

Student Loans - A guide to terms and conditions 2015/16

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the student finance experts

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1 What's this guide about? 2 Your loan contract

This guide is for students who take out a student loan for academic year 2015/16.

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 following regulations (which may be replaced by later regulations).

- For England and Wales, the Education (Student Loans) (Repayment) Regulations 2009, as amended;
- For Northern Ireland, the Education (Student Loans) (Repayment) Regulations (Northern Ireland) 2009, as amended; and
- For Scotland, the Repayment of Student Loans (Scotland) Regulations 2000 as amended.

You can read these regulations online at **www.legislation.gov.uk** or order them from The Stationery Office (TSO) Ltd (phone order line **0870 600 5522**). 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**

When you take out a student loan, you'll sign a declaration form which states that you've read and understood this guide. 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.

Depending on where you apply, your loan contract is with either the Secretary of State for Business, Innovation and Skills (BIS) in England; the Department for Employment and Learning (DEL) in Northern Ireland; the Scottish Ministers; the Welsh Ministers or The Student Loans Company (SLC), which is a non-profit government organisation. Please see the loan application for more details.

3 Who does what?

Student Loans Company (SLC)

SLC is responsible for:

- paying the loans for English, Welsh, Northern Irish and EU students;
- managing your account, including adding interest and refunding any overpayments; 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 and takes repayments direct 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 and which repayment threshold applies to you (see page 6 for details). The Data Protection Act 1998 covers personal information passed between SLC, HMRC and the Department for Work and Pensions.

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.

If you don't keep in touch with us, or fail to advise us of changes to any of your personal details, an interest rate of RPI + 3% will be applied to your Plan 2 loan (see page 6) after April 2016, whatever your income. You must also let SLC; your local Education and Library board (if you're a student from Northern Ireland); the Student Finance Services European Team (if you're an EU student); or SAAS (if you're a student from Scotland) 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, from 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 Department for Work and Pensions (or the Social Security agency in Northern Ireland, as applicable) 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 don't have a NINO, or have lost it, you should call HMRC's National Insurance registrations helpline on **0300 200 3502**.

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. This is a necessary precondition of your eligibility for student support if you wish to apply for further funding after you turn 18. 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 signing the declaration 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 a self-assessment customer or are self-employed, you'll make repayments through the tax self-assessment process. If you live abroad, you'll repay your loan direct to SLC. The Repayment section on page 10 describes the process in more detail.

Loan liabilities

Becoming liable for all or part of your loan means that it is added to your loan balance and you'll need to repay that amount when you're due to start repaying.

Maintenance Loans

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

Tuition Fee Loans

If you normally live in England, Wales or Northern Ireland

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 who normally lives in England 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 for a loan, how much of your Tuition Fee Loan do you become 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

If you normally live in Scotland

Your Tuition Fee Loan will be paid directly to your university or college in one instalment, once they've confirmed your attendance on 1 December 2015. If you withdraw before 1 December 2015 no Tuition Fee Loan will be paid. If you transfer to a new university or college during term one, your Tuition Fee Loan will be paid to whichever university or college you were attending on 1 December 2015. This date may be different if your course does not start in the autumn.

5 Which repayment plan are you on?

The repayment arrangements that apply to your loan will depend on where you live and when you started your course. Look out for the coloured boxes that explain the repayment process that applies to you.

Repayment plan 1

If you:

- live in Northern Ireland or Scotland, or
- are an EU student funded by Northern Ireland or Scotland

Or if you:

- started your course before 1 September 2012

and

- live in England or Wales, or are an EU student funded by England or Wales

Repayment plan 2

If you:

- are starting a full-time or part-time course on or after 1 September 2012 and live in England or Wales, or are an EU student funded by England or Wales

Repayment plan 1

You'll be due to start repaying your loan in the April after you complete or leave your course. You'll only start making repayments when your income is over the threshold of £333 a week, £1,444 a month or £17,335 a year. You can also make additional voluntary repayments to SLC at any time which will reduce your balance earlier.

Repayment plan 2

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

If you're a part-time student you'll be due to start repaying your loan in the April after you 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 threshold of £404 a week, £1,750 a month or £21,000 a year.

If your income falls below £21,000 a year, repayments will stop and only re-start when your income is over £21,000. You can also make additional voluntary repayments to SLC at any time which will reduce your balance earlier.

Repayments are based on your income, not what you borrow or the number of student loans you have.

Repayment plan 1

You'll repay 9% of your income over £333 a week, £1,444 a month or £17,335 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 salary	Monthly repayment
Up to £17,335	£1,444	£0
£17,500	£1,458	£1
£21,000	£1,750	£27
£24,000	£2,000	£49
£27,000	£2,250	£72
£30,000	£2,500	£94

Repayment plan 2

You'll repay 9% of your income over £44 a week, £1,750 a month or £21,000 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 salary	Monthly repayment
Up to £21,000	£1,750	£0
£22,000	£1,833	£7
£25,000	£2,083	£30
£30,000	£2,500	£67
£35,000	£2,916	£105
£40,000	£3,333	£142

Repayment plan 1 and repayment plan 2

You may still have to make student loan repayments when you earn below the threshold for either repayment plan. This will happen if your salary goes above the weekly or monthly threshold during any given pay period, for example if you worked extra hours or got a bonus which took your pay above the threshold for that week or month, you would make a repayment.

You'll be entitled to apply to SLC for a refund of these repayments only if your annual income is less than the threshold at the end of the tax year. This does not happen automatically, you have to request a refund but you may prefer not to as it will reduce your loan balance more quickly.

Making extra repayments

You can pay off your loan more quickly by making extra repayments voluntarily. You can do this anytime at **www.studentloanrepayment.co.uk**

If you do choose to make additional 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 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 repaid too much.

What if I have a repayment plan 1 and repayment plan 2 loan?

If your income is between £17,335 and £21,000 you'll make payments towards your Repayment Plan 1 loan only. However, if your income is more than £21,000 your repayments will be spread across your Repayment Plan 1 and 2 loans.

Wales only - partial cancellation of Maintenance Loan

If you live in Wales and took out a Maintenance Loan anytime between the academic year 2010/11 and 2015/16 the Welsh Government could cancel up to £1,500 from your student loan balance when you start repaying. These conditions will also apply to loans taken out during the academic year 2015/16.

For further details go to:

www.studentloanrepayment.co.uk

How much interest you'll repay

You'll be charged interest on the loan from the day your first payment is made until it's been repaid in full. The interest will be 'compounded' (added to the total amount you owe) every month. The interest rate you'll be charged will depend on which repayment plan your loan falls under.

Repayment plan 1

The interest rate will be the Retail Price Index, 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.

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

Repayment plan 2

The amount of interest charged is based on the rate of inflation (March RPI) and will vary depending on your circumstances (see table below). The interest rate is set on 1 September each year. Under the terms of the Teaching and Higher Education Act 1998 the interest rate of student loans will be set at or below the prevailing market rates.

Your circumstances	Interest
Full-time students - While you're studying and until 6 April after you complete or leave your course. Part-time students – While you're studying (and until whichever of the following dates occurs first: 6 April after leaving your course or 6 April after the fourth anniversary of the first day of the first academic year of the course).	Retail Price Index (RPI) + 3%.
From 6 April after leaving your course until 6 April 2016 (if you've left the course before 6 April 2015)	RPI
From the date you become due to repay (after April 2016) until the loan is paid in full.	Interest will be based on your income: • £21,000 or less = RPI • between £21,000 and £41,000 = RPI plus up to 3%, depending on income • over £41,000 = RPI + 3%
If you don't keep in touch with us, or fail to advise us of changes to any of your personal details.	RPI + 3% will be applied to your loan after April 2016 whatever your income until you contact us.

6 How you'll repay

Repayments will be collected through the tax system (Pay As You Earn – PAYE) 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 be shown 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 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 have put a 'Y' in the student loan box to let your new employer know they should make student loan deductions. A new employer may also ask you to complete a starter declaration before they can start paying your salary. You should inform your new employer that you are due to make student loan repayments.

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 threshold in the pay period, your employer will take repayments and pass them to HMRC. After the end of each year, your employer sends a final Full Payment Submission which allows HMRC to calculate the total amount of student loans deducted from your earnings during the year. HMRC sends this information to SLC who'll then update your account. It may take some time after the end of each tax year to update your account because of the large numbers of final Full Payment Submissions received from employers each year. 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 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. 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 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 do this.

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. Your new employer will start to make student loan deductions from the first available pay day (if your income is above the threshold). 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.

When you first start to work or you change jobs, you must tell your employer you're responsible for making student loan repayments. If your repayments don't start when they should, you should first tell your employer. If your employer can't sort the matter out, you should contact SLC or HMRC to help you. 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 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 have to 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 (SA) 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 – that is, 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 abroad

If you move abroad and don't pay UK tax or you plan to leave the UK for more than three months at any point after you complete or leave your course (whether this is temporarily or because you live in another country), you'll make repayments direct 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. This applies to both Repayment Plan 1 and 2. If you have a Plan 2 loan, you will be charged RPI+3% until you get in touch with us.

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. 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 appropriate repayment threshold. However, it's possible the earnings threshold for the country you're living in won't be the same as in the UK, it could be higher or lower. SLC will ask you to make repayments 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.

Fixed repayment rate

If you don't give SLC details of your income, you may be charged a fixed amount depending on where you live, 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 and if you're up to date with repayments.

Repayment plan 1

In England, Wales and Northern Ireland, 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.

In England and Wales, if you took out the loan on or after 1 September 2006, but before 1 September 2012, your outstanding loan balance plus any interest will be cancelled 25 years after the April when you first became due to repay the loan. In Northern Ireland, 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.

In Scotland, if you took your first loan out before academic year 2007/08 it will be written off when you reach the age of 65. If you took out the loan on or after academic year 2007/08, your outstanding loan balance, plus any interest, will be cancelled 35 years after the April when you first became due to repay the loan.

In all cases, 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.

Repayment plan 2

In England and Wales, if you entered higher education on or after 1 September 2012, any loan plus interest remaining 30 years after you became liable to repay will be written off.

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

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.

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

Coming to the end of repaying your loan

In the last eight 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.

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 together with interest.

Repayment plan 1

If you have a credit balance when your loan has been repaid in full, interest will be paid at the same rate as it's charged to your account.

From April 2016 if you have a credit balance when your loan has been repaid in full, interest will be paid at the rate of RPI or the Bank of England Base Rate +1%. After the end of the tax year, SLC will write to you to advise interest will accrue for a further 60 days at RPI. Following the 60 day notice the credit balance won't attract any further interest.

Repayment plan 2

If you have a credit balance when your loan has been repaid in full, interest will be paid at the rate of RPI. After the end of the tax year, SLC will write to you to advise 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**, by emailing: **customer_complaints@slc.co.uk** or by writing to Customer Relations unit, Student Loans Company, 100 Bothwell Street, Glasgow, G2 7JD.

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 Parliamentary Ombudsman for services provided by the government, such as BIS (for details, see: **www.ombudsman.org.uk**);
- the Public Services Ombudsman for Northern Ireland, Scotland or Wales (see the contact details below) for services provided by government outside England; or
- the Local Government Ombudsman for services provided by local authorities (see: **www.lgo.org.uk**)

You can contact the Public Services Ombudsman by going to the websites for the service for the relevant country.

For Northern Ireland, go to:
www.ni-ombudsman.org.uk

For Scotland, go to:
www.spsso.org.uk

For Wales, go to:
www.ombudsman-wales.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 from, for example, 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 England

You can go to **www.gov.uk/studentfinance** or you can phone Student Finance England on **0300 100 0607** (textphone **0300 100 0622**) between 8am and 8pm Monday to Friday, and between 9am and 4pm on Saturdays.

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.studentfinanceni.co.uk** or speak to an adviser by calling **0300 100 0077**.

If you live in Scotland

You can also get information about applying for loans from the Student Awards Agency for Scotland (SAAS). You'll find details for SAAS at **www.saas.gov.uk**

For general questions, call **0300 555 0505**.
Opening hours: 8.30am to 5.00pm Monday to Thursday; and 8.30am to 4.30pm on Fridays.

This phone service allows you to get information 24 hours a day, seven days a week, by entering your SAAS reference number.

You'll be able to ask for:

- a copy of your award notice
- information on a current application for fees and living costs

If you live in Wales

You can go to **www.studentfinancewales.co.uk** or call the bilingual Student Finance Wales contact centre for general information about student loans. Call **0300 200 4050** between 8am and 8pm Monday to Friday and between 9am and 1pm on Saturdays.

If you live abroad

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



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Please note: the email address and phone number above can only deal with requests for alternative formats of forms and guides.

