

Student Debtors Policy

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Student Debtors Policy

Summary

What is this Policy about?

This Policy document sets out the requirements for payment of University of Portsmouth invoices. It explains the student responsibility and the expected actions to be taken on receipt of an invoice. The document indicates the consequences of non-payment of invoices, and the Appeals process that can be followed. The Policy takes account of recent advice from the Office of Fair Trading with respect to student debt.

Who is the Policy for?

The Policy is applicable to new entry and continuing students of the University of Portsmouth studying an award bearing qualification, Study Aboard or pre-sessional course.

How does the University check this Policy is followed?

The officer responsible for maintaining the currency of the Policy is the Credit Controller. The Policy is implemented and monitored by the Finance Department/Income team. The Finance Department does not have the authority to apply changes to the set Policy, but it does ensure that the Policy is adhered to, is transparent and consistently applied.

Who can you contact if you have any queries about this Policy?

If you have any questions about this Policy please contact the University's Finance team at income@port.ac.uk.

1. Introduction

- 1.1 The University will generate invoices for the supply of goods or services, including fees, replacement equipment and damage charges. This list is not exhaustive. All invoices will incorporate a 'Ways to Pay' document. When the invoice is generated in the Finance system, it will automatically be sent to the student's University email account and to their personal email account where known. The invoice states the payment due date. Instalment plans are available for most services. See section 2 below.
- 1.2 The Income team in the Finance Department is responsible for monitoring and chasing payment of any overdue debts.
- 1.3 Academic, support and service departments will notify the Income team of any exceptional circumstances that could affect a change to the amount charged or the student's ability to pay. For example, if an Exceptional Circumstances form has been submitted and is awaiting review or a complaint has been received by the University Complaints Officer. This does not include a change of student circumstances or personal details that would routinely be updated on the Student Record system.

2. Student responsibilities

- 2.1 Students must pay the amount in full or set up a payment plan by the due date shown on the invoice. If a student is unable to meet either requirement by the due date, they must contact the Income team to negotiate an alternative instalment plan. Full contact details are provided on all invoice and reminder letters.
- 2.2 When a plan is agreed, the student will be required to submit a payment instruction (mandate) in the form of a Direct Debit or Recurring Card Instruction (this is a regular payment by debit or credit card). The submission of the mandate authorises the University to collect the instalments from the student's nominated bank account. This may be a bank account of a third party, in which case the third party must complete the instruction. Mandates are to be completed at www.port.ac.uk/webpay.
- 2.3 When the invoice is for tuition fees and it is issued to a sponsor or the Student Loan Company (SLC), students should be aware that they are ultimately responsible for payment of their fees. Students will be contacted by the Income team if the tuition fee remains unpaid after repeated requests to the sponsor. Students should take necessary actions to ensure that the payment is made either by the sponsor, the SLC or themselves.

- 2.4 Students who have any concerns about their ability to pay should contact the Income team (income@port.ac.uk) or the team at the Student Finance Centre who are available to offer advice and guidance on student funding, hardship funds and money management. The Student Finance team can be contacted by email at student.finance@port.ac.uk and further relevant information is available at www.port.ac.uk/students/student-finance-centre/.

3. Failure to pay

Students that fail to pay or respond when asked to do so, will be called to the Income section for interview and may be required to present a form giving details of their financial status. The form can be downloaded at www.port.ac.uk/intranet/finance/Income/filetodownload,187844,en.pdf.

If a student has already completed this form for a hardship fund request, the student should ask the Student Finance Centre to forward a copy of this to income@port.ac.uk before the interview. The Student Finance team can be contacted by email at student.finance@port.ac.uk.

If students fail to attend the interview when asked to do so, further recovery action will commence as detailed in section 4.

Changes to payment terms will be approved on a case by case basis.

4. Further recovery action

4.1 If the request to change payment terms is rejected, students must make immediate payment or comply with the payment terms for the fee type in question.

4.2 If a student subsequently fails to pay, further action will continue as follows.

Tuition fees and Bench fees. The action will commence with the Withdrawal of Services and culminate in Exclusion from the University. Further information can be found in the [Exclusion and Appeals Policy](#) for the current academic year.

Accommodation fees. The eviction process will commence with Student Housing issuing a Pre-Eviction Warning. After seven days, students who fail to reply to the Pre-Eviction Warning will be served a Notice to Quit which will be hand delivered to the student by Halls staff. The Notice to Quit has a four week payment deadline. This means that a student must pay the overdue amount, set up a payment plan or vacate the room within this period. If the student fails to vacate the room, the University will continue with the Eviction process by instructing the University's solicitors to apply for a court order to take back possession of the room. This is a legal process. The rent remains payable for the occupancy period. The Income team will continue to chase the payment due.

Nursery fees. A request to suspend the booking of further sessions should be submitted to the Nursery Manager by the Income Team. The action will culminate with the withdrawal of Nursery places if the account is not brought up to date. Future bookings may be restricted to payment in advance on a week by week basis. The Income team will chase the payment due.

In the event of continued non-payment or refusal to engage with the issue of outstanding Accommodation or Nursery fees, the Income team, via the Credit Controller, will seek the support of the Head of the Academic School or Department to call the student for interview in the presence of an Income member of staff. The student will be warned of recovery action via the legal process which commences with a claim issued by the courts. If a resolution cannot be found, the Income team will pass the account to the University's preferred Debt Collection Agents for recovery or instigate immediate legal action depending on the amount owed. If legal action is required, court costs plus interest will be added to the debt.

Charges relating to the non-return of, or damage to University equipment. Students failing to pay these invoices will be referred under the [Code of Student Behaviour Policy](#). This could ultimately lead to disciplinary action or exclusion from the University in cases of major offences. The Income team will continue to chase the payment due and may ultimately pass to the University's preferred Collection Agents for recovery. If legal action is required, this will significantly increase the balance due to be repaid.

Library charges for lost books and unpaid loans. The Income team will chase the payment due and may ultimately pass to the University's preferred Collection Agents for recovery. If legal action is required, this will significantly increase the balance due to be repaid.

Miscellaneous sundry charges (to include University gym membership default charges and hardship loans). The Income team will chase the payment due and may ultimately pass to the University's preferred Collection Agents for recovery. This process may incur further costs and if legal recovery action is required, this will significantly increase the balance due to be repaid.

Continuing students with **non**-tuition fee debt will not be barred from progressing to the next year of their course. Similarly, final year students will receive their degree qualification, but will not be able to attend the graduation ceremony. This is in accordance with Office of Fair Trading (OFT) guidance on non-tuition fee debt. For the avoidance of doubt, tuition fee debtors will be barred from progressing to the next academic year and will not graduate whilst the debt remains unpaid.

If a student graduates with an outstanding debt, a 'do not register' note will be added to the student records system to prevent further offers being made until any debt is settled in full.

5. Dispute procedure

Students must raise any dispute or query about the invoice in a timely manner and correspond directly with the Income team in the first instance. Full contact details are provided on all invoice and reminder letters. This dispute will be recorded on the account and recovery action suspended while the matter is investigated.

6. Dispute resolution

The student will be informed of the resolution by the department that issued the invoice. This may also be in the form of a credit note to cancel the invoice. If the dispute is rejected, i.e. when policy has been applied correctly, the student will be advised and collection activity will resume.

7. Refunds

Should a refund of any account type be due, the refund will be offset against any unpaid invoices.

8. Fee appeals

If a student is not satisfied with the response to their dispute, they have the right of appeal or complaint. Individual officers of the University are not permitted to vary or waive charges. When extenuating circumstances warrant an investigation into the amount charged according to the current Policy, a student should submit an appeal by email to income@port.ac.uk, or in writing to the Finance Department, University House, Winston Churchill Avenue, Portsmouth PO1 2UP. The appeal should include any supporting documentation and be clearly marked FEE APPEAL on the email header or envelope. The appeal will be acknowledged and considered within two weeks of receipt under normal circumstances. An investigation will be performed to collate information from all interested parties and will be considered by an impartial panel. Recommendations to uphold or reject the appeal will be made by the panel and confirmed in writing. If the student wishes to submit a complaint, refer to the Student Complaint Procedure which can be found at www.port.ac.uk/accesstoinformation/policies/officeofthedirectorofcorporategovernance/filetodownload,169942,en.pdf.

9. Student complaints

Student complaints regarding the collection of outstanding fees should be submitted via the Student Complaints Procedure, found at www.port.ac.uk/departments/services/corporategovernance/complaints/faq/.

External adjudication of complaints by bodies other than the Office of the Independent Adjudicator (OIA)

The OIA will be the external adjudicating body for the majority of student complaints, but on occasion it may be more appropriate for a complaint to be escalated to the Financial Ombudsman Service. The University's Finance Department may agree debt repayment plans with students and former students who cannot afford to pay outstanding amounts in one payment. Where these loans have 12 or more payments or last for more than 12 months this falls within the Financial Conduct Authority's definition of regulated activities. Complaints about these issues will be investigated through the University's Student Complaint Procedure until the point at section 5.7 when the complainant will be provided with the details of the Financial Ombudsman Service, as the appropriate adjudicator for these matters.

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