

# Charges and Remissions Policy



This policy will be reviewed as appropriate, and amended where any clarifications or changes are needed, and at a minimum every 3 years. Any amendments will require the approval of the Recourses Committee. This policy for Sandgate Primary School was based on the model policy published by Kent County Council, and updated in accordance with the DFE advice for charging for school activities (November 2013), and reviewed and approved by the Recourses Committee.

<b>Approval Body</b>	<b>Recourses Committee</b>
<b>Approval Date</b>	<b>18/01/2019</b>
<b>Date for Review</b>	<b>18/01/2022</b>
<b>Signed - Chair of Recourses Committee</b>	
<b>Signed – Head Teacher</b>	

## **Sandgate Primary School Charging and Remissions Policy**

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.

School governing bodies and local authorities, subject to the limited exceptions referred to in this policy, 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 in this policy of the support available to them when being asked for contributions towards the cost of school visits.

The Head Teacher will ensure that the following applies:

## 1. 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
- 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 below);
  - music and vocal tuition, in limited circumstances (see below);

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). 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.

- certain early years provision;
- community facilities.

## 2. 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.
- 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 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.

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

*4 The powers to provide community facilities are under s.27 (1) of the Education Act 2002*

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.

### **Charges for optional extras**

#### **Optional activities outside of the school day**

We may charge for optional extra activities provided outside of the school day, for example after-school clubs which require an external provider.

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

### **Activities partly during school hours**

Where an activity takes place partly during and partly outside of school hours, there is a basis for determining whether it is deemed to take place either outside or inside school hours. If 50% or more of the activity including travel time falls during school hours it will be deemed to take place during school hours and no charge will be made. However, if 50% or more of the activity including travel time falls outside of school hours it will be deemed to take place outside of school hours and a charge can be made under optional extras.

### **3. MUSICAL INSTRUMENT 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(l) of the Children Act 1989).

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

When a school informs parents about a forthcoming visit, they should make it clear that 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;

### **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.

## **5. 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;

See section 452 of the Education Act 1996 for guidance as what counts as during school hours.

## **6. VOLUNTARY CONTRIBUTIONS**

The staff and governors recognise the importance of activities which may not be an essential part of the curriculum but add value and enjoyment to the experiences of the children. However it may be necessary for Voluntary contributions to be sought for such activities during the school day which entail additional costs.

In these circumstances no pupil will be prevented from participating because his/her parents cannot or will not make a contribution. Children of parents who do not make a contribution will not be treated any differently. If a particular activity cannot take place without some help from parents, this will be explained at the planning stage. An activity may be cancelled if not enough voluntary contributions are collected.

## **7. CALCULATING CHARGES**

Where charges are made for any activity, whether during or outside of the school day, they will be based on the actual costs incurred, divided by the total number of pupils participating.

The principles of best value will be applied when planning activities that incur costs to the school and/or charges to parents.

## **8. REMISSIONS**

Pupils, whose parents are in receipt of the support payments will in addition to having a free lunch entitlement, be entitled to a remission for any charges for board and lodging for residential visits which are part of the National Curriculum. Remissions will be made as above for pupils whose parents are in receipt of the following benefits

- 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;

At the discretion of the Head Teacher other cases of hardship where parents are not in receipt of any of the above support may be considered to remit charges wholly or in part of. In such cases, application for remission should be made in writing to the Head Teacher. Each application will be given careful consideration and treated in confidence.

## **9. MATERIALS, BOOKS, INSTRUMENTS OR OTHER EQUIPMENT**

Normally there are no charges for materials or ingredients used in subjects during school time. A charge may be set for materials used in school where a parent indicates in advance that they or the pupil wishes to own the finished article which incorporates the materials. There may be charges for materials or ingredients used in lunchtime or after-school clubs. Any charge will not exceed the cost of the materials. Alternatively, the parent may be required to provide the materials in question.

## **10. DAMAGE TO PROPERTY**

The governing body reserve the right to ask the parents to pay for the cost of repairs or of replacing defaced, damaged or lost school property.