

**University of Sussex**  
**Revised Student Debt Recovery Policy dated 28 Feb 2021**

The University's policy is to take firm, fair and timely steps to recover all monies due. This document sets out the policy for recovery of debt including where a student has not paid debts due to the University in accordance with our standard payment plans (as detailed on the Student Accounts web pages) or agreed an acceptable alternative payment plan with the University. In each case any action taken including any sanctions applied will be considered on a case by case basis.

**Classification of debts**

For the purposes of debt collection the University distinguishes between Academic Debt, Academic-Related Debt and Non-Academic Debt.

Academic Debt relates to tuition fees.

Academic-Related Debt relates to other charges that are directly related to academic studies for example library charges and field trip fees.

Non-Academic Debt covers debts that relate to non-academic services or goods, for example rent for university accommodation and bedding packs.

The terms 'material' and 'persistent' used in this policy below should be understood as follows. Material means significant amounts of money in the relevant context. Persistent refers to continued failure to engage to reach agreement and/or to more than one failed payment under a payment plan.

**What we require of students**

We will inform students of fees and other monies due. Students should consult regularly with information on their debt position through their Sussex Direct account. We will contact students if their payments are overdue to give a chance for alternative agreement or rectification before any sanctions are applied. Students must contact us in response to notification of overdue debts and engage with us on finding an agreed solution. Students have the responsibility to keep their contact details up to date so that they receive communications on fees and other monies due.

The University requires that students pay all sums due on or before the due date or sign up to our standard payment plan terms. Facilities exist to pay by credit or debit card. There are no interest or premium charges where payment is made by one of the University's standard payment options. In the event of any payment by cheque or monies paid by other means being refused by a bank or card issuer for whatever reason, a reasonable administration fee may be charged.

The University operates the standard commercial principle that payments are applied to the oldest outstanding debt.

Students must contact the University immediately if they are unable to meet the payment terms which they have selected in order to discuss and agree a way forward, including seeking to reach agreement on alternative payment terms.

The University will apply its policies consistently and proportionately, taking individual circumstances into account to seek to reach acceptable payment terms.

## **What will happen if a student does not pay according to the agreed terms or payment plan?**

Where any sums remain unpaid according to standard terms or standard payment plan, the University will seek to consult with the student and endeavour, acting reasonably and taking into account the student's reasonable representations, to make an arrangement with the student to repay the outstanding sums due within an agreed period.

Where the University is unable to make such an arrangement with the student or where, despite such an arrangement being made, the terms of the arrangement are materially or persistently breached, the University may employ other methods with a view to collecting the debt. Other methods of pursuing outstanding debt may include, for example, application of penalty payments, the use of commercial debt collectors and, in the case of accommodation debt, the termination of the student's lease. Different measures will be adopted for Academic Debt, Academic-Related Debt and Non-Academic Debt as set out below. We will not apply sanctions if the outstanding sum is subject to a formal dispute which is being pursued in good faith by the student.

### Academic Debt

The academic sanctions outlined in this section will not be applied to Academic-Related Debt and Non-Academic Debt. They will only be applied in the case of material Academic Debt being outstanding and/or persistent breach of agreed payment terms in respect of Academic Debt.

During the course of studies, the University will not permit students to register for another year of study unless tuition fees are paid or are being settled under an agreed payment plan. Registration may be withdrawn if students do not keep up with the terms of their agreed payment plan for tuition fee debts.

Lesser sanctions can be applied for non-payment of tuition fee debts as follows:

- Access to computing and library facilities may be withdrawn until such time as payment is received or an agreed payment plan has been established.

Once students have completed their studies, if they have not paid their tuition fee debts, or such fees due are not being settled under an agreed payment plan, the University may withhold the award of the degree, diploma or certificate and/or the certificate may be withheld and/or the student may not be permitted to attend a graduation ceremony.

In all cases, irrespective of the level of Academic Debt, the student is entitled to receive the transcript of academic credit attempted.

Where Academic Debt remains unpaid after completion of studies and we have been unable to reach a satisfactory alternative payment plan, the appropriate standard commercial debt recovery process may be applied, including referral to debt recovery agencies and/or instigating legal proceedings.

### Academic-Related Debt

Where Academic-Related Debt remains unpaid and we have been unable to reach a satisfactory alternative payment plan with a student, the University may proportionately withhold further access to relevant services until payment is made. For example unpaid library fines and charges e.g. for lost/non-returned books may result in the student having access to the library withheld until those debts are settled.

### Non Academic Debt

Where Non-Academic Debt remains unpaid and we have been unable to reach a satisfactory alternative payment plan, the appropriate standard commercial debt recovery process will apply, including the termination of tenancy, possession proceedings and/or referral to debt recovery

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agencies and/or instigating legal proceedings. Where necessary, student data will be transferred to a third party to help facilitate collection of unpaid debt. Academic sanctions will not be used in respect of Non-Academic Debt.

#### Application of debt policy

University Regulations currently make reference to academic sanctions being applied where a student has any debt outstanding. The University will be changing its Regulations to make it clear that academic sanctions will only be applied as sanction for non-payment of Academic Debt. For the avoidance of doubt the University will apply the rules in this policy and this policy will take precedence until such time as the Regulations have been approved by the University Council to be consistent with the policy set out above.

#### **What happens if a student doesn't agree with our decision?**

We will apply our policies fairly and in an open way. We will make clear to students why any sanctions are being applied. Students who have a complaint about the University debt collection process should detail their complaint in writing to the Director of Finance. Complaints will be investigated and responded to in writing within 10 working days of receipt. This does not affect a student's rights to make a complaint under the Student Complaints procedure: <http://www.sussex.ac.uk/ogs/complaintsappeals/students>. For the avoidance of doubt, using the Student Complaints procedure will allow the matter to be considered independently of the Finance Division.

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