

FEE APPEALS AND REVIEW POLICY

1 This policy sets out the expectations, key aims and principles, and procedural approach of the Fee Appeals and Review Policy of The University of Law (the University). Whilst establishing the procedures for submitting a fee appeal this policy ensures the University complies with all legal and accounting regulations. The measures contained in this policy are in addition to the protection provided by consumer protection law, and do not affect a student's consumer rights.

Key aims and principles

2 The University ensures that, in the operation of this policy:

- 2.1 no student suffers disadvantage as a result of raising an appeal;
- 2.2 procedures are clear and readily accessible to students, taking into account equality and diversity issues and barriers to access;
- 2.3 clear and accurate advice and guidance is provided to students and staff;
- 2.4 training is provided for staff conducting procedures;
- 2.5 procedures are conducted in a timely and fair manner;
- 2.6 appropriate action is taken following an appeal;
- 2.7 processes are in place to monitor the effectiveness of procedures;
- 2.8 outcomes of appeals processes are monitored and reviewed, and a record of resulting enhancements is maintained.

Definitions

3 An **immediate family member** is a parent/legal guardian, child, partner or sibling.

4 An **extenuating circumstance** is an event beyond the control of the student.

Procedural Approach

5 Liability for course fees is incurred under the University's terms and conditions upon acceptance of an offer to study at the University.

6 Under this policy a student may submit an appeal against fee liability, in total or in part, in certain circumstances. This policy explains the circumstances in which they may do so and the procedures to follow.

7 The University operates a two stage process of appeal and review. At the end of this internal process, students have the right to raise the matter with the Office of the Independent Adjudicator for Higher Education (OIA).

Stage One - Fee Appeal

8 A Fee Appeal can only be submitted by a student who has either cancelled their place or been withdrawn from their course of study with the University.

9 The Fee Appeal Panel comprises a minimum of three University staff at Executive Manager level or above. The Panel members will appoint a Chair for each meeting who will be responsible for providing a written note of the outcome of the meeting. In the event that any Panel member has had prior involvement with a student's case, they will not participate in any discussions and, where necessary, an additional panel member will be appointed.

10 The grounds for a Fee Appeal are as follows:

10.1 The student suffered from a medical condition which;

10.1.1 existed at the time the student accepted their offer to study with the University and affected their ability to make a rational decision to accept the offer and this condition continued throughout the cancellation period under the terms and conditions for their course of study, or;

10.1.2 arose after the student accepted their place on the course of study and affected their ability to cancel their place before financial liability arose under the terms and conditions, or;

10.1.3 arose after the student accepted their place on the course of study and prevented the student from studying or successfully completing the course of study, or;

10.1.4 was pre-existing but being managed at the time the student accepted their place but subsequently deteriorated after financial liability arose and prevented the student from studying or successfully completing the course of study.

10.2 Following acceptance of their offer to study with the University the student suffered a bereavement of

10.2.1 immediate family member, or;

10.2.2 a person who is not an immediate family member but there are circumstances which affected the student's ability to study or successfully complete the course of study.

10.3 Following acceptance of their offer to study with the University, the student suffered an extenuating circumstance which affected the student's ability to study or successfully complete their course of study.

11 A Fee Appeal form can be obtained by the student from the University Finance Department by emailing feeappeals@law.ac.uk. This form must be completed, signed and submitted to feeappeals@law.ac.uk [or posted to the address set out on the form] together with supporting documentation which provides evidence of the ground of appeal. Advice regarding the format of supporting evidence is given to students in the Fee Appeal Guidance document which is provided to a student requesting a Fee Appeal Form.

12 Subject to paragraph 13, the Fee Appeal Panel meets on the last Friday of each month. Students who have submitted documentation in accordance with paragraph 11 above at least 5 working days before the date of a Fee Appeal Panel will be considered at the meeting. Documentation received less than 5 working days before the Panel meets will be considered at the following month's meeting.

13 The University reserves the right to reschedule a Fee Appeal Panel meeting due to mitigating circumstances, including but not limited to, staff absences and public holidays.

14 It is standard practice for fee liability to be determined on an annual basis, not termly or by any other factor. i.e if you are on a part-time course or a full-time course longer than 1 year in duration, the liability will be reviewed for the relevant year only. This is to reflect the benefit obtained by the student by completion of full course years of study.

15 In the event of the Fee Appeal Panel finding in favour of the student, the Panel may grant one of the following three outcomes:

15.1 All liability, including the deposit, waived. This is only available where the student has appealed under paragraph 10.1.1 or 10.1.2.

15.2 All liability except the deposit waived. This is available for all grounds of appeal under paragraph 10 above except for 10.1.1 or 10.1.2.

15.3 Partial liability waived.

16 Where the appeal is granted, funds will be returned to the source of the payments made to the University. All payments will be processed by the Finance Department in accordance with the standard refund policy.

17 Where the appeal is rejected, all liability remains in place. Full details of the student's right to a Stage Two Review, as outlined below, will be provided with the outcome.

18 The outcome of the Fee Appeal will be communicated by email within 5 working days of the date of the Fee Appeal Panel meeting.

19 Where a student has studied on more than one course with the University the outcome is only applicable to liability for the course of study which is being appealed.

20 Where the outcome is not in the students favour because the student did not satisfy the requirement at paragraph 8 and/or make out a valid ground for appeal at paragraph 10 the Fee Appeal Panel will, where relevant, provide information about other processes which may assist the student.

Stage Two - Review

21 The Stage Two Review acts as a mechanism for the review of the processes undertaken by the Fee Appeal Panel. No action is taken under this stage until the process of a Stage One Fee Appeal to the Panel, as described above, has been exhausted. The student then has 30 working days from receipt of the Fee Appeal outcome to submit an application for Stage Two Review using the form enclosed with the Fee Appeal Outcome.

22 The review process is administered by the fee appeals team. All completion of procedure (CoP) letters relating to fee appeals will be produced by the Academic Registry Department, at the request of the Fee Appeals Team.

23 Stage Two Reviews are carried out by a Review Panel, comprising a minimum of three University staff of Executive Manager Level or above, who have no prior involvement with the student's application for a fee appeal.

24 The Review Panel will meet within 20 working days of the receipt of a Stage Two Review application form and at least 7 working days before the next monthly Fee Appeal Panel. The outcome of the Review Panel will be notified to the student in writing within 5 working days of the Review Panel meeting.

25 Valid grounds for a Stage Two Review are confined to claims that:

25.1 the Stage One Fee Appeal was unsuccessful because of a lack of supporting evidence and new evidence addressing the issues highlighted in the outcome of the Stage One Fee Appeal is provided with the Stage Two Review application, or;

25.2 the Stage One Fee Appeal Panel did not follow the rules and procedures outlined within this Policy, or;

25.3 despite having followed the correct procedures, the decision reached was one that no reasonable body, properly directed and taking into account all relevant factors, could have arrived at.

26 If no valid grounds are established, or this review stage does not find in the student's favour, they are informed in writing accordingly and the whole review process is concluded. The student is sent a Completion of Procedures letter by the Academic Registry with the outcome of their request for Stage Two Review, which they need if they wish to make a submission to the OIA.

27 If the Stage Two Review finds in the student's favour the outcome is communicated to the student within 5 working days of the Fee Appeal Panel meeting.

28 The Stage Two Review Panel records, monitors and reviews the outcomes of the appeals and review process and makes recommendations as appropriate.

Office of the Independent Adjudicator for Higher Education (OIA)

29 The University is a member of the OIA for Higher Education scheme. This scheme enables the student to obtain an independent review of their case, subject to the OIA's rules for eligibility. Further information can be obtained from www.oiahe.org.uk.

30 If, having completed the University's procedures for fee appeals, the student is dissatisfied with the outcome; they may request a review by the OIA. Full details of this service, incorporating required timescales, are provided to the student by the University.

Responsibility for the provision

31 Responsibility for the effective implementation of Fee Appeals and Review Policy lies with the Finance Director.

Monitoring and review of the provision

32 Responsibility for reviewing and evaluating the effectiveness of the Fee Appeals and Review Policy lies initially with the Finance Director. Formal responsibility for monitoring and evaluation of this provision lies with the Executive Board.

Version history:

Version	Amended by	Revision summary	Date
V1.0	Student Finance Team Leader	Initial drafting	30/10/18
V1.1	Director Operational Services	Review	10/12/18
V1.2	Head of Student Support Services & Finance Business Partner	Review	20/05/2019
V1.4	N/A	Approval by Executive Board	25/7/2019
V1.5	Finance Business Partner	Amendments	24/09/2019
V1.6	Registry Officer	Change to document coding convention	March 2020