



This paper has been developed at the request of the Department for Education and Skills (DfES) for consideration by the Minister for Higher Education, Bill Rammell MP, and his colleagues in the Department for Local Government and Communities (DLGC). The case for change in this paper supports arguments put forward in a joint meeting of the National Postgraduate Committee (NPC), the National Union of Students (NUS) and Bill Rammell MP.

The Status Quo

There are two problems:

- i. The differing arrangements and lack of clarity for “writing up postgraduates” and their council tax exemption status, and the financial burden this puts on students while trying to finish a thesis needed to complete the qualification; and
- ii. The council tax charges in the transition between either full-time FE courses and full-time HE courses or undergraduate and postgraduate full-time study: i.e. the students who find themselves eligible for council tax payment between the end of June (when they finish their undergraduate course/full-time FE course) and the beginning of October (when their PGCE, masters, or PhD starts/full-time HE course starts).

i) The “writing up” students:

The situation is very different in institutions around the country that have a variety of local agreements in place. In some places the institution has played a positive role in this regard, but in others they abandon the students and leave them to the fate of the council officer that is processing the exemptions.

Places that have very positive policies include:

Kings College London¹:

“If you are a postgraduate student writing up on a full-time basis, we will be able to provide you with an exemption certificate covering your period of study and the period that you are registered as writing up. When you submit

1

<http://www.kcl.ac.uk/about/structure/admin/acareg/funding/financialhelp/counciltax.html>

your council tax exemption certificate to your Local Authority, you should enclose a letter from your supervisor that confirms your full time status.”

Kent:

Postgraduate research students who are writing up can claim exemption for 12 months from their completion date.

Sheffield²:

“PhD students in their writing up year need to collect a special form from SSiD which requires their supervisor's signature, before they can be issued with a Council Tax Exemption letter.”

Imperial³:

“MPhil/PhD students are permitted to write up their thesis in College for six months immediately following the end of their registration. This allows you to have access to the library and College facilities, without paying any fees. You will need to complete an Application for Writing Up Status. Please note, the application for Writing Up will not be processed until an Examination Entry has been submitted. The Writing Up period cannot be extended beyond six months, but students may continue to write up away from College for the life of the Examination Entry.”

Edinburgh⁴:

“PhD students who are writing up can be classed as a ‘student’ until the end of their fourth year of study. M.Phil and M.Lit students can be classed as a ‘student’ up to the end of their third year of study.”

Leeds⁵:

Students who have been classed as full time for the duration of their postgraduate course are entitled to one year's council tax exemption in their ‘writing up’ period. “If you are an International ‘writing up’ student and live in a property where the Council Tax is payable to Leeds City Council then you are treated by the council as a full-time student for Council Tax purposes for the whole period you are registered with the University, including your ‘writing up’ period. To claim this exemption you should obtain a student certificate.”

There are places that have less helpful policies:

Cardiff⁶:

Postgraduate students in the writing-up stage are not eligible to receive an exemption certificate.

Royal College, University of London⁷:

² <http://www.shef.ac.uk/ssid/faq/tax.html>

³ <http://www3.imperial.ac.uk/registry/studentrecords/informationforresearchstudents>

⁴ <http://www.postgrad.ed.ac.uk/RESCODE/DEFAULT.HTM> & <http://www.tla.ed.ac.uk/resources/dos/IV-Ch3.pdf>

⁵ http://www.luuonline.com/help/council_tax.html

"Postgraduate Research students on their writing-up years will be issued a standard certifying letter and it will be up to the local Council to decide on the student's eligibility."

Goldsmiths⁸:

"If you are Writing Up your thesis, you will not be exempt from paying council tax."

York⁹:

"Students who have exceeded the normal period of full-time registration are not counted as registered students. Such students are therefore not exempt from Council Tax, and the Graduate Schools Office cannot produce exemption letters or certificates for them."

Glamorgan¹⁰:

"Students who are 'writing up' are liable for council tax if they are not registered as full time students at their institution even if they use and study full time within their department. However, some Local Authorities will recognise that a 'writing up' student is studying full time if their supervisor provides a letter of support."

And there are places that seem to charge for "writing up" status which may or may not enable them to get the exemption certificate:

Birmingham¹¹:

"Once you have completed your formal period of registration you will be required to pay a continuation fee in each academic session until such time as your thesis is submitted. The continuation fee for the 2005–06 academic session will be £125, and this will be reviewed for subsequent years. There will be no refund if you submit your thesis during the course of the academic session, as many of the costs associated with the examination of a thesis will already have been incurred, and some will continue throughout the examination period. Students who transfer to writing-up status part way through the academic session will be charged a pro-rata continuation fee for that session only. If a student proceeds to a further academic session, they will be required to pay the full continuation fee, which is currently £125. An exemption certificate is not produced for research students in writing-up status who pay only a continuation fee, as they are not normally eligible for exemption from council tax."

Oxford¹²:

⁶ <http://www.cardiff.ac.uk/for/prospective/inter/european/10317.dld>

⁷ <http://www.rhul.ac.uk/Registry/RLAC/FAQs.html>

⁸ <http://www.goldsmiths.ac.uk/registry/newstudent-faqs.php>

⁹ <http://www.york.ac.uk/admin/gso/fees.htm>

¹⁰ <http://glamlife.glam.ac.uk/usefulinfo/683>

“Once a graduate student has met the fee for their course of study and is, therefore, beyond fee liability they can ask for Writing Up Status. The College offers Writing Up Status to students who intend to remain in or near Oxford and would like to continue to use College facilities. For D.Phil. students fee liability ends after nine terms. Fee liability for various Masters’ degrees may end after the third or sixth term. The current charge for Writing Up Status is the same as the Living Out facility charge: £52.32 per term. This charge ensures that students continue to have a pigeon-hole (if they wish) and allows them to use all other facilities of the College (WCR, Library, Computing facilities, meals in Hall, use of Laundry, etc.), subject to further charges where relevant, and receive the appropriate student subsidies and administrative support.”

Bath¹³:

“Most full-time research students will be funded for three years, although the regulations allow up to four years for the completion of a PhD thesis. Once you have completed the minimum period of study required for your particular degree, and provided you have completed the necessary amount of work, you are eligible for transfer to either the ‘Administration’ Fee, or to the ‘Continuation’ Fee, both of which you may hear referred to as ‘writing-up’. The ‘Administration’ fee in 2005-6 is £75, and the ‘Continuation’ Fee is £474, payable on a pro-rata basis every six months. For the ‘Administration’ Fee, you are entitled to receive neither supervision nor access to the Library; for the ‘Continuation’ Fee you may receive minimal supervision plus continued access to the Library.”

Students’ unions do work on this issue all the time: the Union of UEA Students has recently successfully lobbied their local authority to accept postgraduates as eligible for the exemption. Although this is a local victory, members of the NPC and NUS around the country have not always been so successful, which makes the picture so unclear and the lottery unjust.

The issues involved are most apparent in London, where students at one institution do not live in one local authority area, but are often spread across many different authorities. This makes the situation starker and means that there are students at the same institution living under different rules. At Queen Mary, University of London they pursued a case in the courts on behalf of a student. They were successful, with the court agreeing that in the example they were presented with the person was classified as a student and, therefore, should be granted an exemption certificate

¹¹ www.studserv.bham.ac.uk/studrecspgr/PeriodsofStudy/WritingUp.htm

¹² <http://www.univ.ox.ac.uk/collegelife/info/finances.html>

that the local authority should accept. This was a great success and students' unions in other areas of the country have talked about following suit, but litigation is an expensive business which limits the options.

The issue affects students in such a dramatic way and makes them feel a real sense of injustice. This is best illustrated in the words of a student who has contacted us to help sort out their situation. They say:

"I am no longer funded by my department (funding was 50% departmental and 50% UoN) but I still have a considerable amount of lab work to do before I will be able to start writing up. My supervisor has quite clearly discouraged me from finding a job, which means I now have no income. We are not eligible to sign on (which is what she has told me to do) because we are not available for work, and so if we do it is actually benefit fraud. I have done quite a bit of investigation, but it seems that because I don't have to support any children or dependents and because in effect not working is my "choice" there is no help available.

My council tax will be approximately £110 per month (yearly bill paid over ten months). Of course I have saved money to cover my cost of living for a few months but only enough to cover rent/ food/ bills. As far as I can work out - it is my lack of student status that makes me eligible to pay council tax.

What I can't understand is that the university relies on its research status, and yet isn't prepared to support the final PhD year students in order to help them focus on their research. I don't know a single person who has finished their research within 3 years, and neither are we strongly encouraged to do so, but the additional worry of financial problems doesn't help students to focus on doing good research for publication. All we are asking for is the University to maintain our registration for the fourth year of PhD study - that is all it takes for us to remain on the lists of registered students that are sent to the council. Even if we have to pay a small administration fee I really don't see the problem to the University, for the big difference it will make to our situation."

This experience is not isolated; students in this situation are often pressured to continue their writing up full time with no prospect of work or support from the

¹³ <http://www.bath.ac.uk/grad-office/publications/handbook/pdf/research.pdf>

institution. A student from Cardiff University who contacted us said: **“Obviously, it is very difficult (/impossible) for a full time PhD student entering a writing up stage to seek another job at the same time. Any salary or income stops at the end of the 3rd year and that corresponds to the time when we are supposed to pay the council tax. Most of us have absolutely no other income, very few savings (even student loans to pay back) and still have to pay the council tax or a part of it.”**

ii) The transition between study:

Those between the end of one course and the start of a new one (e.g., the transition from an undergraduate degree to a PGCE) are liable for council tax on their property for this period. However, the national picture is very ambiguous. Firstly, students do not expect the charge as the transition seems no different from the transition between the years of an undergraduate degree, when they are exempt. In addition some local authorities have insufficient knowledge, information, or collection arrangements to charge the student, and others who levy the charge finally do so when the person has become a student again. The charge at this time is difficult to meet, can leave students in more debt, comes with a high opportunity cost, or means lengthy form filling to claim the council tax benefit that they are probably entitled to but know little about. The transition period is normally about three months, which could see students charged this proportion of an annual council tax bill. In an area where the council tax is £1000, with the single person reduction this would amount to £187.50 - no small fee in the longest term of the year in the run up to the festive holidays.

On a wider basis, there is a misconception that graduates will walk straight into jobs on completion of their course – which is very unlikely, and the immediate burden of council tax at this time can be prohibitive to decisions on future careers and long term location decisions.

The Case for Change

On the first issue of council tax for “writing up” postgraduate students, we seek an amendment to the regulations as follows:

To grant to those yet to complete their:

- ◆ **PhD - council tax exemption for a further two years (or at the very least one year) after their normal three years of funding;**
- ◆ **Thesis or dissertation on a Masters teaching or research programme - council tax exemption for a further year after their one year course.**

This will improve the financial situation, in particular the debt levels, of students in their writing up stage – who, as indicated above, are sometimes pressured by supervisors into this being a full-time commitment. Most importantly for the Government, HEIs and the students involved, this will increase the number of theses that get completed and submitted. There is currently a national problem surrounding the number of students who finish the writing up stage of their PhDs¹⁴, and the student movement believes that one of the contributing factors is that some postgraduates need to work more hours in order to pay the additional burden of council tax. If this barrier can be removed, completion rates could be improved, giving all parties much higher returns for their investment in postgraduate education.

This policy has very small cost implications, being a tiny proportion of the student council tax bill, and some local authorities accept the situation already. It will also remove from the sector the current costs associated with advice and support of postgraduate students on this issue, with local authorities chasing students who do not have the money every year, and the cost of lobbying or legal challenges that continually arise to seek justice for these students. Unnecessary friction between students (and their students' unions) and local authorities should also be avoided at all costs, because together they are natural partners to deal with issues of community cohesion, the retention of local skills, and dealing with anti-social behaviour issues in the local area.

On the second issue of those in the transition stage, we ask that:

Students who have exemption certificates for two adjacent periods of study, e.g., 2005-6 and 2006-7, will be treated as continuous, and any charge for time when the student is deemed to have not had exempt status is cleared, even if the student has moved local authorities for the purpose of continuing study.

The transition situation is exacerbated for those moving from an HE degree to postgraduate study because those students receive a reduced student-loan payment for the last term of their final year, which reduces considerably the student's ability to pay any council tax charges.

The case for change in this instance, other than that the student will no longer be faced with costs they can little afford at really inopportune moments, is that it will also remove a high level of cost to the local authority.

¹⁴ Miranda Irving (2006) *Unfinished business*, Education Guardian:
<http://education.guardian.co.uk/egweekly/story/0,,1822428,00.html>

The charging, and chasing, of people for relatively small levels of revenue when the issue is complex, (and the student is normally eligible for council tax benefit – which has to be applied retrospectively and, again, for the amount of money involved is an expensive process), is burdensome on the local authority. The removal of this anomaly will have no impact on the public purse, as such a high proportion of these students are eligible for council tax benefit, and it will be administratively cheaper and easier to have their contribution paid through the central government grant that reimburses local authorities for student exemptions.

NUS Scotland, a politically autonomous region of the National Union of Students, is campaigning in their Education Manifesto¹⁵ as part of the Scottish Parliament Elections for council tax breaks for graduates, arguing that:

Astonishingly students moving from HNC to HND are liable to pay council tax during the summer break in between courses. The same situation applies to undergraduates entering postgraduate study including teaching, nursing and other vocational based courses. On top of this, graduates rarely walk into immediate graduate employment, yet are expected to pay council tax from the date of their graduation ceremony. A four month council tax grace period would ease the transition between the education system and the work place.

The average debt that a Scottish student graduates with is in excess of £17,000. It is a great misconception that graduates walk straight into suitable paid employment. Many take six months to find the first step onto their chosen career path, and some students considerably longer than that.

After studying for several years and graduating with hugely significant sums of debt, students should have the financial freedom to choose the type and location of the employment they take up. Many find themselves instantly pressured to take the first job available to them, regardless of its relationship to a degree studied, just to pay the bills. Situations like this are exacerbated by instant liability to pay council tax, forcing students to find anything between £40 and £100 extra a month on the same or similar income as they had pre-graduation. NUS Scotland calls on the new Scottish Executive to introduce a four month council tax grace period for all graduates and independent school and college leavers. NUS Scotland thoroughly

¹⁵ <http://resource.nusonline.co.uk/media/resource/manifesto%2020071.pdf>

believes that such a move would relieve some of the burden of debt, promote transition into further learning, and provide students with the opportunity to pursue the choices and options rightly due to them.

The Recommendations

The NPC and NUS are jointly calling for the Lyons Review and Government to provide national clarity by offering to those yet to complete their:

- ◆ PhD - council tax exemption for a further two (or at the very least one) years after their normal three years of funding;
- ◆ Thesis or dissertation on a Masters teaching or research programme - council tax exemption for a further year after their one year course.

Only a small proportion of students ever complete their research and submit within three years (for a full time PhD), therefore action must be taken to aid eventual completion rates. The most common reason given by students for the non-completion of their thesis or dissertation is financial pressures (Carney, 2002, Delayed Post Graduate Completion) to which the cost of council tax contributes. Looking at continued exemption for a short period of time after the funded period is important and part of the solution because we know that if a PhD is not written up quickly, the chance that it will be completed becomes proportionately lower,

- ◆ Students who have exemption certificates for two adjacent periods of study, e.g. 2005-6 and 2006-7, should be treated as continuous, and any charge for time where the student is deemed to have not had exempt status should be cleared, even if the student has moved local authorities for the purpose of continuing study; or
- ◆ A four month council tax break should be given for graduates.

Astonishingly, students moving from HNC to HND are liable to pay council tax during the summer break in between courses. The same situation applies to undergraduates entering postgraduate study, including teaching, nursing and other vocational-based courses. Additionally, graduates rarely walk into immediate graduate employment, yet are expected to pay council tax from the date of their graduation ceremony.

A four-month council tax grace period would ease the transition between the education system and the work place. This recommendation is also for pragmatic reasons, because the time that the charge is levied is most likely to be while the student is in receipt of a student loan or their postgraduate funding arrangement, so they find the charge a significant burden. The earning potential for most students through this period is incredibly low, and they would most likely be eligible for

Council Tax Benefit, and this adds expensive procedure and administrative costs to the student, local authority and benefits agency. This anomaly should be removed so that public policy clearly encourages continuing study by not adding additional, prohibitive charges to the cost of education.

In Conclusion:

The Lyons Review into Local Government Financing has triggered, within the student movement and beyond, the debate around full-time students' council tax exemption. It would appear that Lyons will not seek to change that, but there are some irregularities, especially for postgraduates, that should be cleared up. Currently there is a lottery between, and sometimes within, institutions about whether research and teaching postgraduate students writing up their thesis or dissertation are council tax exempt, and whether there are charges for students for the small period of transition time in-between courses.

We believe this change would meet the needs of our members and aid the Government's ambitions for a highly skilled accredited workforce and a good return for the economy on the investment that is put into postgraduate education, while reducing burdensome collection costs and spiralling students into more - potentially commercial - debt.

Richard Angell

National Executive Member

National Union of Students

Simon Felton

General Secretary

National Postgraduate Committee



Appendices

Appendix 1: Students' Union Policy

The policy below is the position taken by many constituent members of both NUS and NPC, including the NPC itself:

Students and Council Tax

This Union Notes:

1. Local government elections for the London Boroughs are due to take place in May 2006.
2. Currently local government in Great Britain is financed by a combination of locally set Council Tax, centrally set business rates, grants from central government, local fines and other streams. (Hale, Rita and Associates "Who pays for local services? The balance of funding between government and councils" (Local Government Association, 2005), copy at <http://www.lga.gov.uk/Publication.asp?lsection=0&id=SX1135-A781FC66> accessed 2005-11-22)
3. Council Tax raises approximately 26% of local government income but is one of the few streams a local council can vary. Consequently, an increase in spending often requires a proportionally greater increase in council tax.
4. In recent years, the level of Council Tax has received much media attention and a high level of protest. Very recently, the Local Government Association of England and Wales predicted that Council Tax could rise by as much as £100 a year. (*Metro* November 22, 2005, page 2 columns 3-4)
5. Full-time students are exempt from paying Council Tax until they have "completed their course." (Part 2 of Schedule 1 to the Council Tax (Discount Disregards) Order 1992 (SI 1992 No 548) (http://www.opsi.gov.uk/si/si1992/Uksi_19920548_en_2.htm), as amended by the Council Tax (Discount Disregards) Amendment Order 1996 (SI 1996 No 636) (http://www.opsi.gov.uk/si/si1996/Uksi_19960636_en_1.htm), defines a full time student as:
"A person is to be regarded as undertaking a full time course of education on a particular day if -

- a. on the day he is enrolled for the purpose of attending such a course with a prescribed educational establishment within Part I of Schedule 2 to this Order, and
 - b. the day falls within the period beginning with the day on which he begins the course and ending with the day on which he ceases to undertake it, and a person is to be regarded as ceasing to undertake a course of education for the purpose of this paragraph if he has completed it, abandoned it or is no longer permitted by the educational establishment to attend it."
6. There is ambiguity over what exactly constitutes "completed their course" for research students in the writing up and beyond phase.
 7. Currently the Council Tax is one of the most controversial charges of all and there are many calls for it to be amended or scrapped. (E.g. IsItFair – The Campaign for the Reform of Council Tax at <http://www.isitfair.co.uk/>)
 8. One of the most common proposed alternatives is to have a Local Income Tax and some political parties have taken this up.
 9. The exemption for students is not explicitly retained in some proposals for local government taxation reform.
 10. The current weekly threshold for starting to pay income tax for most student jobs (approximately Tax Codes 471-500) is between £90 and £95. (Tables A – Pay Adjustment Tables (Inland Revenue, 1993), Week 1 (Apr 6 – Apr 12))
 11. Due to the way in which Free Pay works and the juxtaposition of the tax year and university vacation dates, the effective threshold is even lower for those only working during vacations.

This Union Believes:

1. Students are presently financially overburdened and it would be monumentally unfair to give them the additional burden of local government taxation.
2. If the Council Tax is to be replaced, the alternative must include an explicit continuation of the student exemption.
3. The definition of a full-time student should be modified to explicitly incorporate research students in the writing up phase.

This Union Resolves

1. To lobby and campaign for the student exemption to be retained at all times, but to especially do this when there is high profile public debate on the future course of local government finance.
2. To write to relevant bodies and individuals, including but not limited to, the major political parties, the Office of the Deputy Prime Minister and any

successor holding the Local Government portfolio, the Local Government Association, the Greater London Assembly, the Mayor of London and the local MP, setting out the Union's position and concern.

3. To encourage a high level of registration and voting by students in the forthcoming local government elections to show that the student vote cannot be ignored.

Appendix 2: National Union of Students' Response to the Lyons Inquiry

In a recent meeting with members of NUS and the student movement, a number of issues were raised. The point was made – in line with previous submissions – that: *"Full-time students are exempt from Council Tax (CT) for a simple reason: they are, in the main, ineligible for social security benefits. Whereas those who are liable for CT can claim CT Benefit if they are on a low income, all but a small number of students would be unable to do so.*

"It would clearly be unjust to deny those who cannot pay CT a means of applying for state support, so either students must be exempt or have some access to CT Benefit. But if students were liable for CT and able to apply for CT Benefit this would involve them doing so en masse each year to local authorities, who would then have to process each claim, thus creating an enormous administrative headache for a broadly similar result, given that most students do not have substantial earnings whilst they study."

We therefore see no need for this situation to change as it is the most cost effective and socially just model.

It was also highlighted that the current deadline for calculating the number of students in an area leaves too many students unaccounted for, adds an £82.5m burden to local authorities, and adds up to £19 a year to the council tax bill of students' neighbours (see Donald MacLeod and agencies (2006) *University towns 'pay higher council tax'*:

<http://education.guardian.co.uk/higher/news/story/0,,1735987,00.html>). These add to community tensions and means that local services are starved of cash to cater for students and their neighbours.

We call on the commission to change the date from the 21st October each year to later months, ideally around March and April which would plug this funding gap, give the opportunity for investment in the local area or council tax remission, and would make the council tax burden fairer for local communities.

The final issue with student council tax concerns the current postcode lottery for postgraduates who are writing up – currently the picture is very different from institution to institution and sometimes even within departments from supervisor to

supervisor. Some institutions give postgraduates the council tax exemption certificate, whilst others don't. This obviously leaves an unfair and unclear situation which needs to be cleared up. There is currently a national problem surrounding the number of students who finish the writing up stage of their PhDs (see Miranda Irving (2006) *Unfinished business*, Education Guardian: <http://education.guardian.co.uk/egweekly/story/0,,1822428,00.html>), and the student movement believes that one of the contributing factors is that some postgraduates need to work more hours in order to pay the additional burden of council tax.

We therefore call for national clarity on this issue and for all postgraduates to be exempt for a year of writing up, in line with the current arrangements for other full time students.

Appendix 3: National Postgraduate Committee's Response to the Lyons Inquiry

The National Postgraduate Committee is very pleased to be able to take this opportunity to respond to The Lyons Inquiry on the reform of Council Tax. Postgraduate students and researchers are both receiving training and contributing to the knowledge base and are actively involved in the promotion of learning and the development of the knowledge economy. Supporting students who are on low incomes and ineligible for social security benefits is just and would encourage their successful completion of their study and engagement into the knowledge economy.

The National Postgraduate Committee is formed from the representative of postgraduates from Students Associations at universities and other institutions. It represents postgraduates' interests both through these Associations and through the other educational and professional bodies with which it has links.

The National Postgraduate Committee feels strongly that any change to Council Tax must retain Full-Time students exemption from Council Tax as students are, overwhelmingly, ineligible for social security benefits. We also feel that if students were liable for Council Tax and subsequently able to access Council Tax Benefit there would be significant administrative burdens on local authorities processing each claim and that there would most likely be a large number of successful claimants as most students do not have substantial earnings.

We also note the changes to Council tax, guaranteeing students exemption while living with non-students. This is very important for Postgraduate Students who are likely to share accommodation with other older or professional people and should remain.

We are however concerned by the continuation period where individuals may be deemed to no longer qualify for exemptions as students despite the fact they are working on their research leading up to submission. This is particularly unfair as a small proportion of students ever complete their research and submit within three years (full time). Again the status of students in their writing up period needs to be clarified. This is a very difficult and pressured time for doctoral students. If funding has ceased and they are engaged in seeking employment and writing up their research then the last thing needed is further financial disbenefit. Clearly this will have a knock-on effect on completion rates as students struggle to manage. Miranda Irving notes that HEFCE data shows a third of full time doctoral students and two

thirds of part time doctoral students do not complete their degree in seven years (July 18 2006). It is important that these students do not suffer from financial hardship in attempting to complete their studies as they will be of value to the economy through training and advancement in the knowledge economy.

References:

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July. 2006.

Simon Felton

General Secretary

National Postgraduate Committee