



Charging & Remissions Policy

Version: 1.08

Date Released: 13th July 2016

CHARGING & REMISSION POLICY

INTRODUCTION

Sections 449-462 of the Education Act 1996 set out the law on charging for school activities in schools maintained by local authorities in England.

Schools must ensure that they inform parents on low incomes and in receipt of the benefits listed on page 4 of this guide of the support available to them when being asked for contributions towards the cost of school visits.

Charging and Remissions Policies

No charges can be made unless the governing body of the school has drawn up a charging and remissions policy giving details of the optional extras or board and lodging that they intend to charge for, and a remissions policy.

The remissions policy must set out any circumstances in which the school or local authority propose to remit (wholly or partly) any charge which would otherwise be payable to them in accordance with their charging policy. For example, a school may decide to provide an Italian language evening class as an optional extra. The governing body may decide to reduce the cost for those children whose parents are in receipt of certain benefits.

Education

School governing bodies **cannot** charge for:

- an admission application to any state funded;
- education provided during school hours (including the supply of any materials, books, instruments or other equipment);
- education provided outside school hours if it is part of the National Curriculum¹, or part of a syllabus for a prescribed public examination that the pupil is being prepared for at the school, or part of religious education;
- instrumental or vocal tuition, for pupils learning individually or in groups, unless the tuition is provided at the requests of the pupil's parent/carer.
- entry for a prescribed public examination, if the pupil has been prepared for it at the school; and
- examination re-sit(s) if the pupil is being prepared for the re-sit(s) at the school².

Schools **can** charge for:

- any materials, books, instruments, or equipment, where the child's parent wishes him to own them;
- optional extras (see below); and
- music and vocal tuition, in limited circumstances (see page 4).
- Certain early years provision³
- Community facilities⁴

Swimming Lessons

Schools may choose to offer swimming lessons in order to meet the statutory requirement. Schools are not permitted to charge for swimming lessons in school hours or for lessons outside of school hours. However, it is permitted to request a voluntary contribution from parents.

Food Technology

A voluntary contribution to be requested from parents towards the cost of food provisions for use in lessons.

¹ It should be noted that 'part of the National Curriculum' is not restricted to learning outside the classroom experiences that are specifically subject based (e.g. geography or science fieldwork) and include, for example, activities designed to fulfil requirements under the National Curriculum 'inclusion statement' (e.g. developing teamwork skills).

² However, if a pupil fails, without good reason, to meet any examination requirement for a syllabus, the fee can be recovered from the pupil's parents.

³The Education (Charges for Early Years Provision) Regulations 2012

⁴The powers to provide community facilities are under s.27(1) of the Education Act.

Optional Extras

Charges may be made for some activities that are known as "optional extras". Where an optional extra is being provided, a charge **can** be made for providing materials, books, instruments, or equipment.

Optional extras are:

- education provided outside of school time that is not:
 - a) part of the National Curriculum;
 - b) part of a syllabus for a prescribed public examination that the pupil is being prepared for at the school; or
 - c) part of religious education.
- examination entry fee(s) if the registered pupil has not been prepared for the examination(s) at the school;
- transport (other than transport that is required to take the pupil to school or to other premises where the local authority/governing body have arranged for the pupil to be provided with education)
- board and lodging for a pupil on a residential visit.
- Extended day services offered to pupils (for example breakfast club, after school clubs, tea and supervised homework sessions)

In calculating the cost of optional extras an amount may be included in relation to:

- any materials, books, instruments, or equipment provided in connection with the optional extra;
- the cost of building and accommodation;
- non-teaching staff;
- teaching staff engaged under contracts for services purely to provide an optional extra, this includes supply teachers engaged specifically to provide the optional extra; and
- the cost, or an appropriate proportion of the costs, for teaching staff employed to provide tuition in playing a musical instrument, or vocal tuition, where the tuition is an optional extra.

Any charge made in respect of individual pupils must not exceed the actual cost of providing the optional extra activity, divided equally by the number of pupils participating. It must not therefore include an element of subsidy for any other pupils wishing to participate in the activity whose parents are unwilling or unable to pay the full charge.

Furthermore in cases where a small proportion of the activity takes place during school hours the charge cannot include the cost of alternative provision for those pupils who do not wish to participate. Therefore no charge can be made for supply teachers to cover for those teachers who are absent from school accompanying pupils on a residential visit.

Participation in any optional extra activity will be on the basis of parental choice and a willingness to meet the charges. Parental agreement is therefore a necessary pre-requisite for the provision of an optional extra where charges will be made.

Voluntary Contributions

At Elms School parents are invited to make 1 voluntary contribution of £5.00 per academic year at the beginning of Term 1 towards the school fund. The school fund pays for trips and equipment, which we are not able to afford through the regular school budget. Letters requesting contributions towards school visits are sent out when advising parents of the school trip/visit.

There is nothing in legislation prevents a school governing body or local authority from asking for voluntary contributions for the benefit of the school or any school activities. However, if the activity cannot be funded without voluntary contributions, the governing body or head teacher should make this clear to parents at the outset. The governing body or head teacher **must** also make it clear to parents that there is no obligation to make any contribution.

It is important to note that no child will be excluded from an activity simply because his or her parents are unwilling or unable to pay. If insufficient voluntary contributions are raised to fund a visit, or the school cannot fund it from some other source, then it must be cancelled. The school will ensure that they make this clear to parents. If a parent is unwilling or unable to pay, their child must still be given an equal chance to go on the visit. The school will make it clear to parents at the outset what their policy for allocating places on school visits will be.

When making requests for voluntary contributions, parents must not be made to feel pressurised into paying as it is voluntary and **not compulsory**. We will avoid sending colour coded letters to parents as a reminder to make payments into the school or maintenance funds and we will also ensure that direct debit or standing order mandates are not sent to parents when requesting for contributions.

Damage to School Property

Deliberate Vandalism / Malicious Damage

The school will charge for:

The school will send parents a letter requesting a contribution towards the cost of repairing the damage. The letter will include an estimate of the full cost of the damage to the school.

In cases where pupils have deliberately caused damage to school property, the school will at its discretion (and dependent on the extent of the damage), call the Police and report the pupil concerned for criminal damage.

Accidental Damage

The school will charge for:

In cases where pupils have accidentally caused damage to school property, the school will send parents a letter including an estimate of the full cost of damage to the school and will ask for a contribution towards this cost.

Residential Visits

The school **cannot** charge for:

- education provided on any visit that takes place during school hours;
- education provided on any visit that takes place outside school hours if it is part of the National Curriculum, or part of a syllabus for a prescribed public examination that the pupil is being prepared for at the school, or part of religious education; and
- supply teachers to cover for those teachers who are absent from school accompanying pupils on a residential visit.

The school **can** charge for:

- board and lodging and the charge must not exceed the actual cost.

When the school informs parents about a forthcoming visit, we will make it clear that parents who can prove that they are in receipt of the following benefits will be exempt from paying the cost of board and lodging:

- Universal Credit;
- Income Support (IS);
- Income Based Jobseekers Allowance (IBJSA);
- support under part VI of the Immigration and Asylum Act 1999;
- Child Tax Credit, provided that Working Tax Credit is not also received and the family's income (as assessed by Her Majesty's Revenue and Customs) does not exceed £16,190.
- the guarantee element of State Pension Credit
- an income related employment and support allowance that was introduced on 27/10/08.

Examples

If the number of school sessions taken up by the visit is equal to or greater than 50% of the number of half days spent on the visit, it is deemed to have taken place during school hours (even if some activities take place late in the evening). Whatever the starting and finishing times of the school day, Regulations require that the school day is divided into 2 sessions. A "half day" means any period of 12 hours ending with noon or midnight on any day.

Example 1: Visit during school hours

Pupils are away from noon on Wednesday to 9pm on Sunday. This counts as 9 half days including 5 school sessions, so the visit is deemed to have taken place during school hours.

Example 2: Visit outside school hours

Pupils are away from school from noon on Thursday until 9pm on Sunday. This counts as 7 half days including 3 school sessions, so the visit is deemed to have taken place outside school hours.

Music Tuition

The law states that all education provided during school hours must be free, but instrumental and vocal music tuition is an exception to this rule.

The Charges for Music Tuition (England) Regulations 2007 set out circumstances in which charges can be made for tuition in playing a musical instrument, including vocal tuition. They allow charging for tuition in larger groups than was previously the case.

Charges may now be made for vocal or instrumental tuition provided either individually or to groups of any size, provided that the tuition is provided at the request of the pupil's parent/carer. Charges may not exceed the cost of the provision, including the cost of the staff who provide the tuition.

Charges may only be made if the teaching is not an essential part of either the National Curriculum or is provided under the first access to the Key stage 2 Instrumental and Vocal Tuition programme. No charge can be made in respect of a pupil who is looked after by a local authority (within the meaning of section 22(I) of the Children Act 1989).

Transport

The school **cannot** charge for:

- transporting registered pupils to or from the school premises, where the local education authority has a statutory obligation to provide transport;
- transporting registered pupils to other premises where the governing body or local education authority has arranged for pupils to be educated;
- transport that enables a pupil to meet an examination requirement when he has been prepared for that examination at the school; and
- transport provided in connection with an educational visit.

Education partly during school hours

Where an activity takes place partly during and partly outside school hours, there is a basis for determining whether it is deemed to take place either inside or outside school hours. However, a charge can only be made for the activity outside school hours if it is not part of the National Curriculum, not part of a syllabus for a prescribed public examination that the pupil is being prepared for at the school and not part of religious education.

Non-residential activities

If 50% or more of the time spent on the activity occurs during school hours, it is deemed to take place during school hours. Time spent on travel counts in this calculation if the travel itself occurs during school hours. School hours do not include the break in the middle of the day.

Where less than 50% of the time spent on an activity falls during school hours, it is deemed to have taken place outside school hours. For example, an excursion might require pupils to leave school an hour before the school day ends, but the activity does not end until late in the evening.

Freedom of Information Act 2000 (FOIA) and Data Protection Act 1998

The school has a FOIA Publication Scheme and Data Protection Policy both clearly detailing the charging structure for any information requested.

Complaints Policy

All complaints will be dealt with according to the schools Complaints Policy which is available on request from the school office.

APPROVAL & ADOPTION

This policy was formally agreed and adopted at a Business & Finance Team Meeting held on:

Signed: _____

Signed: _____

UPDATE SCHEDULE

| Version | Date | Reason for Update |
|----------------|-------------|---|
| 1.00 | 12/06/09 | First Version |
| 1.01 | 01/09/09 | Freedom of Information Act 2000 (FOIA) and Data Protection Act 1998 - Charges added |
| 1.02 | 12/10/09 | Addition of Information regarding Swimming lesson charges |
| 1.03 | 10/10/12 | Full review and amendments. |
| 1.04 | 28/11/12 | Full review and amendments. |
| 1.05 | 19/11/13 | Full review and amendments |
| 1.06 | 10/11/14 | Full review with minor amendments |
| 1.07 | 9/10/15 | Full review with amendments |
| 1.08 | 13/07/2016 | Amendment |