

Charging

Introduction

The charging provisions of the Education Act 1996 apply to all maintained schools.

The Governors of Greenhill Primary School note that the aims of the charging provisions are:

- to maintain the right to free school education
- to establish that activities offered wholly or mainly during teaching time should be available to all pupils regardless of their parents' ability or willingness to help meet the cost
- to emphasise that there is no statutory requirement to charge for any form of education or related activity, but to give LEAs and schools the discretion of charge for optional activities provided wholly or mainly out of school hours
- to confirm the right of LEAs and schools to invite voluntary contributions for the benefit of the school, or in support of any activity organised by the school, whether during or outside school hours.

Principles

The underlying principle is that education should be free of charge if it takes place wholly or mainly within school hours, i.e. the hours a school is in session, not counting the mid-day break, and that charging is, therefore, illegal unless it comes within certain permitted exceptions.

Prohibited Charges

There is a total prohibition on charging for:

- admission to a maintained school
- the National Curriculum
- religious education
- the provision of books, equipment (excluding clothing, but including, for example, safety glasses), materials or transport in relation to any activity that cannot itself be charged for. It is, however, lawful to charge for the supply of materials or ingredients, where the parents have expressed in advance a wish to keep the finished product
- non-residential school trips and visits that take place substantially (50 per cent or more) within school hours. A voluntary contribution towards the costs will be requested, although parents are under no obligation to contribute. No pupil may be excluded from such a trip because his or her parents have not contributed. If a particular trip is dependent on voluntary funding and insufficient funds are raised, the trip will have to be cancelled or the school must find the shortfall from its own resources. There is, however, nothing to prevent school from notifying parents that such trips can only go ahead if sufficient income is generated.

Permissible Charges

Charging is permitted for:

- instrumental music tuition (other than that required by the National Curriculum) individually or in groups of up to four. Vocal/singing tuition, on an individual or a group basis, must, however, be provided free of charge
- residential school trips (one or more nights away) under certain circumstances
- non-residential school trips, visits and activities where the majority of the time spent on the activity (including travelling time) falls outside school hours. Thus, a charge may be made for an evening theatre visit because it occurs outside school hours. A matinee performance, on the other hand, probably cannot be charged for, because most of the time involved will be within school hours: all a school can do is to request voluntary contributions
- No charge can be made for broken windows, lost library books or any other losses or breakages, but parents can be asked to pay for them if they result from a pupil's behaviour.

School Procedures and Implementation

It is recognised that many educationally valuable activities have been, and will continue to be, dependent on financial contributions in whole or part from parents. Without that financial support, the School would find it impossible to maintain the quality and breadth of educational experiences provided for the pupils.

Mission Statement

We will work towards creating a school that values each individual part, and be willing to work together in creating a happy, purposeful and caring community that promotes belonging and learning

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Where activities are wholly or mainly outside school hours and attendance of a voluntary nature, charges will be made and the activities will be offered to those who wish to participate.

Where activities are totally or mainly inside school hours, parents will be initially approached as to their willingness to contribute voluntarily towards the proposed activity. A decision will then be made, depending on the response, as to whether the proposed activity should or should not be initiated.

It is the normal practice of the school to provide ingredients and/or materials for activities with the cost of the activity being borne by the school. If the end product of the activity is of a sufficiently high-standard and the parents express a wish to own the finished product the parents, in certain cases, may be asked to contribute in cash or in kind to the finished product.

Any charges or voluntary contributions will reflect the actual cost of the activity – there will be no additions to subsidise other participants, whether adults or children.

Parents will be charged for cost of breakage's, damage or loss of books, materials, equipment and school fabric & fittings resulting from their children's non-accidental behaviour. Such charges will take into account the age and condition of the item which has been broken, damaged or lost.

For day and part day educational visits, Travelling Theatres and Music Groups visits and for visits occurring during school time the Headteacher will invite a voluntary contribution from parents to meet the cost of the visit. Every effort will be made to keep these costs reasonable. However, where voluntary contributions are insufficient to cover the costs involved, the visit or activity may be cancelled.

For residential visits outside school time parents will be charged for the full cost of the visit.

For instrumental music tuition teachers from the LEA's Peripatetic Music Service provide instruments for lessons during the school day and parents are required to cover the full costs of these lessons.

Remission

Remission is ultimately at the discretion of the Governors.

Where a voluntary contribution has been required for an activity, no child will be excluded from the activity, because of genuine financial hardship. Each case will be viewed on its merits, and in confidence, and provision made, total or partial, from School Fund.

Where the costs for a Residential Visit cannot be met, charges may be waived or reduced for children whose parents make a request for support to the Headteacher.

The Headteacher will normally notify the Finance Sub Committee of any requests made for financial support and advise them of any remissions.

This policy will be reviewed periodically by the Governors finance committee and may be amended if appropriate. Any eventuality not covered for by this policy will be considered by the Headteacher and Governors and a decision made in line with the LEA Policy on Charging.

Further Guidance

See Appendix 1

Ratified: Oct 2012

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Updated: Jan 2015

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Charging for school activities (DfE Guidance October 2014)

Education

School governing bodies and local authorities, cannot charge for:

- 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 any part of the admissions process;
- 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;
- 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 school

Schools and local authorities can charge for:

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

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.

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).

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.

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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 therefore include an element of subsidy for any other pupils 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 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 will be 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.

Voluntary contributions

Nothing in legislation prevents a school governing body or local authority from asking for voluntary contributions for the benefit of the school or any school activities. However, if an activity cannot be funded without voluntary contributions, the governing body or head teacher should make this clear to parents at the outset. The governing body or head teacher must also make it clear to parents that there is no obligation to make any contribution.

It is important to note that 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. Schools must ensure 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, 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 and direct debit or standing order mandates should not be sent to parents when requesting contributions.

Music Tuition

Although the law states that, in general, all education provided during school hours must be free, instrumental and vocal music tuition is an exception to that 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 pupil's parent. Charges may not exceed the cost of the provision, including the cost of the staff who provide the tuition.

The regulations make clear that charging may not be made if the teaching is either an essential part of the national curriculum, or is provided under the first access to the key stage 2 Instrumental and Vocal Tuition Programme. They also make clear that no charge may be made in respect of a pupil who is looked after by a local authority (within the meaning of section 22(1) of the Children Act 1989).

Transport

Schools cannot charge for:

- transporting registered pupils to or from the school premises, where the local education authority has a statutory obligation to provide transport;

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- 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.

Charging and remissions policies

No charges can be made unless the governing body of the school or local authority has drawn up a charging policy giving details of the optional extras or board and lodging that they intend to charge for, and a remissions policy.

The governing body's policy may be more or less generous than the local authority's, as long as it meets the requirements of the law. A policy statement will 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.

The remissions policy must set out any circumstances in which the school or local authority propose to remit (wholly or partly) any charge which would otherwise be payable to them in accordance with their charging policy. For example, a school may decide to provide an Italian language evening class as an optional extra. The governing body may decide to reduce the cost for those children whose parents are in receipt of certain benefits.

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 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 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 the following benefits will be exempt from paying the cost of board and lodging:

- Universal Credit in prescribed circumstances;6
- 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 £16,190 (financial year 2013/14);
- the guarantee element of State Pension Credit;
- an income related employment and support allowance that was introduced on 27 October 2008.

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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.

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 pupils to leave school an hour before the school day ends, but the activity does not end until late in the evening.

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 pupils to leave school an hour before the school day ends, but the activity does not end until late in the evening.

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

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

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.