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Terms and Conditions

Student Loans - A Guide to Terms and Conditions

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1 What's this guide about?

This guide is for students who take out a student loan for an undergraduate, postgraduate or Initial Teacher Training 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. 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 your loan 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 by calling **0333 202 5070** or going to **www.tsoshop.co.uk**

The regulations may change from time to time, which means the terms of your loan may also change. This guide will be updated to reflect any changes, so you should make sure 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.gov.uk/repaying-your-student-loan**

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 Limited (SLC), which is a non-profit government organisation, is acting as an agent on their behalf.

3 Who does what?

Student Loans Company (SLC)

SLC is responsible for:

- paying loans to students in the UK
- managing your account, including adding interest, applying repayments collected through the UK tax system and refunding any over-repayments
- collecting repayments from overseas repayers
- 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 at the same time as tax and National Insurance.

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, but they won'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 student loan, other than that you have a loan.

4 Your responsibilities

You need to provide complete and correct information

When you apply for a loan, you must give us complete and accurate information, so that we can collect repayments when they're due.

You must tell SLC about any changes to these details:

- during the application process
- while you're at university or college
- 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 or your local Student Finance NI Office 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 any address you have provided
- 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
- change your employment status (for example from employed to self employed)

You must provide your National Insurance number (NINO) when you apply. SLC can't process your application without this, unless you're a student who doesn't have a NINO. Students who have a NINO should provide it when they apply. SLC will confirm the NINO with the Department for Work and Pensions to avoid fraudulent applications.

HMRC will also need these details so that they can collect your repayments. If you don't have a NINO, or you've lost it, you should call the National Insurance helpline on 0300 200 3500.

Repayments collected by your employer will be shown on your payslip. You should keep a record of these repayments so you know how much of your loan you've paid back.

If you enter into a loan agreement with SLC before you turn 18 years old, you'll be asked to 'ratify' the agreement(s) once you turn 18. To ratify your loan means you will formally declare that you entered into the loan agreement. If you don't do this, you won't be able to get any more student finance after you turn 18. Once you're 18 or over, you'll ratify any loan agreement that you entered into before you turned 18 when you agree to the terms and conditions for any further student finance.

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 your 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 tax. If you live abroad, you'll repay your loan directly to SLC. Page 12 describes this 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 that when you've finished or left your course, you'll need to start repaying that amount and the interest that has accrued. 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 university or college. 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 once your university or college have confirmed your attendance on the course.

If you're a part-time student, you'll be liable for a percentage of your Tuition Fee Loan after you've been on your course for two weeks and your university or college have confirmed your attendance on the course.

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	50% of the tuition fee
At the start of term 3	100% of the tuition fee

Grant or loan overpayment

Your student finance payments are made at the start of each term 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 what we call an 'overpayment'.

Example

You're getting a Maintenance Loan of £3,000, which will be paid over 3 terms.

You'll be paid £1,000 at the start of term 1.

You'll be paid another £1,000 at the start of term 2.

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

This means you've now been overpaid and need to pay some of it back.

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 tax return.

Loan overpayments are money that has already been paid to you, but that you're no longer entitled to keep because of a change in your circumstances. This means it now needs to be paid back.

If you've been overpaid and you'll be studying again next year, we'll usually take the amount you've been overpaid from your next instalment of student finance.

Based on government regulations, SLC 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, your plan type is repayment plan 1. Repayments are based on your income, 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 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 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 repayment threshold, which is currently £26,065 a year, £2,172 a month or £501 a week in the UK.

If your income falls below the repayment threshold, repayments will stop and only restart when your income is over the threshold again.

This threshold will be increased in future years.

You can also make additional voluntary repayments to SLC at any time.

What you'll repay

You'll repay 9% of your income over the repayment threshold. 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
£26,065	£2,172	£0
£28,000	£2,333	£14
£30,000	£2,500	£29
£35,000	£2,916	£66

Repaying if your income is below the threshold

If you're employed and your annual income is below the repayment threshold, you could still make student loan repayments if your income goes above the weekly or monthly threshold at any time. For example, if you work extra hours or get a bonus, this could take your pay above the threshold for that week or month.

You can get a refund of these repayments at the end of the tax year, but only if your annual income was less than the annual repayment threshold for your loan. This doesn't happen automatically, so you'll need to contact SLC if you'd like a refund.

Making extra repayments

You can make voluntary repayments at any time. However, any voluntary repayments you make won't affect the amount collected through the UK Pay As You Earn 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.gov.uk/repaying-your-student-loan

How much interest you'll be charged

You'll be charged interest on your loan from the day we make your first payment to you or to your university or college until it's been repaid in full or cancelled. We calculate the interest daily and apply it to your balance each month – this is known as 'compound interest'.

The interest rate is based on the Retail Price Index, or RPI, which is a measure of inflation. It measures changes to the cost of living in the UK.

The interest rate will be the RPI of the previous March, or 1% above the highest base rate of a nominated group of banks (Bank Base Rate), whichever is lower.

You can find the most accurate and up-to-date information on interest rates at www.gov.uk/repaying-your-student-loan

6 How you'll repay

Repayments will be collected through the UK Pay As You Earn 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. You will see the deductions 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 that you have a loan (but not how much you owe).

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

How employers know how much to deduct from your pay

HMRC will provide guidance to employers, including the repayment threshold, so they know how much to take from your pay.

If your pay is above the repayment threshold for your loan, your employer will take repayments and pass them to HMRC. HMRC will send this information to SLC, who'll then update your account.

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

It's important to understand that repayments taken by your employer will be worked out on individual pay periods - not on your total income for a whole year. By pay period, we mean how often you get paid. This means that if you're paid monthly, repayments will be calculated and deducted each month. So if your income varies each month, you could pay back more some months than others.

What happens if you change jobs

When you change jobs, your previous employer may give you a P45 with a 'Y' in the student loan box. If your income is above the repayment threshold, your new employer will start to make student loan deductions from your pay. If you don't have a P45, your employer may ask you to fill in a starter checklist, which has a tick box to show that you have a student loan. You must either tick the box or advise your new employer you have a student loan.

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 repay. If you're working outside the UK for more than 3 months, please see page 12 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 when you're self employed

If you're self employed, you'll send HMRC a tax return each year under the self-assessment (SA) system. How much you repay will be taken as part of your SA bill for tax. The student loan repayment will be based on your gross annual income (including things like occupational pensions) over the threshold for your loan.

If you're employed and self employed

If you're employed and self employed at the same time, you may have to make some loan repayments when you complete your tax return, as well as those taken by your employer.

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 for your loan. 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 you pay UK tax and you get a SA 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 3 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. 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 fees your bank charges to transfer funds to SLC.

As you would in the UK, you'll repay 9% of your income over the repayment threshold. But 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.

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.

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 start making repayments.

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.

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 debt 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, including legal costs.

Coming to the end of repaying your loan

If you're within 4 to 23 months of repaying your loan, you should change to repaying by Direct Debit. We recommend changing to Direct Debit so you don't repay more than you owe and have to get a refund.

You need to keep us up to date with your contact details. This will allow us to contact you about setting up a Direct Debit.

You can update your details online at **www.gov.uk/sign-in-to-manage-your-student-loan-balance**

If you've paid back too much

We'll try to contact you if you've repaid more than you owe, so it's important that your contact details are kept up to date.

Make sure your address, email address, and mobile number are correct on your account by logging in at **www.gov.uk/sign-in-to-manage-your-student-loan-balance**

If you have a credit balance when your loan has been repaid in full, interest will accrue at the rate of RPI or 1% above the Bank Base Rate, whichever is lower. Interest will accrue at RPI or 1% above the Bank Base rate for a maximum of 60 days from the date we let you know about your overpayment. If you're refunded within this 60 days, interest will stop accruing on the day you're refunded.

Getting a refund

If you're due a refund and you haven't claimed this, we may try to refund your bank account directly.

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
10 Clyde Place
Glasgow
G5 8DF**

If you've used this procedure and 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.gov.uk/repaying-your-student-loan 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 apply for tuition fee only funding

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

You can also write to them at:
Student Finance Services
PO Box 89
Darlington
County Durham
United Kingdom
DL1 9AZ

HM Revenue & Customs

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



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