



Charges and Remission of Fees Policy

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(This policy supersedes all previous Charges and Remission of fees policies)

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Amendments

| Policy Date | New version number | Amendments | Comments |
|-------------|--------------------|--|----------|
| August 2018 | | Updated in line with the revised DfE Guidance May 2018. Provides clarity of key charges. Updated to reflect new Universal Credit regulations. | |

*** Trust – Refers to all Schools, Academies & Business Support Team within the Learning Academy Partnership**

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1. Introduction

- 1.1. The Board of Trustees is required by law to publish a policy on charging for academy activities.
- 1.2. The Education Act 1996 establishes the basic principle that the education provided by any maintained school/academy for its registered pupils should be free of charge. This basic underlying principle requires that there should be no school/academy admission charge and no charge for any related activity which takes place during school/academy time. Exceptions to this general statement are as follows. Individual tuition in playing a musical instrument may be charged for provided that it is not part of the National Curriculum or part of the syllabus for a prescribed Public Examination.
- 1.3. The Trust's present policy is to continue to offer without charge group tuition (e.g. recorders) during the academy day, but charges will be made for sheet music and the hire of certain musical instruments. Where parents have indicated that they wish to have the finished product from a particular lesson e.g. individual craft items, pottery, needlework, cookery, a charge may be made to cover materials.
- 1.4. For all residential visits deemed to be within academy hours, or part of the National Curriculum or part of the Syllabus for the prescribed Public Examination, a charge for board and lodging will be made, except for families in receipt of family credit or income support. Optional visits or activities occurring outside of academy hours may be charged for in full.

2. Charging Policies

- 2.1. 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 who should be given notice of any proposed changes to the policy.
- 2.2. The remissions policy must set out the circumstances in which the partnership proposed to remit (wholly or partly) any charge which would otherwise be payable in accordance with their charging policy.

3. Education

- 3.1. This policy provides that **no charge** may be made for:
 - an admission application to any maintained school/academy
 - 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

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 fulfill requirements under the National Curriculum 'inclusion statement' (e.g. developing teamwork skills).

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 school²

3.2. A charge **will be** made for:

- any materials, books, instruments, or equipment, where the child's parent wishes him to own them
- optional extras (see section 11)
- music and vocal tuition, in limited circumstances (see section 5)
- Certain early years provision
- Community facilities

3.3. **Optional Extras**

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).

3.4. 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.

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.

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

- 3.5. 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 charge in full.
- 3.6. 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.
- 3.7. 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 prerequisite for the provision of an optional extra where charges will be made.

4. Voluntary Contributions

- 4.1. A school/academy may ask for voluntary contributions for the benefit of the school/academy 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.³
- 4.2. 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, or the school cannot fund it from some other source, then it must be cancelled.

5. Residential Visits

- 5.1. 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

³ 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 allocating places on school visits will be.

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

- 5.2. A charge will be made for:
- board and lodging (the charge must not exceed the actual cost)
- 5.3. Parents who can prove they are in receipt of the following benefits are exempt from paying the cost of board and lodging:
- Income Support
 - income-based Jobseeker's Allowance
 - 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 you're not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190)
 - Working Tax Credit run-on - paid for 4 weeks after you stop qualifying for Working Tax Credit
 - Universal Credit - if you apply on or after 1 April 2018 your household income must be less than £7,400 a year (after tax and not including any benefits you get)

6. Musical Instrument Tuition

- 6.1. There is an exception to the rule about not charging for education in school hours. 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.
- 6.2. 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.
- 6.3. They may only be made if the teaching is not an essential part of either the national curriculum or a public examination syllabus being followed by the pupil(s), or the first access to the Key Stage 2 Instrumental and Vocal Tuition Programme. 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).

7. Transport

- 7.1. No charge can be made 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.

8. Education partly during school hours

8.1. 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

An activity may occur partly during and partly outside school hours. If 50% or more of the time spent on a non-residential activity occurs during school hours, it is deemed to have taken 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.

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 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.

9. Public Examinations

9.1. No charges may be made for entering pupils for public examinations that are set out in the Regulations. The governing body must enter a pupil for each examination in a public examination syllabus for which the school has prepared the pupil. This does not apply if the governing body thinks there are educational reasons for not entering the pupil, or if the pupil's parents request in writing that the pupil should not be entered. The LA may not override the governing body's decision on whether to enter a particular pupil for an examination.

9.2. 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
- 9.3. Charges may not be made for any cost associated with preparing a pupil for an examination. However, charging is allowed for tuition and other costs if a pupil is prepared outside school hours for an examination that is not set out in the Regulations.

10. Activities Not Run By The Academy

- 10.1. When an organisation acting independently of an academy arranges an activity to take place during school hours and parents want their children to join the activity, such organisations may charge parents. Parents must then ask the school to agree to their children being absent, just as they would if they wanted to take their children out of school for a family holiday. However, where an activity is organised by a third party and is approved by the school is educational or is supervised by someone authorised by the school, then it is the DFE's view that it should be treated as if it were provided by the school and no charge should be made to the parents or pupils. Such an activity, if it takes place outside the school premises, is an "approved educational activity" within the meaning of Regulation 4A(a) of the Education (Pupil Registration) Regulations 1995 (as amended).

11. School Minibuses

- 11.1. Schools may charge for transport in their minibuses only if they hold a permit issued under Section 19 of the Transport Act 1985. In some cases, the permit exempts the school from Public Service Vehicle (PSV) operator and driver licensing requirements. A permit is not required if no charge is made in cash or kind. Schools should apply to the Transport Team for a permit for each minibus.
- 11.2. Charges may recover some or all of the costs of running the vehicle, including loss of value. But the service may not make a profit, either directly through the fares charged or incidentally as part of a profit making activity, even if any profit would go into the school's other running costs or for charitable purposes. A charge is any payment made in cash or kind (for example, a club subscription) by or on behalf of a person that gives him or her a right to be carried.
- 11.3. If schools intend to hire their minibus they must ensure that their insurance covers passengers carried during the hiring. Further guidance is available from the Transport Team.

12. Materials, Books, Instruments Or Other Equipment

- 12.1. The Trust Board may set a charge 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. Any charge will not exceed the cost of the materials. Alternatively, the parent may be required to provide the materials in question.

13. Damage and Property

- 13.1. A governing body may reserve the right to ask the parents of pupils whose inappropriate behaviour causes damage to contribute to the cost of repairs or of replacing defaced, damaged or lost property.
- 13.2. Each incident will be dealt with on its own merit and at the academy's discretion.

14. The Law & Guidance

- 14.1. Education Act 1996: sections 449 - 462
- 14.2. DfE Charging for School Activities (Revised October 2018)
- 14.3. This policy will be reviewed on an annual basis.