



Charges & Remissions Policy



Vale of Evesham School
a specialist school for cognition and learning - enabling inclusion in the community

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Sections 449-462 of the Education Act 1996 set out the law on charging for school activities in schools maintained by local authorities in England. This policy has been written to provide at-a-glance information and complements the information given in “A Guide to the Law for School Governors” (Chapter 23).

This guidance accurately reflects the terms of the Education Act 1996, but it is not a substitute for those terms

EDUCATION DURING SCHOOL HOURS

1. No charge can be made for admitting pupils to maintained schools. Education provided during school hours is free. This includes materials, equipment, and transport provided in school hours by the Local Authority (LA) or by the school to carry pupils between the school and an activity. “School hours” are those when the school is actually in session and do not include the break in the middle of the school day.

2. All three- and four-year-olds are entitled to 15 free hours of nursery education, for 38 weeks per year. The Schools maintained nursery provision, can charge for any additional hours used by the child.

EDUCATION PARTLY DURING SCHOOL HOURS

3. Sometimes an activity may happen partly during and partly outside school hours. If most of the time spent on a non-residential activity occurs during school hours, that activity counts as taking place entirely in school hours and no charge may be made. (Time spent on travel only counts as being during school hours if the travel takes place during school hours.)

4. As an example, a long-distance trip might involve much travel before and after normal school hours, but if the time spent at the destination fell mainly within school hours, the trip would count as happening in school time and be free of charge. By contrast, a trip that involved leaving school an hour or so earlier than usual in the afternoon, but then went on until quite late in the evening, would be classified as taking place outside school time. Charges would then be allowed.

EDUCATION OUTSIDE SCHOOL HOURS

5. Parents can only be charged for activities that happen outside school hours when these activities are not a necessary part of the curriculum or do not form part of the school’s basic curriculum for religious education. In addition, no charge can be made for activities that are an essential part of the syllabus for an approved examination.

6. Charges may be made for other activities that happen outside school hours if parents agree to pay. The Education Act 1996 describes activities that can be charged for as “optional extras”. The LA or governing body providing the activities, decide whether to make a charge.

RESIDENTIAL ACTIVITIES

7. Special rules apply for residential activities. A trip counts as falling within school time if the number of school sessions missed by the pupils amounts to half or more of the

number of half days taken up by the activity. Each school day is normally divided into two sessions and each 24-hour period is divided into two half days beginning at noon and at midnight.

Example 1: Visit during school hours

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: Visit outside school hours

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

8. If a **residential activity** takes place largely during school time, meets the requirements of the syllabus for a public examination, or is to do with the curriculum or religious education, no charge will be made either for the education or for the cost of travel. However, charges can be made for board and lodging in these circumstances **except for pupils whose parents are receiving:**

- Income Support;
- Income-based Jobseeker's Allowance;
- support under Part VI of the Immigration and Asylum Act 1999;
- Child Tax Credit (providing that they are not entitled to Working Tax Credit and have an annual income, assessed by the Inland Revenue, that does not exceed £16,190);
- the guaranteed element of State Pension Credit.
- an income related employment and support allowance

The headteacher advises all parents of the right to claim free activities if they are receiving these benefits.

MUSIC TUITION

9. Although the law states that all education provided during school hours must be free, music lessons are an exception to this rule.

The Education and Inspections Act 2006 introduced a regulation-making power which allowed the Department for Children, Schools and Families to specify circumstances where charging can be made for music tuition. The new Regulations, which came into force in September 2007, provide pupils with greater access to vocal and instrumental tuition.

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

PUBLIC EXAMINATIONS

10. No charges are made for entering pupils for public examinations that are set out in Regulations. The governing body must enter a pupil for each examination in a public examination syllabus for which the school has prepared the pupil. This does not apply if the governing body thinks there are educational reasons for not entering the pupil, or if the pupil's parents request in writing that the pupil should not be entered. The LA may not override the governing body's decision on whether to enter a particular pupil for an examination.

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 LA originally paid or agreed to pay the entry fee.

11. Charges may not be made for any cost associated with preparing a pupil for an examination. However, charging is allowed for tuition and other costs if a pupil is prepared outside school hours for an examination that is not set out in Regulations.

ACTIVITIES NOT RUN BY THE SCHOOL OR LA

12. When an organisation acting independently of the school or LA arranges an activity to take place during school hours and parents want their children to join the activity, such organisations may charge parents. Parents must then ask the school to agree to their children being absent, just as they would if they wanted to take their children out of school for a family holiday. However, where an activity is organised by a third party and is approved by the school, is educational, or is supervised by someone authorised by the school, then it is the Department for Education (DfE) view that 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).

VOLUNTARY CONTRIBUTIONS

14. Although the school cannot charge for school time activities, we may still invite parents and others to make voluntary contributions (in cash or in kind) to make school funds go further. All requests to parents for voluntary contributions must make it quite clear that the contributions would be voluntary. Governing bodies should also make it clear that children of parents who do not contribute will not be treated any differently. If a particular activity cannot take place without some help from parents this should be explained to them at the planning stage.

15. Where there are not enough voluntary contributions to make the activity possible and there is no way to make up the shortfall, the activity will be cancelled. The essential point is that no pupil may be left out of an activity because his or her parents cannot, or will not; make a contribution of any kind. The school will first decide which class, or group of pupils, will benefit from the activity and then look for voluntary contributions, either for that activity, or by general fund-raising.

OPTIONAL EXTRAS

16. Charges may be made for some activities that are known as “optional extras” for example before and/or after school activities. 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 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 authority/governing body have arranged for the pupil to be provided with education; and
- board and lodging for a pupil on a residential visit.

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 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 pre-requisite for the provision of an optional extra where charges will be made.

CHARGING POLICY

16. The LA or governing body may not charge for anything unless it has drawn up a policy on charging this information is provided to parents in the school brochure, and on request. (Appended below is the abbreviated statement sent out with activity detail letters to parents)

17. If a charge is made for each pupil it should not exceed the actual cost. If further funds need to be raised, for example to help in hardship cases, this must be by voluntary contributions or general fund-raising.

18. The permitted charge may include an allowance for the costs of teachers from the school who supervise the activity, but only if those teachers have been given a separate contract to provide the optional extra. A contract need not be a formal document. It could be a simple letter to a teacher asking him or her to provide a service on a particular occasion.

SCHOOL MINIBUSES

19. Only the school's pupils, staff or parents may travel for a charge in a school's minibus.

20. The school holds permits for each minibus issued under Section 19 of the Transport Act 1985 by the LA, to enable a charge for transport to be made.

21. Charges may recover some or all of the costs of running the vehicle, including loss of value. But the service may not make a profit, either directly through the fares charged or incidentally as part of a profit-making activity, even if any profit would go into the school's other running costs or for charitable purposes. A charge is any payment made in cash or kind (for example a club subscription) by or on behalf of a person that gives him or her a right to be carried.

ABBREVIATED STATEMENT: CHARGES & REMISSIONS POLICY FOR SCHOOL ACTIVITIES

The School aims to provide for all the pupils the best possible educational opportunities within the resources of its Annual Budget.

There are, however, many highly valuable activities, which enhance the educational programme, that remain dependent on voluntary financial contributions in whole or in part from parents. Without some financial support, the School would be quite unable to offer the very wide range of

educational visits and activities that are such an important part of the School's tradition. We are determined that any financial contributions are kept to a reasonable minimum and to ensure, wherever possible, that all pupils are able to take part irrespective of their circumstances.

In compliance with the law, charges may be made in certain defined circumstances. It is necessary for the School to identify those activities for which charges will be made and explain the basis on which charges may be reduced or waived for certain pupils – a copy of the full Charges & Remissions Policy is available in school upon request.

The Policy of the Governing Body is as follows:

1. DAY VISITS

The School will invite voluntary contributions from parents to meet the costs of visits, which take place during the normal school day. For visits beyond the normal school day, parents will be charged for all allowable cost. Charges may be waived or reduced for children whose parents make application to the Headteacher.

2. RESIDENTIAL VISITS

The School will invite voluntary contributions from parents to meet costs other than children's board and lodgings. Parents will be charged for the full cost of board and lodgings. Charges may be waived or reduced for children whose parents make an application to the Headteacher.

• **Allowable Cost Include:**

- (a) The pupils' travel and subsistence costs
- (b) Costs for teaching and non teaching staff where separately engaged under a contract for services for the visit or activity
- (d) Entrance fees
- (e) Insurance costs

3. REMISSIONS

The Headteacher advises all parents of the right to claim free activities if they are receiving these benefits.

- Income Support;
- Income-based Jobseeker's Allowance;
- support under Part VI of the Immigration and Asylum Act 1999;
- Child Tax Credit (providing that they are not entitled to Working Tax Credit and have an annual income, assessed by the Inland Revenue, that does not exceed £16,190) ;
- the guaranteed element of State Pension Credit.
 - an income related employment and support allowance
 - 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)
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