

UNIVERSITY OF ESSEX STUDENT DEBT POLICY

JUNE 2020

1. CONTEXT, AIMS AND OBJECTIVES

1.1 The University is committed to treating students in a fair and reasonable manner in relation to the management of their financial obligations and aims to minimise wherever possible the level of student debt payable direct to the University and the associated stress and financial burden that may occur as a result. The University's commitment is underpinned by two key principles:

- a compassionate approach towards students incurring debt that seeks to secure the best interests of students and their studies; and
- an approach that balances fairness to all students while safeguarding the interests of the University.

1.2 Once registered at the University, all students, regardless of funding source and fee status, are liable for their fees for the relevant programme of study. Self-funded students are required to pay fees in three equal instalments, payable each term. Where a student's fees are funded by an external body (known as a "sponsor"), the University receives the fees in accordance with the requirements or rules of that sponsor.

1.3 Where a student or relevant sponsor is unable to meet either (i) the tuition fee liability (or other tuition-related fees as set out in Section 2.2, defined for the purposes of the policy as 'education debt'); or (ii) fees, charges or costs associated with services provided by the University not related directly to education (as set out in Section 2.3 defined for the purposes of the policy as 'non-education debt'), the Student Debt Policy ("the policy") describes the University's approach to the management of the debt.

1.4 The policy is underpinned by the relevant University Regulations relating to Registration and Academic Affairs.

2. POLICY FRAMEWORK

2.1 Scope, Jurisdiction and Responsibilities

2.1.1 The policy applies to all current and former students of the University.

2.1.2 Students registered for a University of Essex validated programme of study as part of a collaborative partnership are covered by the appropriate debt management arrangements in place at the relevant partner institution. In accordance with University Regulations, a student who incurs a debt at another academic institution for which the University is liable during the programme of study will be deemed to be in debt to the University and therefore subject to this policy and the relevant Regulations.

2.1.3 The Director of Finance or his/her nominee has responsibility for managing debt incurred by students.

2.1.4 The Academic Registrar or his/her nominee has responsibility for managing the processes associated with the impact on academic progression for students in debt.

2.1.5 The Academic Registrar and Director of Finance are responsible on behalf of the University Steering Group for oversight and regular review of this policy and its effective implementation and dissemination to staff and students.

2.1.6 Complaints or concerns about any aspect of the implementation and management of this policy and its provisions are handled in accordance with the Student Concerns and Complaints Procedure.

2.2 Education Debt

2.2.1 Education debt relates to University activities, services or facilities that affect the completion of a programme of study, including but not limited to tuition fees, bench fees, field trip costs, intermission fees, completion fees, assessment and re-assessment fees.

2.2.2 Except with the permission of the Director of Finance, a student subject to education debt is not permitted to register for a programme of study or for a further period of study within a programme until the debt is cleared. At the University's discretion¹, a student may register in debt where, for example, the amount owed is below an agreed level² and where a clear payment plan has been agreed to the satisfaction of the Director of Finance or his/her nominee.

2.2.3 Except with the permission of the Registrar and Secretary, no academic award may be conferred upon a student who is subject to education debt.

2.2.4 Students subject to education debt are not entitled to a transcript for their programme of study. Under these circumstances, confirmation of results will be issued in writing and in a way that makes clear that the academic award has not been conferred.

2.2.5 Except with the permission of the Academic Registrar or his/her nominee, students subject to education debt may not attend graduation or other similar events until the debt is cleared.

2.3 Non-Education Debt

2.3.1 Non-education debt relates to University services, activities or facilities that do not affect the completion of a programme of study, including but not limited to Library fines, car parking charges, accommodation charges and nursery fees.

2.3.2 The academic progression and conferral of academic awards are not normally affected by non-education debt, although the University reserves the right not to permit a student to progress to the next stage of study or to confer an award in relation to non-education debt where it is deemed reasonable and appropriate.

¹ Discretion may include not permitting a student to register or agreement of a lower level before permission to register is granted

² The level will be agreed by the Director of Finance or his/her nominee

2.3.3 Although an academic award may be conferred for students subject to non-education debt, except with the permission of the Academic Registrar or his/her nominee, such students may not attend graduation or other similar events until the debt is cleared.

2.4. Debt Management

2.4.1 The University considers each case of student debt on an individual basis and does so fairly and impartially, taking into account the University's knowledge of the individual financial and personal circumstances of the student before deciding upon a course of action.

2.4.2 All evidence provided by the student in relation to their financial or personal circumstances is treated sensitively and in accordance with legal requirements related to the management of personal data.

2.4.3 The University is responsible for ensuring that students are given early warning of any action that may be taken against them and guidance on how to overcome their financial difficulties. Early communication to students in debt includes: information on how to pay, relevant contact details, sources of debt advice, including details of the types of hardship support offered by the University and how to access them, and information about the academic and legal sanctions that may be imposed as a consequence of debt.

2.4.4 The University is responsible for taking reasonable steps to prevent an escalation in debt, for example, by removing or limiting access to services rather than permitting access to continue and debt to accrue.

2.4.5 The University provides regular reminders to students in debt of the need to clear the debt and of any likely consequences of non-payment in good time if a payment is missed.

2.4.6 The University pursues all debts, regardless of amount, in accordance with the relevant legal framework and reserves the right to take legal and other necessary action in order to recover all debt where it deems it to be appropriate.

2.4.7 Students in debt incur additional late fee charges at the discretion of the University and are notified of any such charges.

2.4.8 Agreement of individual payment plans for students in debt are at the University's discretion, taking individual circumstances into account. Students in debt are not automatically entitled to individual payment plans once they are in arrears. The University may actively make attempts to arrange individual payment plans but are not required to do so in every case.

2.4.9 Students are required to ensure contact and other relevant information is up to date at all times to ensure effective and timely communication in relation to debt management.

2.4.10 If a student wishes the University to communicate with a third party in relation to their debt, the student must provide the University with written consent in accordance with University policy on third party contact, authorising the University to discuss the case with a named third party. In specific circumstances, and in accordance with University policy, the University may determine that dealing with a third party is not appropriate even if a student provides written consent to authorise it.

2.4.11 It is the responsibility of the student to inform the University of any alleged errors or disputes with any charges imposed by the University and at the earliest possibility.

2.4.12 The University will not impose disproportionate sanctions for an amount of debt reasonably considered to be small but attempts will continue to be made to recover the debt.

2.5 Debt Advice

2.5.1 The University provides a range of advice and support for students experiencing difficulties in paying any fees and charges. Students are encouraged to inform the University and to seek advice at the earliest opportunity.

2.5.2 Advice is available to students across all campuses and includes: personal tutors, Student Support (via the Student Services Hub) and the Students' Union Advice Centre:

- Student Services Hub: www.essex.ac.uk/students/contact
- Students' Union Advice Centre: www.essexstudent.com/services/advice_centre

2.5.3 Independent Advice Services include:

- National Debtline: www.nationaldebtline.co.uk, (Freephone) 0808 080 4000
- Consumer Credit Counselling Service: www.cccs.co.uk, (Freephone) 0800 138 111
- Citizens Advice: www.adviceguide.org.uk, 0844 477 0808
- Civil Legal Advice: www.gov.uk/civil-legal-advice, 0845 345 4345

2.6. Withdrawal through Debt

2.6.1 Students with education debt may be required to withdraw from their studies at the University. In certain circumstances where it is deemed reasonable and appropriate, students with non-education debt may also be required to withdraw.

2.6.2 The Finance team assesses all debt cases individually and refers those for withdrawal to the appropriate team in the Academic Section at their discretion, taking into account individual circumstances of the case, such as:

- the level of debt
- the extent to which attempts have been made to arrange and/or adhere to a payment plan
- any special circumstances that are beyond the student's reasonable control
- any previous payment record or debt incurred
- visa status and whether the student is required to pay their debt as a condition of their visa

2.6.3 A student who is subject to immigration control is required to have sufficient funds to cover the cost of their education. Failure to pay charges that are owed to the University may result in the University withdrawing sponsorship in accordance with the terms of its licence to sponsor international students. Under these circumstances, a student is withdrawn, regardless of academic performance.

2.6.4 Students who clear debt after the completion of the withdrawal process may only be reinstated onto their programme of study in accordance with the standard readmission procedure unless it is as a consequence of an appeal (see paragraphs 2.6.5 & 2.6.6). The

University may require the student to produce evidence of their ability to fund their studies and/or their accommodation before allowing the student to enrol, re-enrol or progress with their programme of study.

2.6.5 A student who wishes to appeal against a withdrawal decision due to debt must do so in writing to the Director of Finance, stating the grounds for appeal. Although other grounds may be considered on merit at the discretion of the Director of Finance, the two legitimate grounds for appeal are:

- Evidence of factual error or new information that has come to light that may have resulted in a different decision
- Evidence that University procedures have not been followed correctly when managing the decision to withdraw the student.

2.6.6 The Director of Finance or his/her nominee will consider the appeal and make a decision either to (i) re-admit the student; or (ii) to dismiss the appeal and uphold the original decision. The decision of the Director of Finance or his/her nominee is final.

3. POLICY REVIEW

The policy is reviewed annually by the Academic Registrar and Director of Finance. The review will be undertaken with other relevant stakeholders as appropriate, including the Students' Union, and any proposed changes will be submitted to the University Steering Group for consideration and approval.

Richard Stock

Academic Registrar

June 2020