

CHARGING AND REMISSION POLICY GUIDANCE

Introduction

The education provided by any maintained school or academy must be free. This includes materials, equipment and any transport that is needed to take pupils from the school to the activity, such as to the local swimming pool for swimming lessons. Under the charging provisions of the Education Act 1996, boards of trustees/governing bodies of maintained schools and academies may choose to charge for certain defined activities, but can only do this if they have first drawn up a statement of their charging and remissions policy.

If they choose to charge parents for the board and lodging costs of a residential visit, and if the education provided on that visit must otherwise be provided for free under the terms of the Education Act 1996, they must, as a minimum, remit the board and lodging cost for pupils whose parents are in receipt of any of the following benefits:

- Universal credit in prescribed circumstances (the government plans to prescribe these circumstances when universal credit is fully rolled out).
- Income support.
- Income-based jobseekers allowance (IBJSA).
- Support under part VI of the Immigration and Asylum Act 1999.
- Child tax credit, provided that the family's income as assessed by HMRC does not exceed certain limits.
- The guarantee element of state pension credit.
- An income-related employment and support allowance.

For example, if the work done on a field trip were part of the GCSE examination syllabus, parents receiving any of these benefits would not have to pay the board and lodging cost for their children. Otherwise, remission, like charging, is at the discretion of the trustees/governors. However, it is likely that any reduction in remission beyond that which the local authority (LA) would pay would be seen as unfair.

In respect of charges for music tuition, the Charges for Music Tuition (England) Regulations 2007 came into effect on 1 September 2007.

Charging policies

The board of trustees/governing body may not charge for anything unless it has a general policy on charging. The board of trustees/governing body's policy may be more or less generous than that of the LA, 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). Parents have a right to ask for this information, and a summary must be included in the prospectus published by the school.

If a charge is made for each pupil, this 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, and not by charging the paying pupils more.

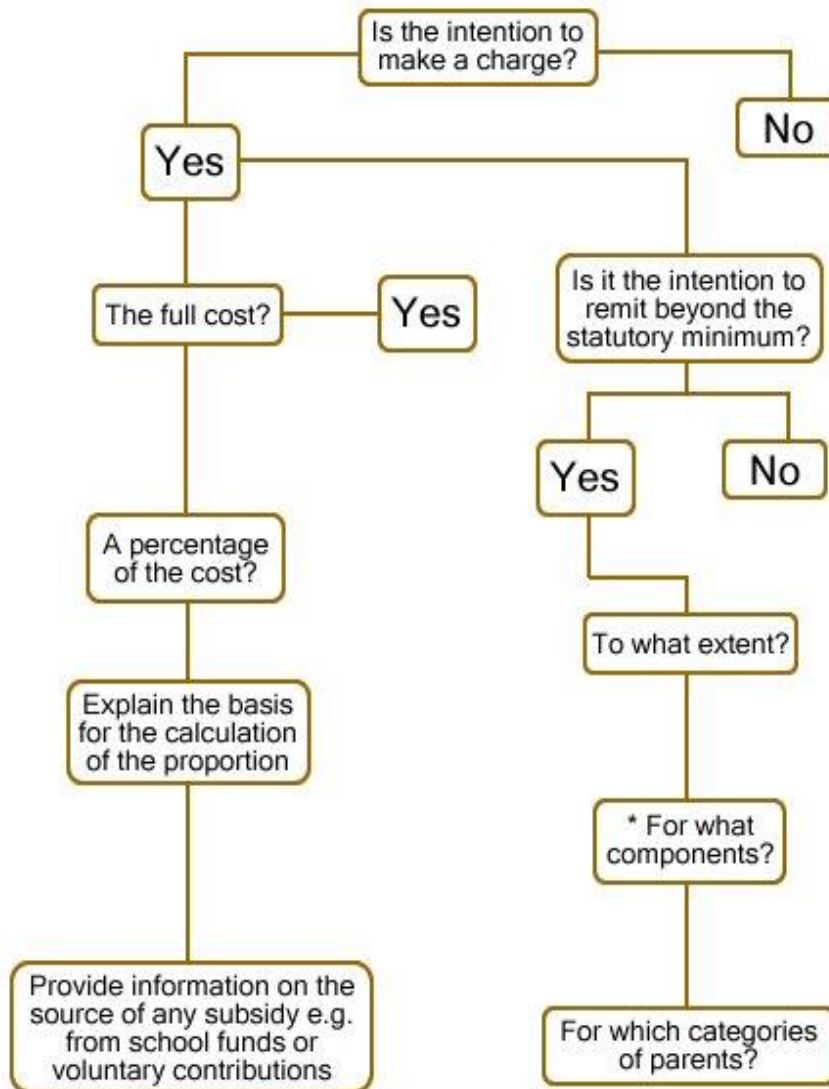
The permitted charge may include an allowance for the costs of teachers from the Trust School who supervise the activity.

When drawing up their statements, boards of trustees/governing bodies should remember that charging is only permissible for the following areas of activity:

- Board and lodging on residential visits.
- Costs associated with individual tuition, and tuition in groups, in the playing of musical instruments, including vocal tuition, out of school hours (unless it is provided as part of the syllabus for a prescribed public examination or is required by the national curriculum).
- Activities which take place wholly or mainly outside school hours, but which are not provided as part of the syllabus for a prescribed public examination and which are not required in order to fulfil statutory duties relating to the national curriculum or to religious education.
- The cost of entering a pupil for a public examination, not prescribed in regulations, and for preparing the pupil for such an examination outside school hours.
- Re-sits of prescribed public examinations when no further preparation has been provided by the school.
- Certain early years provision.
- Community facilities.
- Optional extras.

Drawing up a charging policy

The flow chart below can be used by governing bodies to draw up their charging policy. For each of the areas above, the board of trustees/governing body will need to determine its policy on the following basis:



Music tuition

The Charges for Music Tuition (England) Regulations 2007 (available here: <http://www.legislation.gov.uk/ukxi/2007/2239/contents/made>) came into force on 1 September 2007. These regulations provide for the charging of tuition in groups of any appropriate size and allow charging for vocal tuition. However, instrumental and vocal tuition cannot be charged for which is part of the national curriculum or the first programme in which the whole class engages with the key stage 2 Programme of Instrumental and Vocal Tuition (Wider Opportunities).

Other activities during school hours

Non-school organisations, such as theatre groups, may be asked by a school to arrange an activity to take place during school hours. Such organisations may charge parents who want their children to join in with the activity. While schools cannot charge for school-time activities, they can still ask parents to make voluntary contributions to help school funds go further where this is the source of funding. While it is legitimate for the school to say a particular activity cannot take place if sufficient voluntary funding is not forthcoming, no pupil may be left out of such an activity because her or his parents cannot or will not make a contribution. Parents who do not wish their child to attend must ask the school to agree to their child's absence. The Executive Principal/Headteacher/Head of School and Board of Trustees/Governing Body must decide whether this is in the pupil's best interests.

Public examinations

No charges may be made for entering pupils registered at Trust Schools for public examinations that are set out in regulations. The board of trustees/governing body must enter a pupil for each examination in a public examination syllabus that the school has prepared the pupil for. This does not need to apply if the board of trustees/governing body thinks there are educational reasons for not entering the pupil, or if the pupil's parents ask, in writing, that the pupil should not be entered. The Board of Trustees/Governing Body's decision is final.

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.

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.

Within or outside school hours

For an activity to be considered wholly or mainly outside school hours, the bulk of the time spent on the activity must lie outside normal school hours. For example, if a group of pupils is going to a musical concert and has to leave mid-morning and arrive back an hour after school normally finishes, the visit would be considered to be within school hours. On the other hand, if pupils leave mid-afternoon and arrive back in the late evening, the visit would be considered to be taking place outside school-time, so charges could be made.

Boards of trustees/governing bodies should take care that where a charge is made it only covers the actual cost of the activity and the cost of teachers supervising the activity. If funds are needed to help

with hardship cases, these must be obtained through voluntary contributions or from any hardship fund set up by the school and/or the parents' association, and not by an additional charge to other parents.

Residential activities

Residential activities are treated in a similar way to educational activities that take place wholly or partly outside school hours. A residential trip counts as falling within school-time if the number of school sessions missed by the pupils amounts to at least 50% of the number of half days taken up by the activity. Bearing in mind that the school day is divided into two sessions and that each 24 hour period is divided into two half days beginning at noon and at midnight, a trip taking place during term time that begins on Wednesday at 8.30am and finishes on Saturday evening at 9pm would count as eight half days. Of these eight half days, six count as school sessions so this trip would be considered to take place during school-time. On the other hand, a trip starting at 8.30am on Friday and finishing at noon on Sunday would count as five half days of which two would be counted as school sessions. This trip would therefore be considered as taking place outside school-time and could be charged for in total, including board and lodging.

For a residential trip that takes place largely during school-time, or that is essential to the curriculum provided by the school, no charge can be made for the education element or the cost of travel. Charges can be made for board and lodging, but it must be remembered that in all cases this can only be done for parents who are not receiving any of the aforementioned benefits.

The school mini-bus

Where a school runs a mini-bus, only the school's pupils, staff or pupils' parents may travel at a charge. However, schools can only charge if they have a permit issued under section 19 of the Transport Act 1985, which exempts them from the public service vehicle operator and driver licensing conditions. A permit is required for each mini-bus that the school owns. Charges may recover some or all of the running costs of the vehicle (including depreciation) but such a service cannot make a profit either directly or indirectly.

Voluntary contributions

Although schools cannot charge for school-time activities, they 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. Schools should also make it clear that the children of parents who do not contribute will not be treated any differently from the children of parents who do contribute. If a particular activity for pupils cannot take place without some financial help from parents, this should be explained to parents at the planning stage. 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.

Other relevant policies and procedures

- Home-school agreements
- School prospectus
- Annual report to parents
- Attendance policy
- Sixth Form Contract