

Charging and Remissions Policy

**RATIFIED BY...Resources Committee
(Governing Body)**

DATE: October 2015

Reviewed: 1st June 2016

Reviewed: 18.6.2017

Reviewed: 14.05.2019

DATE TO BE REVIEWED: 14.05.2021

1. Introduction

This policy sets out the provisions of Sections 449-462 of the Education Act 1996, as they relate to charges for activities organised for school pupils by schools and other persons. It also sets out advice to Governing Bodies and Headteachers when they decide upon the types of activity for which they will charge parents and where such charges are made the types of activities for which they will reduce or remit such charges and by how much.

The legislation identifies activities, and the circumstances in which they are provided, where charges may legally be made to parents. These are known as Optional Extras. Activities which are not deemed to be Optional Extras cannot be charged for. Board and lodging costs can be charged for, except for pupils whose parents are in receipt of income-related benefits, when charges cannot be made.

This policy should be read in conjunction with the Authority's LAs Circular No 146 "The Code of Practice and guidelines for Education Excursions and Outdoor and Adventurous Activities" and "The Education (School Government) England Regulations 1999". Headteachers should seek necessary approvals for school excursions from their Governing Body/LEA as appropriate to Form 146.

Section 457 of the Education Act, 1996 requires every Governing Body of a maintained school and every Local Authority to determine and keep under review a policy describing the circumstances in which they will make charges for optional extras and for board and lodgings. A Remissions Policy must also be drawn up where it is intended to meet the cost (or part thereof) of any charges which may be made under the policy. No charges whatsoever can be levied unless a charging policy has been determined. Attached to this document at Appendix 1 is the policy for the Education Authority with respect to charges and remissions. This policy will continue to be reviewed on an annual basis.

The policies established by LAs and Governors must be kept under regular review.

The latest guidance in *Statutory Policies for Schools, September 2014* is in Appendix 4

2. General Provisions Relating to Charging

The legislation specifies the types of activities and circumstances in which charges may and may not be made. Where charges can be made for education, including transport or examination entry, such charges are known as Regulated charges. Types of classes of education for which charges may be made are known as Optional Extras. Paragraph 3 below identifies the types of activities (and circumstances of their provision where relevant) which may be termed optional extras for which a charge can be made and those activities for which charges cannot be made.

Where the Local Education Authority makes a charge, Governing Bodies can determine to meet the costs (or part thereof) involved on behalf of the child. Where Governors

intend to do this, they must document the circumstances in which this will occur in their Remissions Policy.

3. Circumstances in which Charges May and May Not Be Made

A. No charges may be made for:

- a. Education provided for registered pupils in school hours.
- b. Education provided out of school hours, but which is part of an educational activity, more than half of which, including travelling time in school time, takes place in school hours.
- c. Education provided for a registered pupil if it is required as part of a syllabus leading to a prescribed public examination. This includes such education where any part of it is provided by the school whether in school time or not. (But see B(vii)(b) below).
- d. Education specifically provided to fulfil statutory duties relating to the national curriculum, whether in school time or not
- e. Entry fees to a prescribed public examination, in any syllabus for which a registered pupil has been prepared by the school
- f. Any religious education which is part of the school's basic curriculum whether in school time or not
- g. Education provided on residential courses where the number of school sessions on which the course takes place is equal to or greater than fifty per cent of the number of half days (twelve hours ending noon or midnight) spent on the trip. A school session is fifty percent or more of a school session and a half day is fifty per cent or more of a half day for purposes of calculation
- h. Transport which is incidental to education described above
- i. Board and lodging where a registered pupil is on a residential trip in school hours or deemed to be in school hours and where his/her parents/ carers are in receipt of income- related benefits in any part of the period in which the residential trip occurs.

Parental/ carer agreement must be sought and received prior to any activities taking place where it is intended to make a charge

- **Charges may be made for:**

- Education, including transport, provided outside school hours. This includes education where the time it takes up, including any travelling time in school time, is less than fifty percent of the total time allocated to the activity
 - The cost of transport not provided by the LA or school to travel direct from home to an activity sanctioned, though not provided by the LEA or the school (for example, from home to work experience).
 - Tuition in playing a musical instrument which is provided in a group of four or fewer pupils. Where, however, such tuition is provided, whether within or outside school hours, as part of the syllabus for a prescribed public examination or is provided as part of the National Curriculum, no charge may be made.
 - Gifted and Talented Masterclasses taking place outside school session times
 - Any board and lodgings provided for a registered pupil (except in circumstances described in 3A() above)
 - Any education, including transport costs, provided on residential trips where the number of school sessions on the trip is less than 50% of the number of half days spent on the trip.
- **Examination fees:**
 - Where the registered pupil has not been prepared for a prescribed public examination at the school
 - Where a pupil who has followed the syllabus for a prescribed examination fails such an examination and where, in the opinion of the Governing Body/LEA, the pupil has failed to meet the examination requirements without good cause
 - Where a parent/ carer asks for examination results to be rescrutinised, any charge made by the examining body
 - Where a pupil's behaviour results in deliberate damage to school property, the school will reserve the right to require parents/ carers to pay to remedy the damage or to replace the item concerned
 - Schools may charge for or require the supply of materials and ingredients if parents/ carers indicate in advance a wish to own a finished product

- Any activities which are organised by persons or organisations other than the Governing Body (or persons acting on their behalf) or the Authority and where the charges are made by those persons or organisations

4. Charging Principles

Where a charge is made for an activity (an Optional Extra) or for transport or board and lodging, the charge made will not exceed the cost of provision. In calculating the charge the costs involved will be as follows:

- Those incurred in the provision any materials, books, instruments or other equipment
- Entrance fees to museums, castles, theatres, etc
- Insurance costs
- Those attributable to the provision of non-teaching staff for any purpose connected with the provision of such optional extras
- Those attributable to teaching staff engaged under contracts of service with the purpose of providing the optional extra. Contracts of service will only be relevant to excursions organised outside school hours

A Contract for services can be a simple document or letter, written on behalf of the Governing Body inviting a teacher to provide certain services for a specific activity taking place at a specified time in return for payment of expenses. The Authority does not support the issuing of contracts for services which include payment for services rendered. Where a Headteacher issues a contract for services on behalf of the Governing Body, the teacher should be asked to signify agreement by signing and returning a copy of the letter.

A sample contract prepared by one of the teachers' professional associations is attached at Appendix 2.

5. Voluntary Contributions

Schools are able to seek voluntary contributions towards the cost of school activities, including residential visits which involve pupils whose parents/ carers receive income-related benefits, but the terms of the request must make it clear:

- That there is no obligation to contribute, and
- That registered pupils at the school will not be treated differently according to whether or not their parents/ carers have made any contribution in response to any request.

A request for a contribution may include the cost of subsidising low income families or the cost of travel for accompanying teachers

6. Charges and Remissions Policy

1. Day Trips

The Authority has no financial involvement in the provision of day excursions and Governing Bodies should determine charges and remissions policies for such activities

2. Music Tuition

The provision of music tuition through Rotherham Music Service is heavily subsidized by the Standard Fund and Local Education Authority. Schools are charged a minimal annual fee per child receiving tuition. The Governing Body may, at its discretion, remit the whole or part of this fee or pass it on in full to parents/ carer. The school is still obliged to pay for this tuition, however, if the lessons form part of the school curriculum or are essential for an examination subject. Governors, of course will be free to provide additional tuition, should they wish to do so, and make a charge accordingly.

3. The Necessitous Pupils Scheme

The DfES does not allow LAs to hold back funds for a necessitous pupils' scheme from the Aggregated Schools Budget. It is for school Governors to decide within their remissions policy the nature of any remissions. It must be emphasized that where residential visits take place, no charge can be made for board and lodgings to pupils whose parents are in receipt of income - related benefits. Governors will need to make provision for such pupils or ensure that voluntary contributions are invited. This will apply to all residential visits.

4. Activities Arranged During School Hours by a Third Party

Where an organization other than the LA or Governing Body (for example a travel company) arranges an activity to take place during school hours, and parents/ carers ask the school to grant their children leave of absence to take part in the activity, the organizations concerned may charge the parents/ carers direct.

Neither the Authority nor the Governing Body would take part in the transaction and it would be for parents/ carers and any school staff released for the activity to satisfy themselves about the adequacy of the arrangements with respect to the safety and welfare of the children. Where an activity is arranged in accordance with the provisions of this paragraph and has the specific and prior approval of the LA/Governing Body and fulfils the supervisory and other requirements of the

Authority's School Educational Excursions Scheme as documented in LEA Circular 146, the Authority's Third Party insurance will cover all participating employees.

The Governors and Headteacher will need to be satisfied that the release of pupils to take part in such an activity can be justified in the light of the statutory requirements relating to the school curriculum. It should also be noted that a pupil must not be granted more than two weeks leave of absence in any year, save in exceptional circumstances.

Headteachers should also ensure that the third party is a sound trading company and that the body has not been formed for the sole purpose of providing the specific activity for the school concerned. A group of parents/teachers for example, operating independently to organize an activity would not be regarded as a sound trading company for this purpose

5. Examples with Respect to Charging

Appendix 3 offers examples as to what charges may and may not be made.

6. Out of School Clubs

Parents will be asked for a voluntary contribution towards the direct expenditure incurred for resources, external staff/visitors and cost of entrance into venues.

All funds received will be logged in the 'financial out turn' of Out of Hours Learning NRF Project

Students with parents/ carers in receipt of income- related benefits will not be excluded from clubs due to non payment.



Charges and Remissions Policy for School Activities

This document sets out the Authority's policy with respect to charging for school activities and its policy with respect to remissions as required under the provision of the Education Act, 1996

Charges

Charges will be made by the LA in the following circumstances, although the Governing Body may, at its discretion, remit the whole or part of the costs involved as part of its own remissions policy should it so determine

Any individual or small group (normally of up to four pupils) tuition in playing a musical instrument or voice, including that provided through the Authority's peripatetic music service, Rotherham Music Service will continue to set fees for the provision of extra-curricular activities after school and at weekends. There is a policy for partial remission of this fee for subsequent family members and those eligible for free school meals.

Any board and lodging provided for a registered pupil at Habershon House Residential Centre or Longdendale Residential Centre.

Any Education, including transport costs, provided on residential trips where the number of school sessions on the trip is less than 50% of the number of half days spent on the trip.

Remissions

The Governing Body will be responsible for any remission of charges, including a full remission in respect of board and lodging for any pupils attending any journeys in what is deemed to be school time and where parents/ carers receive Income Support, Working Tax CREDIT (FROM 06.04.03 will be known as 'TAX CREDIT' (CHILD TAX CREDIT), Income Based Job Seekers Allowance or Disabled Persons Tax Credit (from 06.04.03 will be known as TAX CREDIT (WORKING TAX CREDIT)

Appendix 2

SCHOOL VISITS

Dear

EDUCATIONAL VISIT (_____ TO _____ 20)

On behalf of the Governing Body of the School I confirm the Contract for your services as (Teacher in Charge of/Assistant teacher) on the forthcoming Educational visit

In return for your services the cost of your board, lodging and travel will be met by the School, but no additional payment will be made to you.

Please sign and return the extra copy of this letter as confirmation of your acceptance of these arrangements

Yours sincerely

_____(Headteacher)

Signed _____(Teacher)
(on copy letter)

APPENDIX 3

Examples with Respect to Charging for School Activities

Day Trips

School Day 9am to 12 noon 1pm to 3.30pm

Example 1

Day trip starts at 9am and party returns to school at 6pm

The total length of the journey (including travel time in school time) is, therefore, 9 hours. As the time taken on the day trip in school time (5.5 hours) is more than 50% of the total time of the trip, then no charge can be made to parents.

Example 2

Day trip in which party leaves at 7.30am and returns to school at 8pm.

The total length of the journey including travel in school time is 12.5 hours. The period of the school day (5.5 hours) taken up on the journey is less than 50% of the total length of the time taken. Therefore, it is possible to make a charge for the journey if the Governing Body had taken a prior decision to include such a journey in its charging policy.

Residential Trips

School Day 9am to 12 noon 1pm to 3.30pm

Example 1

A visit to France commences at 5.30pm on Friday and the party returns to school on the following Friday at 5.30pm.

Number of School Sessions included in the visit = Monday to Friday = 10

Number of half days included in the visit = Friday to Friday = 14 (the afternoon of the first Friday and the morning of the second Friday are included in the calculation).

As the number of school sessions is greater than 50% of the number of half days taken up on the journey, no charge can be made for education, including any transport provided.

Example 2

A visit to Belgium commences at 6.30pm on Friday and the party returns to school at 5.30pm on the following Monday

No of School Sessions included in the visit = Monday = 2

Number of half days included in the visit = Saturday to Monday - 5 (only the morning of Monday is included in the calculation).

As the number of school sessions is less than 50% of the number of days then a charge can be made for the education provided as well as for any transport involved in its provision

Example 3

A journey commences on Tuesday at 5.30pm and the party returns at 6.30pm on Saturday week, eleven days later. The second week of the journey takes place when the school is closed for a holiday.

Number of school sessions included in the visit = 6 (Tuesday to Saturday week). The afternoon of the first Tuesday and the Saturday on which the party returns are included in the calculation.

As the number of school sessions is less than 50% of the number of half days, in which the journey takes place, a charge can be made for the education provided including any transport involved in its provision.

Appendix 4 Guidance

Maintained schools - Education Act 1996, section 457.

Education (School Sessions and Charges and Remissions Policies) (Information) (England) Regulations 1999.

Education (Residential Trips) (Prescribed Tax Credits) (England) Regulations 2003, SI 2003/381.

The School Information (England) Regulations 2008 (as amended).

Schools Charging Advice

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514619/Charging_for_school_activities.pdf