

Charging and Remissions Policy

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THE JO RICHARDSON

SUCCESS FOR ALL

COMMUNITY SCHOOL

ACHIEVE

Charging Policies

In general, the provision of education is free but, as permitted by the Education Act 1996, charges are permissible in the areas listed below. No charges can be made unless the Local Authority and the Governing Body of a school has drawn up a charging policy giving details of the optional extras or board and lodging they intend to charge for and a remissions policy.

A Governing Body's policy may be more or less generous than the Council's, as long as it meets the requirements of the law. The policy is required to take account of each type of activity that can be charged for and explain when charges will be made. If a charge is to be made for a particular type of activity, for example optional extras, parents need to know how the charge will be worked out and who might qualify for help with the cost (or even get it free). This information should be made available to parents. Parents should be given notice of any proposed change to the policy.

The remissions policy must set out the circumstances in which the school propose to remit (wholly or partly) any charge which would otherwise be payable in accordance with their charging policy.

Education

This policy provides that no charge may be made for:

- an admission application to any maintained school
- 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
- tuition for pupils learning to play musical instruments if the tuition is required as 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
- 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

A charge will be made for:

- any materials, books, instruments, or equipment, where the child's parent wishes him to own them
- optional extras
- music and vocal tuition, in limited circumstances
- community facilities

Optional Extras

Optional extras are:

- education provided outside of school time that is not:

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.

- 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 that is not 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, and
- 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 buildings 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 a proportion of the costs, for teaching staff employed to provide tuition in playing a musical instrument, 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 include an element of subsidy for any other pupil wishing to participate in the activity whose parents are unwilling or unable to pay the full charge.

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 is 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

A school may ask for voluntary contributions for the benefit of the school or any school activities. However, if the activity cannot be funded without voluntary contributions, this should be made clear to parents at the outset. Parents must also be made aware that there is no obligation to make any contribution.

It is important to note that no child should 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, then it must be cancelled. Schools must make sure 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. Schools should make it clear to parents at the outset what their policy for allocation of places on school visits will be.

When making requests for voluntary contributions to the school funds, parents must not be made to feel pressurised into paying as it is voluntary and not compulsory.

Residential Visits

No charge will be made 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

A charge will be made for:

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

Parents who can prove they are in receipt of the following benefits are exempt from paying the cost of board and lodging:

- Income Support (IS)
- Income Based Jobseekers Allowance (IBJSA)
- Income-related Employment and Support Allowance
- support under part VI of the Immigration and Asylum Act 1999
- the guaranteed element of Pension Credit
- 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 (Financial Year 2019/20)
- Universal Credit (if applied for on or after 1 April 2018 and household income must be less than £7,400 a year (after tax and not including any benefits received))

Guidance on school policies for Learning Outside the Classroom, including charging is available on the Council for Learning Outside the Classroom website. <https://www.lotc.org.uk/>

Music Tuition

Although the law states that, in general, all education provided during school hours must be free, instrumental and vocal music tuition is an exception to that rule.

The Charges for Music Tuition (England) Regulations 2007 set out the 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. Charges may not exceed the cost of the provision, including the cost of the staff who provide the tuition.

The regulations make clear that charging may not be made if the teaching is either an essential part of the national curriculum, or is provided under the first access to the Key Stage 2 Instrumental and Vocal Tuition Programme. They also make clear that no charge may be made in respect of a pupil who is looked after by a local authority (within the meaning of section 22(1) of the Children Act 1989).

Transport

Schools cannot charge for:

- transporting registered pupils to or from the school premises, where the local authority has a statutory obligation to provide transport;

- transporting registered pupils to other premises where the Governing Body or local 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.

Guidance on school travel is available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/575323/Home_to_school_travel_and_transport_guidance.pdf

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.

Residential activities

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 two 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 nine half days including five 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 seven half days including three school sessions, so the visit is deemed to have taken place outside school hours.

Questions and Answers

(Taken from the Department for Education website

www.gov.uk/government/organisations/department-for-education)

Q What is a charging policy?

A Under the charging provisions set out in legislation, Governing Bodies and local authorities of maintained schools may choose to charge for certain defined activities, but only if they have first drawn-up charging and remissions policies. These policies should be made available to parents on request.

Q A visit involving staying overnight has been arranged for children at my school. Can the school charge for this?

A Where a school activity requires pupils to spend nights away from home, the school is allowed to make a charge for board and lodging. This is with the exception of pupils whose parents are in receipt of certain benefits. The list of benefits to which this applies can be found on www.gov.uk/apply-free-school-meals. Since April 2003 the eligibility criteria that entitle families to an exemption from paying for the cost of board and lodging on residential visits have been aligned with free school meals eligibility criteria. The Headteacher must inform all parents of the right to claim free board and lodging if they are receiving these benefits.

Q With regard to the remission of board & lodging payments, can you please explain who pays for the expense, would it come out of the school budget or is there a grant available to claim?

A Although the criteria for being eligible for the remission of charges for board and lodgings is the same as free school meals, that is where the similarity ends. The costs involved in the remission of board and lodgings are to be borne by the school from their contingency funds. There is no return to be completed to re-claim the money back.

Q Our school has a large number of pupils eligible for free school meals, this means that they would also receive remission for board and lodgings expenses for residential school visits. How can the school fund/organise residential visits?

A Government funding for schools to each local authority recognises the different needs of each area. In terms of the allocation to schools, each local authority sets a funding formula which is agreed with the local schools forum. All local authorities are required to include an element in their formula to reflect the needs of deprived pupils. The amount that individual schools receive from the local authority reflects their relative need compared with other local schools. In addition, schools receive pupil premium funding for disadvantaged pupils, based largely on those who are eligible for free school meals. This funding is provided by the government to raise the attainment of eligible pupils and narrow the attainment gap between eligible pupils and their peers. It is for Headteachers and school Governing Bodies to decide how to use their formula funding and pupil premium allocation. Schools cannot exclude children from taking part in an activity that is part of the national curriculum purely on the grounds that the parent or carer cannot make, or refuses to make, a contribution. This can clearly place schools in some difficulty on occasions where a number of parents/carers might be in such a position. The school then has to decide whether they can cover the costs of such activity from within the budget or by fundraising, or whether the activity has to be cancelled. If there is a residential activity taking place largely during school time, or which meets the requirements of the syllabus for a public examination, or is to do with

the national curriculum or religious education, no charge may be made either for the education or for the cost of travel.

Q Can Governing Bodies charge for educating children in maintained schools?

A The local authority or Governing Body cannot charge for education that takes place in school hours. Nor can they charge for activities that take place outside school hours if these are part of the National Curriculum, necessary as part of a syllabus for a prescribed public examination that the pupil is being prepared for at the school, or part of religious education. They can charge for permitted 'optional extras', provided they have drawn up a statement of general policy on charging and given details of 'optional extras' they intend to charge for. The Governing Body's policy does not have to be the same as the local authority's policy, as long as it meets the requirements of the law.

Q Can a school charge for an activity that takes place out of school hours?

A This kind of activity is often referred to as an 'optional extra'. Where an optional extra is being provided, a charge can be made for providing materials, books, instruments, or equipment. See guidance on optional extras.

The actual charge for the optional extra cannot exceed the actual cost of the provision. Schools cannot and must not make a profit from charging for optional extras. 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.

Q Can a school ask parents for voluntary contributions?

A Schools may invite parents and others to make voluntary contributions to make school funds go further. All requests to parents for voluntary contributions must make it quite clear that the contributions would be voluntary. It should be remembered that education provided during school hours must be free. This includes materials, equipment, and transport provided in school hours by the local authority or by the school to carry pupils between the school and an activity. Governing Bodies should also clearly explain that children of parents who do not contribute will not be treated any differently, and that the activity might be cancelled if insufficient contributions are received.

Q The school has sent letters out to parents asking for contributions towards a school visit, do parents have to pay?

A Headteachers or Governing Bodies may ask parents for voluntary contributions towards the cost of:

- any activity which takes place during school hours;
- school equipment; and
- school funds generally.

Children of parents who are unable, or unwilling, to contribute may not be discriminated against. However, if insufficient voluntary contributions are received to cover the cost of the visit, or activity, and there is no alternative method to make up the shortfall, then the school should cancel the activity/visit. It would be advisable to make parents aware of a possible cancellation to the activity/visit if insufficient voluntary contributions are received from the outset.

Q What happens if the school is not able to raise enough voluntary contributions to cover costs?

A Where there are not enough voluntary contributions, and there is no way to make up the shortfall, for example school funds and/or fundraising activities, then it must be cancelled. The possibility of the activity/visit being cancelled due to a shortfall in contributions should be made clear in the information sent to parents.

Q What if a parent is unable, or unwilling to make a voluntary contribution? How does this affect their child?

A The school cannot exclude a child from taking part in an activity that is part of the National Curriculum purely on the grounds that you, the parent or carer, cannot make, or refuse to make, a contribution. This can clearly place schools in some difficulty on occasions where a number of parents/carers might be in such a position. The school then has to decide whether they can cover the costs of such activity from within the budget or by fundraising, or whether the activity has to be cancelled.

Q What support can a school offer a parent/carers who has difficulty making a financial contribution?

A Where a residential trip includes education for which charging is prohibited and the pupil's parent is in receipt of certain benefits, they will be exempt from paying the cost of board and lodging. The list of benefits to which this applies can be found on www.gov.uk/apply-free-school-meals. Schools must ensure that parents are aware of the support available to them when being asked for contributions toward the costs of school visits. Some schools also have funds available to enable families in financial difficulty to send their children on visits/activities. Parents should be encouraged to speak to the Headteacher in order to establish if such funding arrangements exist. No charge may be made if there is a residential activity taking place largely during school time, or which meets the requirements of the syllabus for a public examination. In addition, if the activity is to do with the national curriculum or religious education, no charge may be made either for the education or for the cost of travel for any pupil, not just those whose parents are in receipt of benefits.

Q What about charges for transport during school hours?

A Any transport provided by the school in school hours will be provided free of charge (though a voluntary contribution could be requested).

Q Can the school charge for something like cooking ingredients or materials needed for a technology lesson?

A The school can make a charge to cover the costs of materials/ingredients for subjects such as design or food technology where parents have indicated in advance that they would like their child to bring home the finished product.

Q Can the school charge entry fees for examinations?

A An examination entry fee may be charged to parents if:

- the examination is on the set list, but the pupil was not prepared for it at the school;
- the examination is not on the set list but the school arranges for the pupil to take it;

- a pupil fails without good reason to complete the requirements of any public examination where the Governing Body or LA originally paid or agreed to pay the entry fee.

Q Can a school make a charge to pay for the administration required as part of the admission process?

A Paragraph 1.9 of the 'Schools Admission Code 2012' rules out requests from admission authorities for financial contributions as any part of the admissions process. Legislation prevents state funded schools from charging fees for admission or for providing education during school hours.

Q Can a school ask for a direct debit to the school fund?

A No. A school may ask for voluntary contributions, as long as it is clear that they are voluntary, but we are clear that state education should be free and we have no intention of changing this policy. The DfE will not tolerate this when it is brought to our notice. No contributions may be sought as part of the admissions process.

Q. Can a school ask parents to contribute to (or pay in full) the cost of a tablet or computer?

A. Sections 451 and 454 of the Education Act 1996 prohibits schools from charging for education and the supply of materials, books, instruments or other equipment (this would include tablets), during school hours. However, there is no prohibition on asking parents to make voluntary contributions. Additionally, there is a specific exception in the legislation which enables schools to charge for materials where the pupil's parent wishes them to own the materials. All contribution requests to parents must make clear that the contributions are voluntary and that, if a parent cannot make or refuses to make a contribution, their children will not be treated any differently and will not be excluded from taking part in any activity or related equipment.

Q What are community facilities?

A. Schools are allowed to provide facilities that can be used by the local community, for example out of hours/holiday childcare or swimming pool sessions. These facilities further any charitable purpose for the benefit of pupils at the school or their families, or people who live or work in the locality in which the school is situated. Schools can charge for the use of these facilities, and a profit can also be generated, providing it is spent on the purposes of the school and or on community facilities. Maintained schools should check the local authority's published financial "scheme" for maintained schools in their area for any rules about the carry of profit from one financial year to the next.