



Student Debt Policy

2023-24

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Student Debt Policy

Content, Aims and Objectives

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.

Particular attention of the student is drawn to the following key terms in this Policy:

- 1.1 Once registered at the University, all students, regardless of funding source and fee status, are personally responsible for their fees for the relevant programme of study, as outlined in the Tuition Fee Payment and Liability Policy. Self-funded students are required to pay fees in three equal instalments, payable each term (e.g., October, January and April for October starters).
- 1.2 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. If a sponsor defaults on a payment or future payments, the student will become personally responsible for any unpaid fees.
- 1.3 This Student Debt Policy distinguishes between the following types of debt that a student may have as follows:
 - **Education Debt** which means debt relating to the tuition fees payable for a course, including bench fees and completion fees;
 - **Non-education Debt** which means debt relating to fees, charges or costs associated with services provided by the University not related directly to education including but not limited to library fines, car parking charges, accommodation charges and nursery fees.
- 1.4 **As a last resort, the non-payment of Education Debt may prevent a student from continuing their studies or from receiving an academic award (see paragraph 2.2 below for further details).**

- 1.5 The policy is underpinned by the [University Regulations relating to Registration and Academic Affairs](#).

Policy Framework

2. Scope of this Policy

- 2.1.1 The policy applies to all current and former students of the University studying and graduating in the academic year 2023-24.
- 2.1.2 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 Where a student has Education Debt and the University has not been able to recover sums owed to it, having given reasonable notice to the student, and taken appropriate action to support the student in the repayment of the relevant debt, the University may, having considered the full circumstances relating to the debt:
- 2.2.1.1 prevent the student from registering for another programme of study or for a further period of study until the debt is cleared; and/or
- 2.2.1.2 pursue debt collection action to recover the sums owed, which could include legal action; and/or
- 2.2.1.3 as a last resort withhold the following, until the debt is cleared:
- an academic award;
 - relevant transcripts;
 - the right for the student to attend graduation or other similar events.

Students are encouraged to read section 2.6 (Debt Advice), which provides details as to how this can be avoided.

- 2.2.2 The Director of Finance or their nominee, may, after reviewing the individual circumstances, permit a student subject to education debt to register for another programme of study or study for a further period of study where;

2.2.2.1 the amount owed is below an agreed level¹, and;

2.2.2.2 where a clear payment plan has been agreed.

2.2.3 The Registrar and Secretary or their nominee, may, after reviewing the individual circumstances, permit a student who is subject to education debt to have their academic award conferred.

2.2.4 The Academic Registrar or their nominee, may, after reviewing the individual circumstances, permit a student who is subject to education debt to attend graduation or other similar events.

2.3 Non-Education Debt

2.3.1 Where a student has Non-Education Debt and the University has not been able to recover sums owed to it having given reasonable notice to the student, and taken appropriate action to support the student in the repayment of the relevant debt, the University may, having considered the full circumstances relating to the debt:

2.3.1.1 withhold the provisions of the same type of services until payment has been made. For example, the University may withhold library facilities if a student has outstanding library fines or accommodation may be withdrawn if a student has outstanding rent; and/or

2.3.1.2 pursue debt collection action to recover the sums owed, which could include legal action; and/or

2.3.1.3 as a last resort withhold the following, until the debt is cleared:

- the right for the student to attend graduation or other similar events; this does not include the conferral of an award or transcript, which is still permitted.

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, which are outlined in the [Student Privacy Notice](#).

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 (see section 2.6 for more information) 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 this Student Debt Policy and the Student Contract 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 may incur additional late fee charges representing actual costs and expenses incurred by the University to manage and/or process the relevant debt. Whether these are payable by the student will be at the discretion of the University and will be notified to the student in a reasonable period of time before such charges are applied.
- 2.4.8 Where appropriate, the University may in the first instance consider a payment plan with the student, which the University may agree to in its sole discretion, taking into account the individual circumstances of the student.
- 2.4.9 Students are required to ensure contact and other relevant information is always up to date to ensure effective and timely communication in relation to debt management.
- 2.4.10 Students are encouraged to inform the University of any errors or disputes with any charges imposed by the University and at the earliest opportunity, so that this can be reviewed and rectified, without the need of further action by the University to recover debt.
- 2.4.11 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 as set out in this Student Debt Policy, which may result in the student being responsible to cover the University's reasonable and properly incurred expenses in doing so.

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. Students are also entitled at any time to obtain independent third-party advice on their personal finance situation.
- 2.5.2 Advice is available to students across all campuses and includes personal tutors, Student Services (via the Student Services Hub) and the Students' Union Advice Centre:

- Student Services Hub: www.essex.ac.uk/student/advice-and-support
- Students' Union Advice Centre: www.essexstudent.com/services/advice_centre

2.5.3 Independent Advice Services include:

- National Debtline: www.nationaldebtline.org (Freephone) 0808 080 4000
- Citizens Advice: www.citizensadvice.org.uk 0800 144 8848
- Civil Legal Advice: www.gov.uk/civil-legal-advice 0845 345 4345

2.6 Withdrawal through Debt

2.6.1 As noted under section 2.2, students with Education Debt may be required, as a last resort, to withdraw from their studies at the University. This will result in the student's contract with the University ending. Please see the terms of your student contract for more details.

2.6.2 The Finance team assesses all debt cases individually and refers those for withdrawal to the appropriate team in the Academic Section acting reasonably, 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 holds a student visa 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, and their student contract ended, 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 2.7.5 & 2.7.6). 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 be reinstated onto 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 or their nominee by emailing income@essex.ac.uk stating the grounds for appeal. Although other grounds may be considered on merit at the discretion of the Director of Finance or their nominee, examples of 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 their nominee will consider the appeal and decide either to (i) re-admit the student; or (ii) to dismiss the appeal and uphold the original decision.

2.6.7 Nothing in this Student Debt Policy affects the students' legal rights and remedies which are unaffected.

2.7 Debt Collection Agency

2.7.1 If you hold Education Debt after the completion of your studies or after your withdrawal from a course, the University may appoint an independent company to collect such debt on the University's behalf. In such circumstances the company would contact to you directly to recover the debt.

The University may be able to recover additional costs and expenses from students, if we need to take legal action to recover their debt.

Policy Review

3.1 The policy is reviewed and approved 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 if necessary.

Document Control Panel

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