

Birmingham City University Debt Management and Sanctions Policy

Introduction

This policy sets out the process that Birmingham City University (the University) will follow if students and customers do not pay their fees or charges due to the University, in line with the payment terms detailed in the Fee Payment Policy.

It applies to all applicants, students, ex-students and customers of the University, including those who are currently enrolled and those who have accepted a place and intend to enrol.

A customer includes any student, individual, company, partnership or organisation that can potentially have outstanding fees or charges owed to the University.

This policy reflects the University's commitment to helping our students manage their money and avoid getting into financial difficulties.

What is a debt?

A debt includes any money owed to the University or one of its subsidiaries for unpaid fees or charges owed for services or products provided by the University, our subsidiaries, staff, approved representatives or agents appointed and instructed by the University.

Debt owed to the University can include the following

- Debts owed by student ('self-funded' debt)
- Commercial debt

1. Debts owed by students

A **student** is ultimately liable for a debt until the debt is fully cleared.

If a 3rd party sponsor is paying on behalf of the student then the debt is a commercial debt but the student will always be liable for any unpaid balance.

If the student's tuition fees are being funded by the Students Loan Company (SLC), then the student will be responsible for any fees that remain outstanding. This includes any adjustments (clawbacks) the SLC make for prior academic years regardless of when they process the clawback. The SLC will have notified the student in writing the reason for the clawback and the University has no say or control of this decision and subsequent action. Students (current and former) must take up any issue directly with the SLC.

Where a student becomes liable for a debt owed, the balance owed is referred to as a Self-Funded student debt.

The University will try to recover all Self-Funded student debt owed to the University in line with the payment terms in the Tuition Fee Payment Policy

The University or agents acting on our behalf will tell the student:

- how much they owe
- how, when and where a student can pay
- which University services are restricted as a result of an outstanding debt
- how much a student will be charged as a result of the debt

The University will give a student every opportunity to pay what is owed by providing reasonable timescales.

The University will apply this policy equally and consistently to all students and customers who do not pay in line with the agreed payment terms. The University applies sanctions proportionately and only as a last resort - the University will review all debts on a case by case and will ensure it has made all reasonable attempts to obtain payment before applying sanctions including the restriction of access to the University and its services.

Where necessary the University reserves the right to appoint solicitors, debt collection agents and external organisations to recover the debt on behalf of the University via legal proceedings. The University or its agent will seek recovery of the reasonable costs it has incurred in recovering the debt.

IMPORTANT - If the University has attempted to recover debts owed by students and has failed, subject to the type of debt outstanding, the University reserves the right to withdraw or suspend services and support, apply restrictions to accounts, suspend or prevent enrolment and/or future trading. In respect of tuition fee debts/instalments/deposits potentially students will be unable to access University buildings, log onto their University account or attend classes. Please see the full details set out at 2.1 below.

These restrictions may affect all or part of the service(s) provided by the University which will continue until a student has paid all of their debt or has agreed a payment arrangement to clear all of their debt. Restrictions or sanctions applied are dependent on the type of debt a student owes.

Self-Funded student debt can be considered as any of the following:-

- Tuition fees
- Accommodation fees
- Library fees
- Other student related fees

2.1 Self-Funded student tuition debt – When can a full restriction be applied?

A minimum of 2 warnings will always be issued to students prior to any restrictions being applied to their accounts. Communications are issued to the BCU student e-mail. It is the student responsibility to monitor their mailbox.

Restrictions may be applied to

- Any student who has not paid their fees in full within 30 days of their invoice being issued and not entered into an agreed recurring card payment plan
- Any student who has not paid the required advance payment in accordance with fee payment policy
- If a student continues not to pay or arrange an approved payment plan, the University reserves the right to fully exclude a student from their programme, course, module or section of study
- Any student who is in default on an agreed payment plan and has not made good within 7 days

A full list of the services a student would be restricted from for non-payment of tuition fees/deposits are as follows:

- Excluded from all aspects of course, programme, module, project or study of any kind
- No access to tutorials or any method of teaching support
- No research permitted, no thesis or work will be accepted for assessment
- No IT access
- No Library borrowing
- No confirmation in writing of Results, Certificates, Awards & Transcripts
- No invitation to awards ceremonies
- No attendance or participation in awards ceremonies
- No re-enrolment
- Written results from exam / assessment boards delayed
- Validation of attendance or student status withheld
- References and written evidence of achievements or studies withheld
- No visa, UKVI endorsement and applications or CAS requests will be provided or supported (if applicable)
- No arrangement, supervision or validation of placements

Removal of restrictions

Any restrictions or sanctions applied will remain in place until fees have either been paid in full and cleared funds are in the University's bank account or a student has entered into a formally approved payment plan (or reactivated and brought up to date a plan that had gone into default).

Where access to the University's services have been restricted meaning you are unable to access the buildings you will need to pay immediately online and contact collections to agree access can be granted. Security staff have no authority to allow access for a student with restrictions.

International students it is important to note the following

If a student is studying with a Tier 4 student visa application and has not paid their tuition fees, the University is required to inform UK Visas and Immigration. This will have serious consequences for their ability to remain in the UK. The University reserves the right to do this where a student has not paid in full or has not entered into a formally approved payment plan.

2.2 Self-Funded Non Tuition student debt: part restrictions and sanctions applied

Non tuition student debt includes Accommodation, Library and any other non-tuition student debt.

If a debt remains outstanding then where necessary, after 30 days and at least 2 reminders the University will withdraw access to the service from which the debt arises, until payment is made or an approved payment plan is agreed.

2.2.1 Accommodation fees and related charges

If a student has not paid their accommodation charges in full and in line with the payment terms specified in the Licence Agreement and the Accommodation Finance Information guide, the University reserves the right to terminate the agreement and to start legal proceedings to recover fees owed to the University, at any point during the academic year that fees become overdue. This will result in the student being removed from University accommodation.

Full details of the Accommodation Finance Information and Licence Agreement are available via <http://www.bcu.ac.uk/student-info/accommodation/faqs>

The University will provide a student with every opportunity to pay what they owe us. If a student does not pay, the University reserves the right to seek advice, talk to and appoint solicitors, debt collection agents and external organisations to recover the debt.

2.2.2. Library charges and fines

If a student does not return materials the University will invoice a student for the cost of replacement materials and the University will apply a fine if a student returns materials late. If a student uses the University's library services and materials, a student must comply with the terms and conditions contained within the Library Rules and Regulations.

Further information is available from Library and Learning Resources at: <http://library.bcu.ac.uk/>

If a student does not pay their library fees the University will restrict their access to University library services.

2.2.3. Other Student Debt

If a student incurs any debts for services or products which the University provides that do not directly relate to tuition, accommodation or library fees, a student must pay their debts in full within 30 days of the invoice date unless otherwise specified. If these items are not paid, the University reserves the right to appoint solicitors, debt collection agents and external organisations to recover the debt.

3. Commercial debt

Commercial debt includes all non-student related debt owed to the University or its subsidiaries in respect of unpaid fees or charges owed for services or products provided by the University its subsidiaries, staff, approved representatives or agents appointed and instructed by us.

Payment is due 30 days from the date of the invoice; if customers do not pay the outstanding balance of fees, the University will seek to recover the debt owed. If the University is forced to initiate legal proceedings, the University will seek to recover statutory interest on the judgement and payment of its legal costs.

If a commercial debt is owed in relation to a student's tuition or accommodation fees then the student will be liable for any unpaid balance. When the debt is outstanding for over 90 days, the University will invoice the student directly and the relevant sanctions will be applied.

Prior to signing a contract or agreement the University may require a credit check to ensure the financial stability of new customers and highlight any potential risks.

Any requests for credit checks should be forwarded to the Accounts Receivable Manager within Finance.

4. Finance help, advice and useful information.

<https://icity.bcu.ac.uk/Finance/Accounts-Receivable/Index>

<https://icity.bcu.ac.uk/Student-Affairs/Finance-and-money-matters/Student-Support-team>

<https://icity.bcu.ac.uk/student-affairs/health-and-wellbeing>

