



Marches Academy Trust

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Charging and Remission Policy

Contents

| | |
|--|---|
| 1. Introduction | 3 |
| 2. Education | 3 |
| 3. Optional Extras | 4 |
| 4. Voluntary Contributions (excluding optional extras) | 5 |
| 5. Residential Visits | 6 |
| 6. Music Tuition..... | 7 |
| 7. Education partly during school hours | 7 |
| 8. Non-residential activities..... | 7 |
| 9. Residential visits | 7 |
| 10. Other Charges | 8 |
| 10.1. Material and Equipment | 8 |
| 10.2. Breakages, repairs and replacements | 8 |
| 11. Questions and Answers..... | 9 |

1. Introduction

Marches Academy Trust wishes to make a broad programme of activities accessible to as many children & young people (CYP) as possible. This policy is intended to maintain a fair and coherent system of charges and remissions within the constraints of the Trust's budget. It also defines other circumstances when the Trust may wish to ask for voluntary contributions, how these charges will be worked out and who might qualify for help with the costs.

No charges can be made unless stated within this policy. The Trust's policy may be more or less generous than the LA's, as long as it meets the requirements of the law.

The policy is written to comply with the relevant terms of:

- The Education Act 1996;
- The Education (School Sessions and Charges and Remissions Policies) (Information) (England) Regulations 1999; and
- The Education (Prescribed Public Examinations) (England) Regulations 2010.
- It also references the 'Charging for School Activities' guidance produced by the Department for Education.

The CFOO is responsible for determining the content of this policy and the Headteacher of each school for implementation. Any determination with respect to individual parents/carers will be considered jointly by the Headteacher. While the responsibility for the implementation of this policy and provision rests with the Headteacher, on an operational basis, the management, responsibility and evaluation of this policy is undertaken by the CFOO.

2. Education

The Trust and local authorities **cannot** charge 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 Curriculum, or part of a syllabus for a prescribed public examination that the CYP is being prepared for at the school, or part of religious education. (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).
- tuition for CYP 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 CYP is being prepared for at the school, or part of religious education;
- entry for a prescribed public examination, if the CYP has been prepared for it at the

school. (However, if a CYP fails, without good reason, to meet any examination requirement for a syllabus, the fee can be recovered from the CYP's parents.)

- examination re-sit(s) if the CYP is being prepared for the re-sit(s) at the school;
- transporting registered CYP to or from the school premises, where the local education authority has a statutory obligation to provide transport;
- transporting registered CYP to other premises where the governing body or local education authority has arranged for CYP to be educated;
- transport that enables a CYP to meet an examination requirement, when the CYP has been prepared for that examination at the school; and
- transport provided in connection with an educational visit.

Schools and local authorities **can** charge for:

- any materials, books, instruments, or equipment, where the CYP's parent wishes him to own them;
- optional extras (see below);
- music and vocal tuition, in limited circumstances (see page 4).
- certain early years provision; and
- community facilities.

3. 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. The charges will be made after consultation with parents/carers, will not exceed the cost of the provision and will be proportional for each CYP. Lessons / activities will not be confirmed until parental/carers agreement has been received, ideally by return of a signed reply slip.

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 CYP is being prepared for at the school; or
 - c) part of religious education.
- examination entry fee(s) if the registered CYP has not been prepared for the examination(s) at the school;

- transporting registered CYP to or from school premises where the Local Authority does not have a statutory obligation;
- board and lodging for a CYP on a residential visit.
- extended day services offered to CYP (for example breakfast club, after-school clubs, tea and supervised homework sessions).

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 CYP must not exceed the actual cost of providing the optional extra activity, divided equally by the number of CYP participating. It must not therefore include an element of subsidy for any other CYP wishing to participate in the activity whose parents are unwilling or unable to pay the full charge.

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 CYP 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 CYP 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.

4. Voluntary Contributions (excluding optional extras)

Nothing in legislation prevents the Trust from asking for voluntary contributions for the benefit of the school or any school activities. However, if the activity cannot be funded without voluntary contributions, the Teacher should make this clear to parents at the outset. The Headteacher **must** also make it clear to parents that there is no obligation to make any contribution.

It is important to note that no CYP 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 CYP must still be given an equal chance to go on the visit. Schools will 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 will not send colour coded letters to parents as a reminder to make payments into the school or maintenance funds. Schools will also ensure that direct debit or standing order mandates are not sent to parents when requesting for contributions.

5. 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 CYP 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 CYP on a residential visit.

Schools **can** charge for:

- board and lodging and the charge must not exceed the actual cost.

When a school informs parents about a forthcoming visit, they should make it clear that parents who can prove they are in receipt of certain benefits will be exempt from paying the cost of board and lodging. The list of benefits to which this applies can be found here.

No charge will be made for board and lodging in respect of CYP whose parents are receiving:

- 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)

Since April 2003 the eligibility criteria that entitle families to an exemption from paying for the cost of board and lodging on residential visits have been aligned with free school meals eligibility criteria.

Charges for other 'chargeable activities' may also be fully or partly remitted. Details of any remission arrangements will be made clear when parents are informed of charges for individual activities.

6. Music Tuition

Although the law states that all education provided during school hours must be free, music lessons are an exception to this 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 CYP's parent. Charges may not exceed the cost of the provision, including the cost of the staff who provide the tuition.

Charges may now be made for teaching either an individual CYP 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. Charges 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 CYP(s), or the first access to the Key Stage 2 Instrumental and Vocal Tuition Programme (Wider Opportunities).

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 CYP is being prepared for at the school and not part of religious education.

8. Non-residential activities

If 50% or more of the time spent on the activity occurs during school hours, it is deemed to take 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.

Where less than 50% of the time spent on an activity falls during school hours, it is deemed to have taken place outside school hours. For example, an excursion might require CYP to leave school an hour before the school day ends, but the activity does not end until late in the evening.

9. Residential visits

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

CYP 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

CYP 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.

10. Other Charges

10.1. Material and Equipment

Parents may be expected to provide materials, or be charged for materials where the parent wishes to own the end product, for example, ingredients and/or materials for items produced during food technology, textiles, design technology and art classes. In addition, should a parent wish to own the books or equipment, such as revision guides, text books and musical instruments, these items will be chargeable.

10.2. Breakages, repairs and replacements

Charges for breakages, repairs and replacements as a result of damage caused wilfully or negligently by the CYP will be made after consultation with parents/carers and will not exceed total replacement /repair costs.

11. Questions and Answers

Q. What is a charging policy?

A. Under the charging provisions set out in legislation, governing bodies and local authorities of maintained schools may choose to charge for certain defined activities, but only if they have first drawn-up charging and remissions policies. These policies should be made available to parents on request.

Q. A visit involving staying overnight has been arranged for CYP at my school. Can the school charge for this?

A. Where a school activity requires CYP to spend nights away from home the school is allowed to make a charge for board and lodging. This is with the exception of CYP whose parents are receiving:

- 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)

Since April 2003 the eligibility criteria that entitle families to an exemption from paying for the cost of board and lodging on residential visits have been aligned with free school meals eligibility criteria. The head teacher must inform all parents of the right to claim free board and lodging if they are receiving these benefits.

Q. With regard to the remission of board & lodging payments, can you please explain who pays for the expense, would it come out of the school budget or is there a grant available to claim?

A. Although the criteria for being eligible for the remission of charges for board and lodgings is the same as free school meals, that is where the similarity ends. The costs involved in the remission of board and lodgings are to be borne by the school from their contingency funds. There is no return to be completed to re-claim the money back.

Q. Our school has a large number of CYP eligible for free school meals, this means that they would also receive remission for board and lodgings expenses for residential school visits. How can the school fund/organise residential visits?

A. The government provides funding for schools to each local authority according to a formula which recognises the different needs of each area. The same basic funding is provided for all comparable CYP across the country. This is then topped up according to local needs.

One of these top-ups reflects the numbers of CYP in a certain area living in deprived circumstances, as these CYP need extra help if they are to have an equal opportunity in life. The amount that individual schools receive from the local authority reflects their relative need

compared with other local schools, through the locally agreed funding formula. All local authorities' funding formulae are required to include an element to reflect the needs of deprived CYP. It is for head teachers and school governing bodies to decide how to spend their available resources.

Schools cannot exclude CYP from taking part in an activity that is part of the National Curriculum purely on the grounds that the parent or carer, cannot make, or refuses to make, a contribution. This can clearly place schools in some difficulty on occasions where a number of parents/carers might be in such a position. The school then has to decide whether they can cover the costs of such activity from within the budget or by fundraising, or whether the activity has to be cancelled.

If there is a residential activity taking place largely during school time, or which meets the requirements of the syllabus for a public examination, or is to do with the National Curriculum or religious education, no charge may be made either for the education or for the cost of travel.

Q Can Trusts charge for educating CYP in maintained schools?

A. The Trust cannot charge for education that takes place in school hours. Nor can they charge for activities that take place outside school hours if these are part of the National Curriculum, necessary as part of a syllabus for a prescribed public examination that the CYP is being prepared for at the school, or part of religious education. They can charge for permitted 'optional extras', provided they have drawn up a statement of general policy on charging and given details of 'optional extras' they intend to charge for. The Trust's policy does not have to be the same as the local authority's policy, as long as it meets the requirements of the law.

Q Can a school charge for an activity that takes place out of school hours?

A. This kind of activity is often referred to as an 'optional extra'. Where an optional extra is being provided, a charge can be made for providing materials, books, instruments, or equipment. See guidance on optional extras.

The actual charge for the optional extra cannot exceed the actual cost of the provision. Schools cannot and must not make a profit from charging for optional extras. 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.

Q Can a school ask parents for voluntary contributions?

A Schools may invite parents and others to make voluntary contributions to make school funds go further. All requests to parents for voluntary contributions must make it quite clear that the contributions would be voluntary. It should be remembered that education provided during school hours must be free. This includes materials, equipment, and transport provided in school hours by the local authority or by the school to carry CYP between the school and an activity. Governing bodies should also clearly explain that CYP of parents who do not contribute will not be treated any differently, and that the activity might be cancelled if insufficient contributions are received.

Q The school has sent letters out to parents asking for contributions towards a school visit, do parents have to pay?

A Head teachers or governing bodies may ask parents for voluntary contributions towards the cost of:

- any activity which takes place during school hours;
- school equipment; and
- school funds generally.

CYP of parents who are unable, or unwilling, to contribute may not be discriminated against. However, if insufficient voluntary contributions are received to cover the cost of the visit, or activity, and there is no alternative method to make up the shortfall, then the school should cancel the activity/visit. It would be advisable to make parents aware of a possible cancellation to the activity/visit if insufficient voluntary contributions are received from the outset.

Q. What happens if the school is not able to raise enough voluntary contributions to cover costs?

A. Where there are not enough voluntary contributions, and there is no way to make up the shortfall, for example school funds and/or fundraising activities, then it must be cancelled. The possibility of the activity/visit being cancelled due to a shortfall in contributions should be made clear in the information sent to parents.

Q. What if a parent is unable, or unwilling to make a voluntary contribution? How does this affect their CYP/s?

A. The school cannot exclude a CYP from taking part in an activity that is part of the National Curriculum purely on the grounds that you, the parent or carer, cannot make, or refuses to make a contribution. This can clearly place schools in some difficulty on occasions where a number of parents/carers might be in such a position. The school then has to decide whether they can cover the costs of such activity from within the budget or by fundraising, or whether the activity has to be cancelled.

Q. What support can a school offer a parent/carers who has difficulty making a financial contribution?

A. Schools must ensure that parents in receipt of:

- 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)

Some schools also have funds available to enable families in financial difficulty to send their CYP on visits/activities. Parents should be encouraged to speak to the head teacher in order to establish if such funding arrangements exist.

No charge may be made if there is a residential activity taking place largely during school time, or which meets the requirements of the syllabus for a public examination. In addition, if the activity is to do with the National Curriculum or religious education, no charge may be made either for the education or for the cost of travel for any CYP, not just those whose parents are in receipt of benefits.

Q. What about charges for transport during school hours?

A. Any transport provided by the school in school hours will be provided free of charge (though a voluntary contribution could be requested).

Q. Can the school charge for something like cooking ingredients or materials needed for a technology lesson?

A. The school can make a charge to cover the costs of materials/ingredients for subjects such as design or food technology where parents have indicated in advance that they would like their CYP to bring home the finished product.

Q. Can the school charge entry fees for examinations?

A. An examination entry fee may be charged to parents if:

- the examination is on the set list, but the CYP was not prepared for it at the school;
- the examination is not on the set list but the school arranges for the CYP to take it; and
- a CYP 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.

Q. Can a school make a charge to pay for the administration required as part of the admission process?

A. Para 1.82 of the current School Admissions Code and para 1.93 of the revised School Admissions Code (which comes into force in February 2009) rules out practices that can lead to covert selection, such as asking parents for a financial contribution as a condition of entry. We are clear that schools cannot ask for a voluntary contribution as part of the admissions process and where this is found, we will not tolerate it. Legislation prevents maintained schools from charging fees for admission or for providing education during school hours.

Q. Can a school ask for a direct debit to the school fund?

A. No. A school may ask for voluntary contributions, as long as it is clear that they are voluntary, but we are clear that state education should be free and we have no intention of changing this policy. We will not tolerate this when it is brought to our notice. No contributions may be sought as part of the admissions process.

Q. Can a school ask parents to contribute to (or pay in full) the cost of a tablet or computer?

A. Sections 451 and 454 of the Education Act 1996 prohibits schools from charging for education and the supply of materials, books, instruments or other equipment (this would include tablets), during school hours. However, there is no prohibition on asking parents to make voluntary contributions. Additionally there is a specific exception in the legislation which enables schools to charge for materials where the CYP's parent wishes them to own the materials. All contribution requests to parents must make clear that the contributions are voluntary and that, if a parent cannot make or refuses to make a contribution, their CYP will not be treated any differently and will not be excluded from taking part in any activity or related equipment.

Q. What are community facilities?

A. Schools are allowed to provide facilities that can be used by the local community, for example out-of hours/holiday childcare or swimming pool sessions. These facilities further any charitable purpose for the benefit of CYP at the school or their families, or people who live or work in the locality in which the school is situated. Academies should seek guidance from the Charity Commission if they are in doubt. Advice from the Charity Commission can be found here. Schools can charge for the use of these facilities, and a profit can also be generated, providing it is spent on the purposes of the school and or on community facilities. Maintained schools should check the local authority's published financial "scheme" for maintained schools in their area for any rules about the carry of profit from one financial 16 year to the next. Academies should determine fees and charges in accordance with chapter 6 of HM Treasury's Managing Public Money.

DOCUMENT CONTROL

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