



Tomlinscote School

Charging & Remissions Policy

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Introduction

This policy is compliant with sections 449 – 462 of the Education Act 1996 which set out the law on charging for Academy activities in schools maintained by local authorities in England. The same provisions apply to Academies by virtue of their Funding Agreement with the DFE.

1. Aim

The Tomlinscote Academy Quality Council (AQC) aim to ensure that all students have access to the free education to which they are legally entitled.

The AQC recognise however, that by aiming to provide as wide a range of opportunities as possible, there will be occasions that in providing the free curricular activities, as well as a range of “optional extras”, it may be necessary/appropriate on occasions to request either voluntary contributions or payment to ensure that all these activities can take place.

The aim of this policy is to set out what activities/materials will be provided free of charge and in what circumstances either a voluntary contribution may be requested or charges made.

Tomlinscote School will ensure that it informs parents and carers on low incomes and in receipt of benefits, of the support available to them when being asked for contributions.

2. Education

Charges cannot and will not be made for:

- An admission application to the school.
- Education provided during school hours* (during school hours is defined as 50%, or more of the time spent on the activity), 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.
- Tuition for pupils learning to play musical instruments or learning to sing, 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 by the school, or part of any religious education.
- Entry for a prescribed public examination, if the pupil has been prepared for it at the school.
- Examination resit(s) if the pupil is being prepared for the resit(s) at the school.

Charges can be made for:

- Any materials, books, instruments or equipment where the child’s parents wish him/her to own them.
- Music and vocal tuition, in limited circumstances – see section 6
- Optional Extras – see section 8
- Any losses or breakages arising from student behaviour.

3. Voluntary Contributions for School Activities

Voluntary contributions may be sought from parents in respect of school activities including non-curricular off-site visits. If the activity cannot be funded without voluntary contributions, this will be made clear to parents at the outset. It will also be made clear to parents that there is no obligation to make any contribution.

No child will be excluded from any activity simply because his or her parents are unwilling or unable to pay. If insufficient voluntary contributions are raised to fund the visit, then it will be cancelled. If a parent is unable or unwilling to pay, their child will still be given an equal chance to go on the visit. The school will make it clear to parents at the outset the policy for allocating places in school visits.

4. Residential Visits

The school will not charge for:

- Education provided on any visit that takes place during school hours (if the number of sessions taken up by the visit is equal or greater than 50% of the number of half days spent on the visit it is deemed to be 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 a religious education.
- Supply teachers to cover for those teachers who are absent from the school accompanying pupils on a residential visit.

The school will charge for:

- Board and lodging and the charge will not exceed the actual cost.

5. Remissions/Exemptions

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

- Income Support (IS)
- Income Based Jobseekers Allowance (INJSA)
- 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 12013/14)
- The guarantee element of the State Pension Credit
- Income related employment and support allowance.

The Principal has the authority to remit other charges in individual circumstances based on any exceptional case information brought to his/her attention.

6. Music Tuition

Charges may be made for teaching either an individual or groups of any appropriate size (provided that the size of the group is based on a sound pedagogical principles) to play a musical instrument or to sing if the parent(s) has(have) requested it. The charges for Music Tuition (England) Regulations 2007 set out the circumstances in which the charges can be made for tuition. Charges will only be made if the teaching is not an essential part of the national curriculum or a public examination syllabus being followed by the pupil(s). No charge will be made in respect of any pupil who is looked after by the Local Authority.

7. Transport

Parents will not be charged for the cost of:

- 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/she has been prepared for that examination at the school.
- Transport provided in connection with an educational visit, and which is incidental to education provided for which the school is not entitled to charge.

8. 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 hours 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.
 - c) part of a religious education.
- Examination entry fee(s) if the registered pupil has not been prepared for the examination(s) at the school.
- Transport other than that which is required to take the pupil to the 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.

The cost of optional extras may include:

- Any material, 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.
- 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 will not exceed the actual cost of providing the optional extra activity, divided equally by the number of pupils participating, it will not, therefore include an element to subsidise 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 the school hours the charge cannot include the cost of the alternative provision for those pupils who do not wish to participate. Therefore, no charge will be made for supply teachers to cover for those teachers who are absent from the school accompanying pupils on a residential visit.

Participation in any optional extra activity will be on a 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.

Where the charge made proves to be more than the cost of the activity, amounts greater than £5 per pupil will be offered as a refund back to the parents.

The Principal will approve any remissions to the Optional Extras Policy based on any exceptional case information brought to his/her attention.

9. 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.

School hours are defined as; Monday to Friday (excluding Thursday) term time only 08.30 to 15.00. On Thursday the hours are 08.40 to 15.00.

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.

Appendix A - Frequently Asked Questions

Q. What is a charging policy?

A. Under the charging provisions set out in legislation, governing bodies and local authorities of state funded 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 children at my school. Can the school charge for this?

A. Where a school activity requires pupils to spend nights away from home, the school is allowed to make a charge for board and lodging. This is with the exception of pupils whose parents are receiving: Universal Credit; Income Support; Income-based Jobseeker's Allowance; Support under part VI of the Immigration and Asylum Act 1999; or Child Tax Credit (providing that they do not also receive Working Tax Credit and have an annual income, assessed by the Inland Revenue that does not exceed £16,190 FY 13/14) and an income related employment and support allowance. 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 and lodging payments, 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 borne by the school from their contingency funds. There is no return to be completed to re-claim the money back.

Q. Can governing bodies charge for educating children in maintained schools and academies?

A. The local authority or governing body 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 pupil 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 governing body'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 advice on optional extras on page 5.

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 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 pupils between the school and an activity.

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.

Children 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 child(ren)?

A. The school cannot exclude a child 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. The school 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/carer who has difficulty making a financial contribution?

A. Schools must ensure that parents in receipt of Universal Credit, Income Support, Income Based Jobseekers Allowance, 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) are aware of the support available to them when being asked for contributions toward the costs of school visits. Some schools also have funds available to enable families in financial difficulty to send their children 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 pupil, 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 must 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 child 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 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 local authority 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. Paragraph 1.9 (n) of the 'Schools Admission Code 2012' rules out requests from admission authorities for financial contributions as any part of the admissions process. Legislation prevents state funded 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. 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 pupil'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 children will not be treated any differently and will not be excluded from taking part in any activity or related equipment.