

2018/19

TERMS & CONDITIONS

Student loans - a guide to
terms and conditions

 studentfinance *ni*



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1 What's this guide about?

This guide is for students who take out a student loan for an undergraduate, Initial Teacher Education (ITE) or postgraduate course.

It explains what you're committing to when you take out a loan.

It's important you read this guide carefully as it contains information about the current terms of your loan and repayment. Please save a copy.

You'll find full details of the conditions for getting student loans in the relevant Student Support Regulations.

The conditions for repaying Income Contingent Loans are included in the Education (Student Loans) (Repayment) Regulations (Northern Ireland) 2009, as amended, which may be replaced by later Regulations.

You can read these Regulations online at **www.legislation.gov.uk** or order them from The Stationery Office (TSO) Ltd (phone order line 0333 202 5070). Or order them online at **www.tsoshop.co.uk**

The Regulations may change from time to time and this means the terms of your loan may also change.

This guide will be updated to reflect any changes and it's your responsibility to ensure you have the most up-to-date version.

Further information

If you still have questions about the terms of your loan after reading this guide, go to **www.studentloanrepayment.co.uk**

2 Your loan contract

When you take out a student loan you must agree to repay your loan in line with the Regulations that apply at the time the repayments are due, subject to the Regulations being amended from time to time.

Your loan contract is with the Department for the Economy (DfE) in Northern Ireland. The Student Loans Company (SLC), which is a non-profit government organisation, is acting as an agent on their behalf. Please see the loan application for more details.

3 Who does what?

Student Loans Company (SLC)

is responsible for:

- distributing student loans for students ordinarily resident in Northern Ireland, England, Scotland and Wales, and EU students,
- managing your account, including adding interest and refunding any over-repayments,
- collecting repayments from overseas repayers, and
- answering questions about your loan.

HM Revenue and Customs (HMRC)

HMRC collects student loan repayments from employers through the UK tax system. If you're self employed you'll repay through self assessment when you complete your tax returns.

Your employer

Your employer collects student loan repayments on behalf of HMRC directly from your salary in a similar way to income tax (PAYE) and National Insurance contributions (NICs). If you have any questions about how your repayments are collected through the tax system, you should speak to your employer.

Sharing information

HMRC can legally give SLC information about your repayments. However, HMRC can't give SLC any information about your tax arrangements, as these are confidential. Also, neither your employer nor HMRC will receive any details about your loan account from SLC, other than that you have a loan. The Data Protection Act 1998 and General Data Protection Regulation covers personal information passed between SLC, HMRC and the Department for the Economy.

4 Your responsibilities

You need to provide complete and correct information

When you apply for a loan, you'll have to give specific information so that repayments can be collected when they're due. You must make sure that you provide complete and correct information when you take out the loan and you must tell SLC about any changes to these details:

- during the application process;
- while you're at university or college; and
- until you've repaid your loan in full.

If you don't give SLC accurate and up-to-date information, you may have to pay a penalty charge or repay the loan and any interest and penalties in one lump sum.

You must let SLC (if you're no longer studying); your local Education Authority (if you're a student from Northern Ireland); or the Student Finance Services European Team (if you're an EU student) know if you:

- change your name, phone number or the details of the bank or building society account that your loan is paid into,
- change your university, college or course,
- get a bursary, healthcare award or scholarship (for example, a Department of Health bursary),
- change your home, term-time or parental address,
- know that the start or end dates of your course have changed,
- don't begin to study, leave your course or are expelled,
- are absent from your course for more than 60 days because of illness,
- are absent for a period for any reason other than illness,
- get married,
- plan to leave the country, or
- change your employment status (for example from employed to self employed).

You must provide your National Insurance number (NINO). SLC can't process your application without this, unless you're an EU student.

EU students who have a NINO should provide this when they apply. SLC will ask the Social Security Agency to confirm this, in order to avoid fraudulent applications.

HMRC will also need these details so that they know you have a student loan and can collect repayments, or ask your employer to do so. If you're not an EU student and you don't have a NINO, or have lost it, you should call HMRC's National Insurance registrations helpline on **0300 200 3500**.

Repayments collected by your employer will be shown on your payslip. You should keep a record of these payments as SLC only receive these details from HMRC after the tax year has ended.

If you enter into one or more loan agreements with SLC before you're 18 years old, you'll be asked to 'ratify' the agreement(s) once you turn 18. Ratification means to formally declare that you entered into the loan agreement. Once you are 18 or older, you will ratify any loan agreement which you entered into before you reached the age of 18 years old when agreeing to the terms and conditions for further student finance. If you've entered into a loan agreement before turning 18 and don't apply for any further student finance, SLC will contact you about the ratification process, to ensure that your eligibility for future funding is not affected.

You need to repay your loan

By law, you must repay your loan in line with the loan contract and the Regulations. For most people, repayments will be collected through the UK tax system by employers taking amounts from their salary through the Pay as You Earn (PAYE) system. If you're self assessed, for example, if you're self employed, you'll make repayments through self-assessment at the same time you pay your tax. If you live abroad, you'll repay your loan directly to SLC. Page 11 describes the process in more detail.

Loan liabilities

Becoming liable for all or part of your loan means that any payments paid to you, or to your university or college will be added to your loan balance. This means you'll need to repay that amount and the interest that has accrued when you're due to start repaying. You'll be liable for any loan paid to you regardless of whether you finish your course or gain a qualification.

Maintenance Loans

Maintenance Loans are paid directly to you at the start of each term. You'll become liable for each instalment once it's paid.

Tuition Fee Loans

Postgraduate

Postgraduate Master's Tuition Fee Loans are paid directly to your Higher Education Provider. You'll become liable for each instalment once it's been paid.

Undergraduate

If you're a full-time student, you'll become liable for a percentage of your Tuition Fee Loan at the start of each term.

If you're a part-time student you'll be liable for the first instalment of your Tuition Fee Loan after you've been on your course for two weeks.

You'll become liable for future instalments at the start of the second and third terms of your course, as shown in the table below.

You'll remain liable for this amount even if you withdraw, transfer or suspend your studies at a later date.

When you become liable	How much you are liable for
At the start of term 1	25% of the tuition fee
At the start of term 2	25% of the tuition fee
At the start of term 3	50% of the tuition fee

Grant or loan overpayment

Your student finance payments are made in advance to help with costs for the full term ahead.

If, for any reason, your entitlement for the academic year is reassessed and reduced this could result in you being paid too much. This is known as an overpayment.

Example

If you're entitled to a Maintenance Loan of £3,000, this will be paid over three terms.

You'll be paid £1,000 ahead of term 1.

You'll be paid another £1,000 ahead of term 2.

You leave your course during term 2, this means you aren't entitled to the full £1,000 already paid you. This means you've now been overpaid.

This means you'll need to repay your loan overpayment separately and earlier than the rest of your loan balance. This also applies if you're already having repayments taken from your salary or your Self Assessment tax return.

Loan overpayments are a portion of your total balance that you've already been paid, but due to a change in your circumstances now needs to be repaid as you're no longer entitled to it. They're not additional charges or penalties.

Loan overpayments are not subject to the normal repayment terms and conditions. Based on government regulations, Student Loans Company has a legal responsibility to recover any loan or grant overpayment.

5 Your repayment plan

If your loan was taken out with Student Finance Northern Ireland or you are an EU student funded by Northern Ireland, your plan type is repayment plan 1.

Repayments are based on your income each month, not what you borrow.

When you'll repay

If you're a full-time undergraduate or postgraduate student you'll be due to start repaying your loan in the April after you finish or leave your course.

If you're a part-time undergraduate or distance learning undergraduate student you'll be due to start repaying your loan in the April after you finish or leave your course or the April four years after the first day of your course (even if you're still studying), whichever comes first.

You'll only start making repayments when your income is over the UK repayment threshold, which is currently £341 a week, £1,481 a month or £17,775 a year.

This threshold applies to 2017/18 and will be up rated in future years.

If your income falls below the repayment threshold, repayments will stop and only re-start when your income is over the threshold. You can also make additional voluntary repayments to SLC at any time.

What you'll repay

You'll repay 9% of your income over £341 a week, £1,481 a month or £17,775 a year. If your income changes, either rising or falling, your repayment amounts will automatically change to reflect this.

Income each year before tax	Monthly income before tax	Approximate monthly repayment
£17,775	£1,481	£0
£19,000	£1,583	£9
£21,000	£1,750	£24
£24,000	£2,000	£46
£27,000	£2,250	£69
£30,000	£2,500	£91

Repaying if your income is below the threshold

You may still have to make student loan repayments if your income is below the threshold. This will happen if your income goes above the weekly or monthly threshold during any given pay period, for example if you work extra hours or get a bonus which took your pay above the threshold for that week or month.

You can apply to SLC for a refund of these repayments, but only if your annual income is less than the threshold at the end of the tax year. This does not happen automatically, you should contact SLC to request a refund. Alternatively, you can allow this to reduce your loan balance.

Making extra repayments

You can make voluntary repayments at any time.

If you do choose to make voluntary repayments you'll repay your loan more quickly. However, any voluntary repayments you make won't affect the amount collected through the tax system. So, if you're employed, your employer will still have to take amounts from your salary.

If you're overseas, making additional voluntary repayments will not affect the amount that you're required to repay each month.

If you repay through self assessment, you'll still have to repay the amount due based on your income for the year. You can't get a refund of any amounts you repay voluntarily, unless you've finished paying off your loan and have repaid too much. Find out how you can make voluntary repayments at www.studentloanrepayment.co.uk.

How much interest you'll be charged

You'll be charged interest on the loan from the day your first payment is made until it's been repaid in full or cancelled. The interest will be calculated daily and applied to the amount you owe each month - this is known as 'compound interest'.

The interest rate will be the Retail Price Index (RPI) in the previous March, or 1% above the highest base rate of a nominated group of banks (Bank Base Rate), whichever is lower, and is set on 1 September each year, although changes can still happen during the year too.

Note: The Retail Price Index (RPI) is a measure of UK inflation. It measures changes to the cost of living in the UK.

The most accurate and up-to-date information on interest rates can be found at www.studentloanrepayment.co.uk

6 How you'll repay

Repayments will be collected through the UK tax system if you're employed or through self assessment if you're self employed.

What happens when you're employed

If you're an employee paying UK tax, your employer will take repayments from your pay, along with tax and National Insurance contributions and these will show on your payslip.

SLC will tell HMRC when you finish or leave your course and give them details such as your name and National Insurance number. HMRC will check to see if you're working and if you are, they'll tell your employer you have a loan (but not the amount).

Employers may also be told that they need to make deductions through normal tax forms. When you change your job or start work, you may be given a P45 by your old employer. In this case, your last employer should put a 'Y' in the student loan box to let your new employer know that they should start to take student loan deductions. Your new employer may also ask you to complete a starter declaration before they can start paying your salary.

You should also inform your new employer that you have a student loan.

How do employers know how much to deduct from your pay

HMRC will give your employer information so they can work out how much to take from your pay.

If your pay is above the repayment threshold in the pay period, your employer will take repayments and pass them to HMRC. After the end of each tax year, your employer sends HMRC a final Full Payment Submission. HMRC have until the end of the new tax year to return this information to SLC who'll then update your account. This can take time because of the large numbers of final Full Payment Submissions HMRC receive from employers each year although most are processed within 6 months. However, the repayments you've made will be used to pay off your loan for the year the deductions were taken from your salary.

SLC will make sure that the correct amount of interest has been added to your account, and you won't be charged any extra interest even if your repayment details take some time to reach SLC.

It's important to understand repayments taken by your employer will be worked out on 'individual pay periods' and not on your total income for a whole year. This means that if you're paid monthly, repayments will be taken and calculated on a monthly basis.

If you get tax credits, these don't count as income for working out your student loan repayment.

HMRC will only know the total amount that your employer has taken over the whole tax year when they get your employer's final Full Payment Submission. The scheme works in a similar way to tax deductions. You need to keep track of what's being taken from your pay each month, because neither SLC nor HMRC will know what you still owe on your loan until your employer has sent the final Full Payment Submission to HMRC and HMRC have passed the information to SLC. Employers have a legal responsibility to send HMRC the correct amounts of student loan repayments. They may have to pay fines if they don't.

What happens if you change jobs

When you change jobs, your previous employer may give you a P45 with a 'Y' in the 'Continue Student Loan deductions' box. If your income is above the repayment threshold your new employer will start to make student loan deductions from the first available pay day. If you don't have a P45, your employer may ask you to fill in a starter declaration which has a tick box to show if you have a student loan. You must either tick the box or advise your new employer you're liable to make loan repayments.

If your repayments don't start when they should, you should let your employer know. If the problem continues, you should contact SLC with your new employer's details, such as their name and address, their PAYE Reference and your payroll number. This information can be found on your payslip, P60 or by speaking to your payroll department.

If you're self employed, HMRC will be able to tell you how you should be making repayments. If you're working outside the UK for more than three months, please see page 11 for information on how to make repayments.

What happens if your employer goes out of business or doesn't pay your deductions to HMRC

As long as you have evidence that deductions have been taken, such as your payslips, SLC will credit the full amount of the repayments to your account.

What happens if you're self employed

If you're self employed, you'll send HMRC a tax return each year under the self-assessment (SA) system. Your student loan repayments will be due as part of your SA bill for tax. The student loan repayment will be based on all your gross income over the applicable threshold, including all your unearned income (for example, dividend income from shares) if it's more than £2,000 a year. There are some general points to remember when working out your income each year:

- The income of your husband, wife, partner, parent or any other relative won't be taken into account.

- Income from Child Benefit and disability benefits, including Employment and Support allowance, won't be taken into account.
- Tax credits won't be taken into account.
- If you make voluntary repayments, you'll still have to make repayments through the SA system.

Employees who are also asked to make self-assessment returns by HMRC

If you're an employee who also gets a tax return under the self-assessment system, you may have to make some loan repayments with the return, as well as those taken by your employer. The total amount of student loan you have to repay for the year will be based on your total income for the year – which includes all your appropriate PAYE income plus any extra income and any unearned income (if it's above £2,000 a year).

You can claim credit in your tax return for any student loan amounts your employer has already taken during the year so you don't repay too much.

Like PAYE, the SA system will work out your loan repayments based on your income above the threshold, at a rate of 9%. Any SA payment will be due on 31 January following the tax year of your assessment. You can find information on how to fill in your SA return in the guidance and booklets provided by HMRC. If HMRC don't send you a tax return, you won't have to make further repayments on top of those your employers are already taking.

If you pay UK tax and you get a self-assessment tax return, you should use this to declare student loan repayments. You must fill this form in correctly and return it on time. You must also pay your tax and student loan repayment on time.

If you don't do this, you may have to pay interest and financial penalties. This is because student loans will be treated in the same way as tax for the purposes of this form.

What happens if you travel or work overseas

If you don't pay UK tax or you plan to leave the UK for more than three months at any point after you finish or leave your course (whether this is temporarily or because you will live in another country), you'll make repayments directly to SLC. You must let SLC know before you leave the UK. If you don't, they can charge penalties on your loan and where necessary, ask you to repay the full amount of loan, plus interest and penalties, in one lump sum.

SLC will ask for details of your income and will work out how much you should repay each month.

SLC will write to you with more details about your repayment options when you're due to start repaying. They'll change your income into pounds sterling and tell you the amount you need to repay each month in pounds sterling. You'll be responsible for any costs involved in converting the currency and you'll have to pay any charges your bank makes to transfer funds to SLC.

When your loans will be cancelled

There are circumstances where your student loan may be cancelled and you'll never have to pay it back, such as if you die before you pay the loan off or if you become disabled and permanently unfit for work. Your loan may also be cancelled after a certain period of time. This depends on the rules at the time you take out a loan and if you're up to date with repayments.

If you took out the loan before 1 September 2006, your outstanding loan balance plus any interest will be cancelled when you reach the age of 65.

If you took out the loan on or after 1 September 2006, your outstanding loan balance plus any interest will be cancelled 25 years after the April when you first became due to repay the loan. You must have made all repayments based on your income until that date.

If not, in certain circumstances, SLC may recover any amounts you still owe up to that date.

If you would like to know more about the circumstances in which loans will be cancelled, please visit www.studentloanrepayment.co.uk.

Your monthly repayment schedule is worked out using the same rules as for those who stay in the UK. So, you'll repay 9% of your income over the repayment threshold. Because of differences in living costs, the repayment threshold in another country could be different from the UK threshold.

Fixed repayment rate

If you don't give SLC details of your income, you may be charged a fixed repayment rate which may be higher than the repayment amount due based on your actual income. If you don't repay this amount, SLC may take legal action against you.

What happens if you don't make repayments

By law, you must repay your loan in line with the loan contract and Regulations. If you don't make repayments, SLC have the right to take legal action to recover your debt. This means SLC can get a Court Order to make you repay the total plus interest and penalties in a single payment.

This can be enforced through the courts as a civil debt whether you're in the UK or living abroad and you'll be responsible for all costs.

Coming to the end of repaying your loan

In the last four to 23 months of repaying your loan you can change to repaying by Direct Debit. This will mean you're unlikely to over repay your loan.

SLC will try to contact you shortly before this time to offer you this option. However, if you know you're getting near this point, you should get in touch with SLC to arrange to repay your balance in this way. You'll then have to pay your Direct Debit every month on the agreed date. If you fail to make the payment, SLC may remove this option and you'll have to go back to repaying your loan through PAYE. To find out more about the direct debit scheme go to

www.studentloanrepayment.co.uk

Over repayment

SLC will do everything they can to make sure you don't over repay at the end of your loan, however if you haven't contacted them to set a date to stop the repayments or to make alternative repayment arrangements, you'll probably over repay. If this happens, you'll get a full refund of the over repayments with interest.

If you have a credit balance when your loan has been repaid in full, interest will be paid at the rate of RPI or 1% above the Bank Base Rate, whichever is lower. After the end of the tax year, SLC will write to you to advise that interest will accrue for a further 60 days at RPI. Following the 60 day notice the credit balance won't attract any further interest.

7 What to do if you're not satisfied

If you're not satisfied about the way your repayments are being collected, you should contact SLC. You can register a complaint by:

- calling **0300 100 0601**
- emailing **customer_complaints@slc.co.uk** or
- writing to:

**Customer Relations Unit,
Student Loans Company,
100 Bothwell Street,
Glasgow,
G2 7JD**

An Online Customer Complaints form is available to download at **www.slc.co.uk**

If, having used this procedure, you're still not satisfied you can have your case independently reviewed. Independent reviews are usually dealt with by:

- the Student Loans Assessor for services provided by the Student Loans Company;
- the Adjudicator for services provided by HMRC;
- the Public Services Ombudsman for Northern Ireland (see **www.ni-ombudsman.org.uk**).

Appeals

These are different from complaints. You may be happy with the way your account has been handled but you may feel that a decision about your account is not correct and you want to appeal. As in the case of complaints, SLC has procedures for dealing with appeals and you should follow these. Appeals against services provided by SLC are also dealt with by the Student Loans Assessor. In certain circumstances you may consider using the legal system, for example, a county court, to sort out your problem. If you want to do this, you should first get independent legal advice for example from a solicitor, a legal advice centre or a Citizens Advice Bureau.

8 Useful contacts

If you want more information about repayment go to www.studentloanrepayment.co.uk or call **0300 100 0611**.

If you live in Northern Ireland

You can get information about applying for loans from your Student Finance NI office. You can find contact details for Student Finance NI offices and more information and guidance at www.studentfinancenl.co.uk or speak to an adviser by calling **0300 100 0077**.

If you're an EU student

You should call the Student Finance Services European Team on **0141 243 3570**.

You can also write to them at:

Student Finance Services European Team,
PO box 89,
Darlington,
County Durham,
England,
DL1 9AZ

HM Revenue & Customs

If, once you've started to repay your loan, you have any questions about how your repayments are collected through the tax system, speak to either your employer or contact HMRC using the numbers listed at www.hmrc.gov.uk/local/index.htm



Department for the

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www.economy-ni.gov.uk

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