Homer First School and Nursery Charging and Remissions Policy

Adopted from Royal Borough of Windsor and Maidenhead Education Charging and Remissions Policy

GUIDE TO CHARGING FOR SCHOOL ACTIVITIES

Sections 449-462 of the Education Act 1996 as amended, set out the law on charging for school activities, in schools maintained by local education authorities in England. This policy accurately reflects the terms of the Education Act 1996 as amended, but is not a substitute for those terms.

<u>Voluntary Contributions</u>

Nothing in legislation prevents a school from asking for voluntary contributions to benefit the school or any school activities. If the activity cannot be funded without the benefit of voluntary contributions, the governing body or head teacher should make this clear to parents at the outset. The governing body or head teacher should also make it clear to parents that there is no obligation to make any contribution. It is also important to note that no child should be excluded from an activity simply because his parents are unwilling or unable to pay. If insufficient voluntary contributions are raised to fund a visit, then it must be cancelled. However see optional extras.

<u>Education</u>

The school or the LEA cannot charge for:

- 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;
- 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;

- examination re-sit(s) if the pupil is being prepared for the re-sit(s) at the school.

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.

The school or LEA can charge for:

- any materials, books, instruments, or equipment, where the child's parent wishes him to own them;
- Optional Extras.
- Music Tuition, in limited circumstances.

Residential Visits

The school or the LEA 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 trip.

A charge can be made for:

- board and lodging, but 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:

- 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 the Inland Revenue) does not exceed £13,230.
- Guarantee element of State Pension Credit

If a parent is unwilling or unable to pay, their child must still be given an equal chance to go on the visit. Schools may consider making financial contributions in these cases from the money they hold from voluntary contributions. Schools should make it clear to parents at the outset and in their prospectus and in other relevant documents what their policy for allocating places on school trips will be along with their policy on voluntary contribution.

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 that it 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 that is not required to take the pupil to school, or to other premises where the local education authority/governing body have arranged for the pupil to be provided with education;
- board and lodging for a pupil on a residential trip;
- 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;
- 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.

The charge cannot exceed the actual cost of providing the optional extra or the board and lodging.

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.

Music Tuition

Although the law states that all education provided during school hours must be free, music lessons are an exception to this rule. Charges may be made for tuition in playing a musical instrument, for either an individual pupil or groups of up to four, provided that the teaching is not an essential part of either the National Curriculum, or part of a public examination syllabus that the pupil is being prepared for at the school.

The costs, or a proportion of the costs, for providing teaching staff for tuition in playing a musical instrument outside school hours can be charged, if the tuition is not part of the National Curriculum, or part of a public examination syllabus that the pupil is being prepared for at the school. This is a permitted optional extra.

Transport

The school or LEA cannot charge for:

- 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 has been prepared for that examination at the school;
- transport provided in connection with an educational trip.

But can charge for:

- any other transport. This is a permitted optional extra.

Charging Policies

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

Remissions Policies

The governing body must also have a remissions policy, setting out any circumstances in which they 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 by 10% for those children whose parents are in receipt of certain benefits.)

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.

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 trip, 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. Using the above calculation, the trip would equate to nine half day sessions, five of which are deemed to be in school hours, ie more than 50%.

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 trip 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 trip is deemed to have taken place outside school hours.