

St. Mary's Catholic Primary School Chiswick

"Living and learning, inspired by our faith"

CHARGING AND REMISSIONS POLICY



February 2023

OTR Santa
→

Chair of Governors

Next Review Date: January 2025

1. Introduction

1.1. Sections 449-462 of the Education Act 1996 sets out the law on charging for school activities. Schools are required through their funding agreements to comply with the law on charging for school activities. This policy complements the information given in section 7.5 of the Governors Handbook and accurately reflects the terms of the Education Act 1996, but it is not a substitute for those terms.

2. Main Points

2.1. The governing body, subject to the limited exceptions referred to in this advice, cannot demand payment for education provided during school hours (including the supply of any materials, books, instruments or other equipment).

2.2. The school will ensure that parents on low incomes and in receipt of the benefits listed on page 5 of this document will be informed of the support available to them when being asked for contributions towards the cost of school visits.

3. Education

3.1. The governing body cannot demand reimbursement for:

- an admission application to any state funded school - paragraph 1.9 (n) of the 'School Admissions Arrangements 2020' rules out requests for financial contributions as any part of the admissions process;
- 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 curriculum¹, 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;
- instrumental or vocal tuition, for pupils learning individually or in groups, unless the tuition is provided at the request of the pupil's parent;
- entry for a prescribed public examination, if the pupil has been prepared for it at the school; and examination re-sit(s) if the pupil is being prepared for the re-sit(s) at the school².

1. *It should be noted that 'part of the national curriculum' is not restricted to learning outside the classroom experiences that are specifically subject based (e.g. geography or science fieldwork) and include, for example, activities designed to fulfil requirements under the national curriculum 'inclusion statement' (e.g. developing teamwork skills).*

2. *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.*

3.2. The school **can** charge for:

- any materials, books, instruments, or equipment, where the child's parent wishes him/her to own them;
- optional extras (see below);
- music and vocal tuition, in limited circumstances (see page 3);
- certain early years provision;
- community facilities.

4. Optional Extras

4.1. 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.

4.2. Optional extras are:

- education provided outside of school time 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; 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 (other than transport that is 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;
- extended day services offered to pupils (for example breakfast club, after-school clubs, tea and supervised homework sessions).

4.3. 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;
- 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; and
- the cost, or an appropriate proportion of the costs, for teaching staff employed to provide tuition in playing a musical instrument, or vocal tuition, where the tuition is an optional extra.

4.4. 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.

- 4.5. 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.
- 4.6. 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.
- 4.7. 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.

5. Voluntary Contributions

- 5.1. The governing body can ask for voluntary contributions for the benefit of the school or any school activities. However, if the activity cannot be funded without voluntary contributions, the governing body or head teacher should make this clear to parents at the outset.
- 5.2. The head teacher must also make it clear to parents that there is no obligation to make any contribution. It is important to note that no child should be excluded from an activity simply because his or her parents are unwilling or unable to pay. If insufficient voluntary contributions are raised to fund a visit, or the school cannot fund it from some other source, then it must be cancelled. The school must ensure that this is made clear to parents. If a parent is unwilling or unable to pay, their child must still be given an equal chance to go on the visit. The school should make it clear to parents at the outset what the policy for allocating places on school visits will be.
- 5.3. When making requests for voluntary contributions, parents must not be made to feel pressurised into paying as it is voluntary and not compulsory. The school should avoid sending colour coded letters to parents as a reminder to make payments and direct debit or standing order mandates should not be sent to parents when requesting contributions.

6. Music Contributions

- 6.1. Although the law states that, in general, all education provided during school hours must be free, instrumental and vocal music tuition is an exception to that rule.
- 6.2. Charges may now be made for vocal or instrumental tuition provided either individually, or to groups of any size, provided that the tuition is provided at the request of the pupil's parent.
- 6.3. The regulations are clear that charging may not be made if the teaching

is either an essential part of the national curriculum, or is provided under the first access to the key stage 2.

- 6.4. Instrumental and Vocal Tuition Programme. They also make clear that no charge may be made in respect of a pupil who is looked after by a local authority (within the meaning of section 22(l) of the Children Act 1989).

7. Transport

7.1. The school **cannot** demand payment for:

- transporting registered pupils to other premises where the local 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; and
- transport provided in connection with an educational visit.

8. Residential Visits

8.1. The school **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 visit.

8.2. The school **can** charge for:

- board and lodging and the charge must not exceed the actual cost.

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

- Universal Credit in prescribed circumstances³
- Income Support (IS);
- Income Based Jobseekers Allowance (IBJSA);
- 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 2020/21);
- the guarantee element of State Pension Credit;
- an income related employment and support allowance that was introduced on 27 October 2008.

³The government plans to prescribe the circumstances when Universal Credit is fully rolled out.

9. Education Partly During School Hours

- 9.1. 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.
- 9.2. 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.
- 9.3. 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.

10. Non-Residential Activities

- 10.1. 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.
- 10.2. 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.