

# Bramham and Shadwell Federation

## CHARGING AND REMISSIONS POLICY

Adopted by the Resources Sub-Committee  
in  
October 2016

Date to be reviewed: October 2017  
Statutory Policy

Signed: \_\_\_\_\_

Chair of Sub-Committee



## **Aim**

The aim of this policy is to set out what charges will be levied for activities, what remissions will be implemented and the circumstances under which voluntary contributions will be requested from parents.

## **Responsibilities**

The Governing Body of the Bramham Shadwell Federation are responsible for determining the content of this policy and the Headteacher for its implementation. Any determination with respect to individual parents will be considered jointly by the Headteacher and Governing Body.

## **Charges cannot be made for .....**

The Governing Body of the School recognise that legislation prohibits charges for the following;

- 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.
- An admission application to any state funded school.
- Tuition for pupils learning to play musical instruments or vocal tuition if this 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.
- Examination resits if the pupil is being prepared for the resit at the school.
- Education provided on any trip that takes place during school hours.
- Education provided on any trip 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 trip.
- 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 or she has been prepared for that examination at the school.
- Transport provided in connection with an educational trip.

## **Charges may be made for .....**

- Board and lodging on residential visits (not to exceed the costs).

- The proportionate costs for an individual child of activities wholly or mainly outside school hours ('optional extras') to meet the costs for;
  - Travel
  - Materials and equipment
  - Non-teaching staff costs
  - Supply teachers engaged purely for optional extras
  - Entrance fees
  - Insurance costs
- Vocal and musical instrument tuition.
- Re-sits for public examinations where no further preparation has been provided by the school.
- Examination fees where a pupil fails without good reason to sit the exam.
- Any other education, transport or examinations where no further preparation has been provided by the school.
- Any other education, transport or examination fee unless charges are specifically prohibited.
- Breakages and replacements as a result of damages caused wilfully or negligently by pupils.
- Extra-curricular activities and school clubs.
- Any extended school activity
- Any additional hours (greater than the statutory 15) deemed to be for child care for 2 year olds. In accordance with the Education (Charges for Early Years Provision) Regulations 2012.
- Damage/vandalism/loss to and of school property.
- Community Use / Lettings. (Arrangements for the letting of school premises and charges are contained in the Letting Charges Policy).

## **Remission**

Children whose parents are in receipt of the following support payments will, on addition to having a free school lunch entitlement, also be entitled to the remission of charges for board and lodging costs during residential school trips. The relevant support payments are;

- Universal Credit in prescribed circumstances. (The Government plans to prescribe the circumstances when Universal Credit is fully rolled out.)
- Income Support

- Income Based Jobseeker's Allowance
- Support under Part 6 of the Immigration and Asylum Act 1999
- Child Tax Credit, where the parent is not entitled to Working Tax Credit and whose annual income (as assessed by HMRC) does not exceed £16190 for 2013-2014 (in respect of this item account will need to be taken of any revision to the amount)
- Guarantee element of State Pension Credit
- An income related employment and support allowance

## **Voluntary Contributions**

Parents will be invited to make a voluntary contribution for the following;

- a) Educational visits out of school or visitors into school
- b) Transport as part of an educational activity.
- c) Transport after school to an organised event eg. Sporting fixture

The terms of any request made to parents will specify that it is a voluntary contribution and in no way represents a charge. In addition the following will be made clear to parents;

- a) that the contribution is genuinely voluntary and a parent is under no obligation to pay
- b) that registered pupils at the school will not be treated differently according to whether or not their parents have made any contribution in response to the request

The responsibility for determining the level of voluntary contribution is delegated to the Headteacher.

Voluntary contributions will be used to;

- Subsidise visits in or out of school that contribute to an enrichment of learning

Any excess contributions will be saved and used towards subsequent class trips against the same cohort.

## **School Meals**

The Head teacher and Governing Body will determine and publish annually the price to be charged for school meals.

Appendix 1



## **Guidance on charging for school activities**

**January 2015**

## **Guidance on charging for school activities**

The purpose of this guidance is to assist Governing Bodies and Headteachers in drawing up a school charging policy in respect of school activities and trips.

This guidance compliments the information given in section 7.5 of “ The Governors Handbook September 2014“ which accompanies this document.

Also included (see Annex 1) is a model policy which schools can, if they wish, use as the basis for their own individual school policy.

### **Charging and Remission Policy**

Under the charging provisions set out in the relevant legislation governing bodies may choose to charge for certain activities, but only if they have first drawn up a charging and remission policy. Where such a policy is agreed it should be regularly reviewed, and should be made available to parents on request.

The policy should take account of each type of activity that can be charged for and explain when charges will be made. The following is a list of areas which governing bodies will need to consider in determining their charging and remission policy.

- Board and lodging for a pupil on residential visits in school hours, unless the parents are in receipt of relevant benefits entitling them to exemption of these charges.
- Costs associated with tuition in the playing of a musical instrument or for vocal tuition whether in or out of school.
- Activities which take place wholly or mainly outside school hours, but which are not provided as part of the syllabus for a prescribed public examination and are not required in order to fulfil statutory duties relating to the National Curriculum or to religious education.
- The cost of entering a pupil for a public examination not prescribed in the regulations, and for preparing the pupil for such an examination outside school hours.
- Re-sits of prescribed public examinations where no further preparation has been provided by the school.
- Any additional hours greater than the statutory 15 deemed to be for child care for 2 year olds, under the Education (Charges for Early Years Provision) Regulations 2012.
- Consideration also needs to be given to;
  - the proportion of the costs where a charge is to be made
  - whether any remission is to extend beyond the statutory minimum
  - whether or not special consideration is to be given to hardship cases not contained within the exemptions and how this is to be determined.
  - the level of support from school funds where the level of voluntary contributions is insufficient to fund the visit or journey.

If the policy states a charge is to be made for a particular type of activity, then the policy should set out how the charge is to be calculated, and the circumstances under which anybody will be eligible for a waiver or reduction in the charge. Parents need to be informed of how the charge will be worked out and who might qualify for help with the cost (or even get it free).

Any charges made should not exceed the actual cost. If further funds need to be raised, for example to help in hardship cases, this must be by voluntary contribution or general fund-raising, i.e. provision for non-payment cannot be built into charges levied.

## Education

Schools cannot charge for;

- Education provided during school hours (including the supply of any materials, books, instruments or other equipment including Tablet PC).
- 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.
- 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 part of the admissions process.
- 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.
- Examination re-sits if the pupil is being prepared for the re-sit at the school. 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.

Schools can charge for;

- Examination fees where a pupil fails without good reason to sit the exam.
- Music and vocal tuition, in some circumstances – see below.
- Any materials, books, instruments, or equipment, where the pupil’s parent wishes him/her to own them.
- Certain early years provision, as per the Education (Charges for Early Years Provision) Regulations 2012.
- Community facilities (see below)

## Non-residential activities

If 50% or more of time spent on the activity occurs mostly during school hours then that activity counts as taking place entirely in school hours and no charge may be made. (The term ‘charge’ used in this context should not be confused with ‘voluntary contributions’ which are explained further in a separate section below.) Time spent on travel counts for the purpose of the calculation only if the travel itself occurs during school hours.

If an activity takes place mostly outside school hours then a charge can be made as long as the activity is not a necessary part of the national curriculum and does not form part of the basic curriculum for religious education.

### *Example A*

Most trips will involve some travel to and from the destination but if time spent at the destination falls mainly within normal school hours then this would be classified as an activity taking place in school time. *In this case no charge can be made but a voluntary contribution could be requested.*

### *Example B*

A trip which started before the end of normal school hours but did not end until late in the evening would be less than 50% in school time and therefore considered to have taken place outside of school hours. *In this case a charge could be made subject to the conditions above – see “Education” section.*

## **Residential trips**

Schools cannot charge for;

- Education provided on any trip that takes place during school hours.
- Education provided on any trip 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 trip.

Schools can charge for;

- Board and lodging, including that of necessary supervisory staff.
- Supply teachers engaged purely to accompany pupils on a residential trip. This is an optional extra.

Charges must not exceed actual cost.

When a school informs parents about a trip, they should 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 in prescribed circumstances. (The Government plans to prescribe the circumstances when Universal Credit is fully rolled out.)
- Income Support
- Income-based Jobseekers Allowance
- Support under Part 6 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 HMRC) does not exceed £16190 (for 2013-2014)
- Guarantee element of State Pension Credit
- An income related employment and support allowance (this benefit was introduced on 27 October 2008).

Schools should make it clear to parents at the outset what their policy for allocating places on school trips will be and also advise all parents of the right to claim free activities if they are receiving these benefits.

In the case of residential trips the test to determine whether an activity is within or outside of school hours is based on the number of half days taken up by the activity (including travel) relative to the number of school sessions the pupils would have attended had the activity not taken place. The Regulations require that the school day be divided into two sessions with a “half-day” being any period of 12 hours ending with noon or midnight on any day.

A school trip is considered to have taken place within school time if the number of school sessions missed by the pupils amounts to half or more of the number of half days taken up by the activity.

## **Music Tuition**

Although the law states that all education provided during school hours must be free, music lessons are an exception to this rule.

Charges may be made for instrument and vocal tuition, subject to the parent/carer requesting the tuition. (This is set out in the Charges for Music Tuition (England) Regulations 2007).

Charges may also be made for tuition provided either individually, or for groups of any size provided outside school hours, if the tuition is not part of the National Curriculum, or part of a public examination syllabus that the pupil is being prepared for at the school. This is a permitted optional extra.

The regulations make clear that charges must not be made;

- If the teaching is either an essential part of the national curriculum, or is provided under first access to the KS2 Instrumental and Vocal Tuition Programme.
- 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).

Charges may not exceed the cost of the provision, including the cost of the staff who provide the tuition. Remission policies should make tuition affordable for all pupils.

## **Transport**

Schools cannot charge for;

- Transporting registered pupils to or from the school premises, where the children's services authority has a statutory obligation to provide transport.
- Transporting registered pupils to other premises where the governing body or children's services authority has arranged for pupils to be educated.
- Transport that enables a pupil to meet an examination requirement when he/she has been prepared for that examination at the school.
- Transport provided in connection with an educational trip in school time.

School can charge for;

- Any other transport. This is a permitted optional extra.

## **Voluntary contributions**

The restrictions on charging for school activities, some of which are detailed above, do not prohibit or restrict schools from seeking voluntary contributions for the benefit of the school or in support of any school activity, whether during or outside school hours, residential or non-residential.

Contributions must be genuinely voluntary and the terms of any request inviting parents to make a contribution must make it clear that there is no obligation to contribute and that pupils at the school will not be treated differently according to whether or not their parents have made any contribution in response to the request.

If the activity cannot be funded without voluntary contribution, the governing body or headteacher must make this clear to parents at the outset. An initial letter should explain the nature of the proposed activity and its likely educational value. It should then indicate the contribution per pupil which is required for the activity to take place. It should emphasise that there is no obligation to contribute and that no pupil will be omitted from the activity because his or her parents are unwilling or unable to contribute, but it should be made equally clear that the activity will not take place if parents are reluctant to support it.

There is no limit to the level of voluntary contributions which parents or others can make to school activities, nor is any restriction placed upon the use which can be made of such contributions. A request for a contribution towards the cost of a particular activity could, for example, include the cost of subsidising pupils from low income families, or the cost of travel for accompanying teachers. Alternatively, parents could be asked to contribute towards part of the cost at the time of the visit or activity, and the rest could be met from the proceeds of general fund-raising events held in recent months. As a matter of good practice schools should outline in their charging policy how any excess contributions will be used.

## **Minibuses**

Only the school's pupils, staff or parents may travel at a charge in a school's minibus.

Schools may charge for transport in their minibuses only if they hold a permit issued under Section 19 of the Transport Act 1985. 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.

Schools may not raise funds to make a profit by charging for travel in their minibuses.

Charges may recover some or all of the costs of running the vehicle, including loss of value. However the service may not make a profit, either directly through the fares charges or incidentally as part of a profit making activity, even if a 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 which gives them a right to be carried.

## **Damages and Losses**

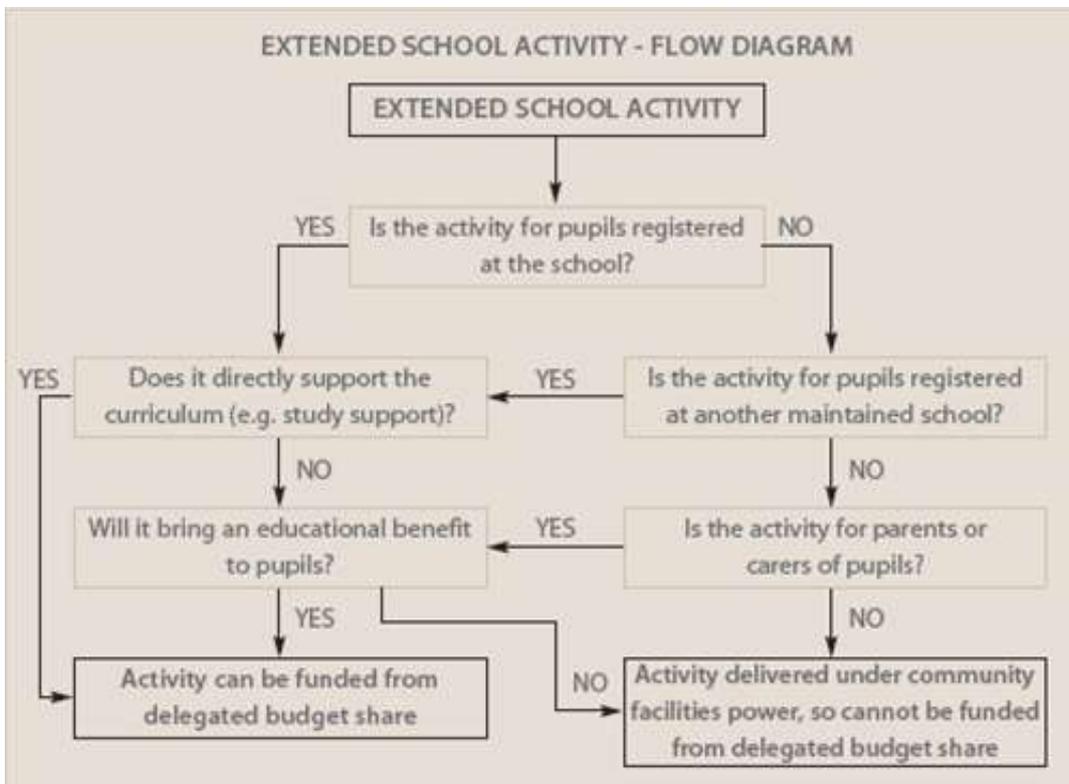
Schools may want to include in their charging policy a statement as to whether parents will be asked to pay for any breakages, vandalism or other damage caused by their children. This could also a statement of policy with respect to any lost textbooks and library books.

## **Extended Services**

Governing Bodies are able to provide extended services under two separate sets of regulations.

### **1. Purposes of the School**

Where extended services activity is expected to provide an educational benefit to pupils it comes under the general definition of ‘purposes of the school’. Where such activity is undertaken it must be covered by the School Charging Policy before a charge may be made. Any extended services activity that is for ‘purposes of the school’ can be funded or subsidised from the school budget share. The flowchart below gives some further guidance regarding what can and cannot be funded from the school’s budget share.



## 2. Community Facilities Powers

Under Section 27 of the Education Act 2002, governing bodies of maintained schools have the power to provide community facilities for the benefit of families of pupils at the school, or people who work in the locality in which the school is situated. This includes childcare. Specifically, the Act;

- Provides flexibility for governing bodies to enter into agreements with other partners to provide services on school premises
- Enables governing bodies to charge for some services

Community activities must (at least) be self-financing, either through alternative funding streams or charges to users. Schools may not use the school’s delegated budget share to subsidise community activities but can use certain other grant funding.

Children, their parents, adults, families, clubs and businesses can be charged for participation in community activities or services arranged by the school, as long as the governing body have drawn up a statement of general policy on charging.

Any surplus funds generated by any charges levied must be used to finance further community activities or transferred into the school’s budget share.

In deciding the level of any charges to be made in respect of extended school activities schools will need to take account of the fact that many facilities, equipment and staff may be being shared. All costs will need to be fairly apportioned between the school's delegated budget and the extended school budget. It may be necessary to estimate the different levels of use by the school and other groups. The following costs will need to be covered;

- Heating and lighting
- Water costs
- Equipment and materials
- Refreshments
- Staffing
- Cleaning
- Maintenance
- Wear and tear
- Programme management and administrative support

Some schools may wish to encourage activities and services that they consider a priority, but which might not be self-financing. Activities and services that generate income can be used to help support other programmes. Equally, charges can be subsidised for individual users of services who might be unable to pay to participate, but who could benefit from the activity or service. The granting of any such subsidy should be clearly set out in the school's remission policy forming part of the school's charging policy.

## **School Meals**

Where a school has a delegated budget for meals the governing body takes on the responsibility for their provision. Subject to meeting the nutritional standards Regulations, the governing body decides the content, presentation, and cost of school food, and where there is a cash cafeteria system, sets the standard meals allowance for those entitled to free meals. The power to charge for the provision of School Meals is separate from the regulations covering Charging Policies. Whilst there is no requirement to include reference to Charges for School Meals within a Charging Policy Governing Bodies should put in place procedures to review, set, and communicate charges for school meals to parents.