



# GOVERNORS' CHARGING AND REMISSION POLICY

## BACKGROUND & AIMS

This Policy is based on the DfE's October 2014 Departmental Advice 'Charging for School Activities' (due for review in summer 2015).

Sections 449-462 of the Education Act 1996 sets out the law on charging for school activities in schools maintained by local authorities in England. Academies (including free schools, studio schools and UTCs) are required through their funding agreement to comply with the law on charging for school activities.

The School's Governors recognise the valuable contribution that the wide range of additional activities, including sports, clubs and societies, music trips and residential visits, can make towards pupils' education. The Governors aim to promote and provide a wide range of such activities, both as part of a broad and balanced curriculum for the pupils of the school and as additional optional activities.

## MAIN POINTS

- School governing bodies and local authorities, subject to the limited exceptions referred to in this advice, cannot charge for education provided during school hours (including the supply of any materials, books, instruments or other equipment).
- Schools must ensure that they inform parents on low incomes and in receipt of the benefits listed on page 4 of this document of the support available to them when being asked for contributions towards the cost of school visits.

## CHARGING

### Education

School governing bodies and local authorities, cannot charge for:

- an admission application to any state funded school - paragraph 1.9 (n) of the 'School Admissions Code 2012' rules out requests for financial contributions as any part of the admissions process;
- 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 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;
- instrumental or vocal tuition, for pupils learning individually or in groups, unless the tuition is provided at the request of the pupil's parent;
- 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 school; however, the fee can be recovered from the pupil's parents if the pupil fails without good reason to meet any examination requirement for a syllabus.

Schools and local authorities **can** charge for:

- any materials, books, instruments, or equipment, where the child's parent wishes him/her to own them;
- optional extras (see page below);
- music and vocal tuition, in limited circumstances (see page 3);
- community facilities

### 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:
  - part of the national curriculum;
  - part of a syllabus for a prescribed public examination that the pupil is being prepared for at the school; or
  - part of religious education.
- examination entry fee(s) if the registered pupil has not been prepared for the examination(s) at the school;
- examination result enquiries and returned scripts
- 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 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 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 will not exceed the actual cost of providing the optional extra activity, divided equally by the number of pupils participating. It will 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 will not include the cost of alternative provision for those pupils who do not wish to participate. Therefore no charge will be made for supply teachers to cover for those teachers who are absent from school accompanying pupils on a residential visit.

A 5% charge for administration (up to a maximum of £10/person/activity) will be included in the cost of the activity. Money paid for trips which may be left over when

the account is settled, and which amounts to less than £5.00 or 5% (whichever is greater) per pupil, will not be returned but used to offset any additional administrative costs.

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 prerequisite for the provision of an optional extra where charges will be made.

### Voluntary contributions

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, when the activity cannot be funded without voluntary contributions, the School will make this clear to parents at the outset and also 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 will be cancelled. If a parent is unwilling or unable to pay, their child will still be given an equal chance to go on the visit. The School will make it clear to parents at the outset what its policy for allocating places on school visits will be.

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

### 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 that provide the tuition.

Charging may not be made if the teaching is an essential part of the national curriculum. No charge will be made in respect of a pupil who is looked after by a local authority (within the meaning of section 22(l) of the Children Act 1989).

At the time of this Policy review, instrumental tuition at St George's School, is provided by a separate organisation, Musicale Ltd, who are based on the School's site. Subject to the School's budgetary situation, instrumental music lessons provided by Musicale Ltd for the School's pupils during school hours and subject to the parents being in receipt of the benefits listed on page 4 of this document, may be subsidised.

### Transport

Schools 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 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.

### Residential visits

Schools 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;
- supply teachers to cover for those teachers who are absent from school accompanying pupils on a residential visit.

Schools can charge 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 will be exempt from paying the cost of board and lodging:

- Universal Credit in prescribed circumstances;
- 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 (financial year 2013/14);
- the guarantee element of State Pension Credit;
- an income related employment and support allowance that was introduced on 27 October 2008.

These are the same criteria which make a student eligible for free school meals, and it is by reference to our school record of who receives free school meals that we would endorse that a student would qualify for this residential visit subsidy.

Such a parent might still face some costs on a residential visit e.g. entry costs of site visits. The trip leader concerned could clarify this.

### 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 visits*

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

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

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.

### State boarding schools

The School **can** charge for:

- overnight board and lodging providing the charge does not exceed the actual cost;
- extended day services offered to day pupils, for example breakfast clubs, after-school clubs, tea and supervised homework sessions.

Any extended day services for day pupils at state boarding schools, and the associated charges, must be optional. Schools cannot make attendance at and the payment of charges for extended day services compulsory.