

Compensation

Compensation is an award to a student in recognition of loss suffered by a student and is usually, but not always, financial. In terms of this policy, it is awarded as a result of either wasted out-of-pocket expenses incurred and paid to someone other than the university (e.g. travel costs), or as recompense for material disadvantage that arises from The Open University failing to discharge its duties appropriately.

Local Education Centre

A Local Education Centre is the place that administers your study when you are registered under a Partnership Agreement with another education provider.

Qualification

A qualification is a programme of study that you have formally told The Open University you are aiming to complete, that you have enrolled on the prescribed modules for and that are counting credit towards.

Refund

A refund is the repayment of fees paid to by a student to The Open University, or an appropriate reduction in future fees owed. It could include both tuition fees and other course costs such as residential schools.

Reasonable rejection of offered alternative course (either at The Open University or elsewhere)

A reasonable rejection of an alternative course offered is a rejection based on fair and practical principles. For example, the alternative course would not fulfil the student's original study intention by being at a different level, or by its name being significant different to the student's original qualification.

Version number: 1.0	Approved by: Delegate of Director, Academic Services
Effective from: May 2023	Date for review: May 2024

Teach-out

Teach-out arrangements apply where The Open University has given notice of a change to the structure or study requirements of a qualification or for its withdrawal. They are the arrangements for students who have registered for or declared that qualification to enable them to complete that qualification within the notice period before the change or withdrawal takes effect. The Open University's teach-out arrangements can be found in Section B2 of the [Academic Regulations](#).

Validated Partnership

A partnership between The Open University and a partner institution in which the partner receives approval from The Open University to design and deliver Open University validated awards. The Open University makes sure the award meets the required quality and academic standards. Under a Validated Partnership, students are registered directly with the partner institution.

Further clarification

If you have any queries around the content provided within this document and how to interpret it, or if you have any comments about this policy and how it might be improved, please contact Student Policy and Regulations by emailing SPR-Policy-Team@open.ac.uk.

Alternative format

If you require this Refund and Compensation Policy document in an alternative format, please contact the Student Support Team via <http://www.open.ac.uk/contact/> (phone +44 (0)300 303 5303), or your dedicated Student Support Team via StudentHome if you are a current Open University student, or the Research Degrees Office via email to research-degrees-office@open.ac.uk for Postgraduate Research students.

Version number: 1.0	Approved by: Delegate of Director, Academic Services
Effective from: May 2023	Date for review: May 2024