



Council Children's Services

POLICY ON CHARGES AND REMISSIONS FOR SCHOOL ACTIVITIES

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Policy on Charges and Remissions for School Activities

1. CHARGING POLICIES

In general the provision of education is free but as permitted by the Education Act 1996 charges are permissible in the areas listed below. No charges can be made unless the Local Authority and the governing body of a school has drawn up a charging policy giving details of the optional extras or board and lodging they intend to charge for and a remission policy.

The agreed policy of Torbay Council, as approved by the Education Committee on 23 May 2001, provides for charges in the areas listed below. It is for individual governing bodies to determine their policy in relation to this policy and the revised guidance issued by the Department for Children Schools and Families (DCSF) in January 2009.

A governing body's policy may be more or less generous than the Council's, as long as it meets the requirements of the law. 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. Parents should be given notice of any proposed change to the policy.

The remissions policy must set out the circumstances in which the school propose to remit (wholly or partly) any charge which would otherwise be payable in accordance with their charging policy.

2. EDUCATION

This policy provides that no charge may be made for:

- an admission application to any maintained school
- 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 that the pupil is being prepared for at the school, or part of religious education
- tuition for pupils learning to play musical instruments if the tuition 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; and
- examination re-sit(s) if the pupil is being prepared for the re-sit(s) at the school²

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)

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

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

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.

- 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 that is not 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 and
- 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;
- 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 a proportion of the costs, for teaching staff employed to provide tuition in playing a musical instrument, 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 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.

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 is 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.

3. VOLUNTARY CONTRIBUTIONS

A school may ask for voluntary contributions for the benefit of the school 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. RESIDENTIAL VISITS

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

A charge will be made for:

- board and lodging (the charge must not exceed the actual cost)

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 pressurised 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.

Parents who can prove they are in receipt of the following benefits are exempt from paying the cost of board and lodging:

- 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 £16,040 (Financial Year 2009/10)
- the guarantee element of State Pension Credit and
- an income related employment and support allowance that was introduced on 27 October 2008

Guidance on school policies for Learning Outside the Classroom, including charging is available on the Learning Outside the Classroom website.⁴

5. MUSICAL INSTRUMENT TUITION

There is an exception to the rule about not charging for education in school hours.⁵ Charges may be made for teaching either an individual pupil or groups of any appropriate size (provided that the size of the group is based on sound pedagogical principles) to play a musical instrument or to sing.⁶ 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 (Wider Opportunities).

6. TRANSPORT

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.

Guidance is available on the Teachernet website.⁷

7. 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.

⁴ <http://www.lotc.org.uk/pdf/1.3.2%20Developing%20a%20LOtC%20policy.pdf>

⁵ The Education and Inspections Act 2006 introduced a regulation-making power which allowed the Department for Children, Schools and Families (DCSF) to specify circumstances where charges can be made for music tuition.

⁶

<http://www.teachernet.gov.uk/doc/11803/804%20Guidance%20charging%20regulations%20for%20music%20tuition%20July%2007%20pdf.pdf>

⁷

<http://publications.teachernet.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DFES-00373-2007>

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.

8. PUBLIC EXAMINATIONS

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.

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

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.

9. ACTIVITIES NOT RUN BY THE SCHOOL OR LOCAL AUTHORITY

When an organisation acting independently of a school or LA 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 DCSF’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).

10. SCHOOL MINIBUSES

Only the school’s pupils, staff or parents may travel for 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. 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 their LA for a permit for each minibus.

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. MATERIALS, BOOKS, INSTRUMENTS OR OTHER EQUIPMENT

A governing body 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.

12. DAMAGE TO PROPERTY

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. THE LAW & GUIDANCE

Education Act 1996: sections 449 - 462
DCSF A Guide to the Law for School Governors (Chapter 23)
DCSF Charging for School Activities (Revised January 2009)