

# *Stepgates Community School*



## *Charging and Remissions Policy*

## Mission Statement

At Stepgates Community School everyone has the opportunity to learn and grow together, as independent, enthusiastic and confident learners in an inclusive, creative, safe, healthy environment.

This policy is based on our Mission Statement and Aims for our school.

## Aims of this Policy

This policy sets out the areas of school activity for which charging is permissible under the 1988 Act, and the charging and remission policy of this school related to that activity.

## Relationship to other documents & policies

- Learning and Teaching Policy
- Curriculum Policy
- Outdoor Education & Off-Site Visits Policy
- Individual subject policies
- Equalities Policy

## Introduction

Education provided by any maintained school for its registered pupils should be free of charge if it takes place wholly or mainly during school hours, school hours being those hours when a school is actually in session and not including the break in the middle of the day. This means that neither the pupil nor his or her parents or guardian may be required to pay for, or to supply, any materials, books, instruments or other equipment for use in connection with education provided during school hours.

The school can charge for:

- any materials, books, instruments or equipment where the child's parent wishes them to own them;
- optional extras. Optional extras are:
  - Education provided outside school time that is not part of the National Curriculum, part of a syllabus for a prescribed public examination that the pupil is being prepared for by the school or part of religious education;
  - 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;
  - Board and lodging for a pupil on a residential visit.
- music and vocal tuition in limited circumstances.

Any education which takes place outside school hours, if it is part of the National Curriculum or part of religious education will not be charged for.

Schools cannot charge 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 provided in connection with an educational visit.

This policy statement regarding charging and remissions has been drawn up in accordance with the requirements of Sections 402,450-458 and 460 of the Education Reform Act 1988. This policy is effective from 1 April 1989 when the charging provisions of the 1988 Act came into effect.

In this policy statement:

- '1988 Act' refers to the Education Reform Act 1988;
- 'prescribed public examination' refers to any examination which is listed in Regulations made by the Secretary of State for Education and Skills;
- 'outside school hours' refers to the definition provided in Section 107 of the Education Reform Act 1988. School hours are those hours when the school is in session and not including a break in the middle of the day or before and after school is in session. For activities taking place partly outside school time whether non-residential or residential please see the detailed guidance below;
- 'statutory duties relating to the National Curriculum' are those imposed by Section 10(2)(a) of the Education Reform Act 1988;
- 'statutory duties relating to religious education' are those imposed by Section 10(1)(b) of the Education Reform Act 1988.

## **Procedures**

### **1. Board and lodging on residential visits**

#### **i. Charging**

In the event of any residential visit being arranged directly by the school, it is the intention of this school normally to charge the actual cost of providing board and lodging to each participating pupil.

Charges for board and lodging will not exceed the actual cost to the pupil. They will not for example, include any element representing a share of the costs of staff accompanying the visit. (This may, however, be covered by voluntary contributions.)

#### **ii. Remission**

The school will observe the statutory requirement to remit any charges for board and lodging in the case of pupils whose parents are in receipt of income within the criteria of the Tax Credit Act 2002, where the activity is deemed to take place in school hours, or if it is out of hours but provided:

- a) to fulfil any requirements specified in the syllabus for a prescribed public examination; or

- b) specifically to fulfil statutory duties relating to the National Curriculum; or
- c) specifically to fulfil statutory duties relating to religious education.

iii. The school reserves the right to remit some or all of the board and lodging costs of residential visits directly organised by the school in appropriate circumstances, for example when sponsorship or voluntary contributions enable a general reduction in charges. In such cases the criteria applied for remission will be made clear to parents and other interested parties and children will not be treated differently according to whether their parents have made a voluntary contribution.

## **2. Individual tuition in the playing of a musical instrument.**

The main exception to the principle of free education, which the law allows is that a charge may be made in respect of individual tuition in playing any musical instrument, even if such tuition takes place during school hours.

The new charging regulations came into force on 1 September 2007 and now charges can be made for individuals and groups of two or more for instrumental and vocal tuition, which takes place during the school day if the parent/carer has requested the tuition. The regulations do not cover lessons which take place outside school hours, at weekends or during the school holidays. These would normally be treated as optional extras.

However instrumental and vocal tuition which is part of the National curriculum or the first programme in which the whole class engages with the KS2 Programme of Instrumental and Vocal Tuition (Wider Opportunities) cannot be charged.

Advice on the charges for individual tuition and small groups tuition during and after the school day can be obtained from the Senior Music Manager at Surrey County Arts.

It is the present intention of SCC to retain funding for music provision as a discretionary item within the scheme of financial delegation to schools. This decision will be subject to review. If delegation to individual schools were to take place in the future, it would be for the governing body to determine charging and remission policies for instrumental music tuition.

If the school proposed to arrange and charge for additional tuition where this is permitted within the provisions of the Act, it should be noted that parental agreement must be obtained before a pupil is given that tuition.

Children in care who wish to have specialist vocal or instrumental tuition during school hours are entitled to free tuition. This includes any incidental costs related to specialist music tuition during the school day. The exemption from charging does not apply to lessons that take place before or after school, at lunchtime, at weekends or during holidays. However schools receive additional funding for children in care and this should not be used to pay for tuition which takes place during the school day but could be used to cover the cost of music tuition which takes place outside the school day and during the holidays.

Continuity of provision is crucial and children who move in and out of care should be considered as 'in care' so that provision is sustained and meaningful.

### 3. Activities run by a third party

The 1988 Act permits an organisation other than the Authority or governing body to levy a charge directly on parents for activities organised in school hours by a non-school organisation.

Where an activity is organised by a third party and is approved by the school as part of the curriculum, is educational, or is supervised by someone authorised by the school, 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).

Activities run by a third party which take place outside school hours should be treated as optional extras. The third party should charge parents directly for the cost.

#### i. Charging

It is the intention of this school normally to charge for optional activities run by a third party but during the school day e.g. Cycling Proficiency training. The basis for calculating the charge will be the proportionate cost where appropriate to each participating pupil for: travel costs; board and lodging; materials, books and equipment; entrance fees; insurance; non-teaching staff; staff who fall into the following categories:

- a) teaching staff engaged specifically by the LA or governors for the purpose of providing the activity;
- b) teaching staff employed by the LA or governors to provide individual instrumental music tuition; or
- c) teaching staff already employed by the LA or governors who have been engaged on a separate contract for services to provide the optional extra.

#### ii. Remission

The school reserves the right to remit some or all of the charges for optional activities run by a third party during the school day where voluntary contributions, sponsorship or other forms of subsidy permit. In such cases the criteria applied for remission will be made clear to parents and other interested parties but children will not be treated differently according to whether their parents have made a voluntary contribution.

### 4. Optional Extra Activities

#### i. Charging

Participation will be on the basis of parental choice and a willingness to meet such charges as are made. The activities should be optional. The parents should agree to their child taking part and to paying for these activities before a chargeable activity is arranged. If the activity is of educational benefit the question of remitting charges should be considered and if permitted notified to parents.

It is the intention of this school normally to charge for optional extra activities directly organised by the Local Authority (LA) or school. The basis for calculating the charge will be the proportionate cost where appropriate to each participating pupil for: travel costs; board

and lodging; materials, books and equipment; entrance fees; insurance costs; non-teaching staff; staff who fall into the following categories:

- c) teaching staff engaged specifically by the LA or governors for the purpose of providing the activity;
- d) teaching staff employed by the LA or governors to provide individual instrumental music tuition; or
- c) teaching staff already employed by the LA or governors who have been engaged on a separate contract for services to provide the optional extra.

It should be noted that any charge for an 'optional extra activity', as distinct from a request for a voluntary contribution, should not exceed the actual cost of providing that activity, divided equally by the number of pupils willing to participate. It may 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.

## ii. Remission

The school reserves the right to remit some or all of the charges for optional extra activities where voluntary contributions, sponsorship or other forms of subsidy permit. In such cases the criteria applied for remission will be made clear to parents and other interested parties but children will not be treated differently according to whether their parents have made a voluntary contribution.

## 5. Voluntary Contributions

The restrictions on charging for school activities should not in any way prohibit or restrict a LA or school from seeking voluntary contributions for the benefit of the school or in support of any school activity, whether during or outside school hours, residential or non-residential, and including inviting parents to supply or pay for materials used in craft and cookery lessons etc where they wish to own the finished product. Such contributions must, however, be genuinely voluntary.

The terms of any request for contributions must make it clear:

- a) that there is no obligation to contribute; and
- b) that registered pupils at a school will not be treated differently according to whether or not their parents have made any contribution in response to the request;
- c) the school's policy for allocating places must be made clear to parents at the outset.

If an activity cannot be funded without voluntary contribution, the governing body or the head-teacher should make this clear to parents at the outset. At the same time it can be made equally clear that the activity will not take place if parents are reluctant to support it.

There is no limit to the level of voluntary contributions which parents or others can make to school activities, nor is there any restriction placed on the use which can be made of such contributions, provided they are used for the purpose specified in the request for them. They could, for example, be used to subsidise pupils from low-income families, or the cost of travel for accompanying teachers.

Schools should avoid sending colour coded messages as reminders for payments for activities into the school or other funds. Direct debit or standing order mandates should not be sent when requesting contributions.

#### **6. VAT and school journeys**

Any school trips that a school organises for the benefit of its pupils are for a broadly educational reason, regardless of the precise nature of the activity, and further the aims of the wider curriculum of the school. A school can therefore treat them as part of its non-business provision of education and recover any VAT charged. A local authority may treat as closely related any accommodation, catering, transport and field trips it provides in connection with its supplies of education. However, since the changes in January 2010 to the Tour Operators Margin Scheme (TOMS), there will not be a tax invoice showing VAT from a travel agent or tour operator and therefore there will be no VAT to recover. If the components of the trip are booked directly by the school, VAT will be recoverable under the normal invoicing rules.

#### **7. School Minibuses**

Any transport provided in school hours by the LA or the school to carry pupils between parts of the school's premises or between the school and any other place where education is to be provided by the LA or the school must be provided free of charge. However, if a pupil makes use of transport not provided by the LA or school to travel direct from home to an activity sanctioned, though not provided by the LA or the school, then parents may be asked to meet the cost of such travel. An example of this would be travel direct from home to work experience and vice versa.

Only the school's pupils, staff or parents may travel at a charge in a school's minibus. Schools may charge for transport in their minibuses only if they hold a permit, which exempts the school from Public Service Vehicle (PSV) operator and driver licensing requirements. A permit is not required if no charge is made. Schools should apply for a permit for each minibus.

Schools may not raise funds to make a profit by charging for travel in their minibus.

#### **8. Charging in Kind**

The cost of ingredients, materials, equipment etc. needed for practical subjects such as craft or food technology, must be budgeted for and borne by the school. Parents who are willing to contribute in cash or kind can however be encouraged to do so on a voluntary basis. The school may charge for, or require the supply of, ingredients and materials if parents have indicated in advance a wish to own the finished product, if there is one. Schools should obtain written confirmation from parents that they wish to supply or pay for materials on this basis. Pupils must not be treated differently according to whether or not materials are being provided by their parents. It should be recognised that much of the practical work in craft or food technology is of an investigative nature and will not necessarily result in a "finished product", however this is an essential part of the learning process.

## 9. Breakages and Fines

The school will expect parents to pay for the cost of breakages such as replacing a broken window or defaced, damaged or lost textbook, where this is the result of a pupil's behaviour.

### Roles and Responsibilities

The Charging and Remissions Policy adopted by the governing body may be less or more generous than that of the Authority, provided that statutory requirements are met.

a) If a charge is made for each pupil it should not exceed the actual cost. If further funds are needed for additional costs e.g. to help hardship cases this must be by voluntary contributions or general fund raising.

b) The permitted charge may include an allowance for the costs of teachers from the school who supervise the activity. However, the teachers should be given a separate contract to provide this activity as an optional extra. This can be a simple letter asking him or her to provide this service on this occasion.

#### The Head teacher will:

- Oversee, with the School Business Manager, this policy and monitor the implementation of its procedures.

#### The Governing Body will:

- select a representative from the Resources Committee to liaise with the Head teacher and School Business Manager to monitor the implementation of this policy.

**Review due:** Summer 2024