



Charging, Remissions & Recoupment Policy

Approved by: Headteacher

Date: 8th February 2023

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Next review due by: February 2026

Introduction

The purpose of this policy is to ensure that there is clarity over those items which the school will provide free of charge and those for which there may be a charge applied.

This policy is based on advice from the Department for Education (DfE) on charging for school activities and the Education Act 1996, sections 449-462 of which set out the law on charging for school activities in maintained schools in England. The references within the policy are to the relevant sections of that Act, and are provided to enable parents and carers to obtain further detail if they wish.

Definitions

- Charge: a fee payable for specifically defined activities.
- Remission: the cancellation of a charge which would normally be payable.

Responsibilities

The Governing Body

The governing body has overall responsibility for approving the charging and remission policy, but can delegate this to a committee, an individual governor or the Headteacher.

The governing body also has overall responsibility for the monitoring and implementation of this policy.

In our school, responsibility for approving the charging and remissions policy and monitoring the implementation of the policy has been delegated to the Business Committee.

The Headteacher

The Headteacher and/or delegated member of the leadership team (e.g. School Business Leader) is responsible for ensuring all staff are familiar with the charging and remissions policy, and that it is being applied consistently.

Staff

Our staff are responsible for:

- Implementing the charging and remissions policy consistently.
- Notifying the Headteacher of any specific circumstances which they are unsure about or where they are not certain the policy applies.

The senior leadership team will provide staff with appropriate training in relation to this policy and its implementation.

Parents

Parents are expected to notify staff or the Headteacher of any concerns or queries regarding the charging and remission policy.

Charges and Remissions

The School, Governing body or local authority, **cannot** charge for:

- An admission application as outlined in paragraph 1.9 (n) of the 'School Admission Code 2012'
- For education provided during school hours, or for education which is required as part of the school curriculum¹. This includes the supply of any materials, books, instruments or other equipment.

¹ Education Act 1996 – Section 451, (2)

- Supply teachers to cover for those teachers who are absent from school accompanying students on a residential visit.
- Education provided on any visit which takes place during school hours.
- 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 student is being prepared for at the school, or part of religious education.
- Entry for a prescribed public examination, if the student has been prepared for it at the school and examination resit(s) if the student is being prepared for these at the school²
- Instrumental or vocal tuition, for students learning individually or in groups, unless the tuition is being provided at the request of the student's parent(s).

The School, Governing body and local authority **can** charge for:

- Any materials, books, instruments, or equipment, where the child's parent(s) wishes him/her to own them.
- The school may ask for contributions towards activities taking place during school hours, but these contributions would always be voluntary and no student would be excluded from an activity if they or their parent or carer did not make a contribution, although the activity may not take place at all if insufficient contributions were received.
- The school may charge for activities which take place outside school hours, but not if these activities are required as part of the school curriculum³.
- For residential journeys or visits, the school will make a charge for board and lodging costs⁴, but students, parents or carers may receive remission of part or all of the board and lodging costs according to individual circumstances and at the discretion of the Headteacher.
- Cost of music and vocal tuition, in the following limited circumstances (see below)

Charges can also be made for some activities 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 defined as:

- Education provided outside of school time that is not
 - Part of the national curriculum
 - Part of a syllabus for a prescribed public examination that the student is being prepared for at the school
 - Part of religious education
- Examination entry fee(s) if the student has not been prepared for the examination(s) at the school
- Transport (other than transport required to take the student to school or to other premises where the local authority/governing body have arranged for the student to be provided with education)

Education during school hours and the school curriculum

No charge will be made for education, including any associated materials, books, instruments or other equipment, which is either provided during school hours, or a necessary part of the school's basic curriculum, unless the parent of a child wishes these to be owned by the child. The only exception is that the school may choose to charge for individual music tuition or for small group tuition up to a maximum group size of 4.⁵

Education partly within school hours

² However, if a student fails, without good reason, to meet any examination requirement for a syllabus, the fee can be recovered from the student's parents.

³ Education Act 1996 – Section 451 (4a, 4b)

⁴ Education Act 1996 – Section 455, (1d)

⁵ Education Act 1996 – Section 451 (3)

Sometimes an activity (e.g. a class ‘field trip’) may happen partly during and partly outside school hours. In these cases there is a basis on which one can determine whether the activity is deemed to take place either inside or outside school hours. This is as follows:

- If 50% or more of the time spent on a non-residential occurs during school hours, it is deemed to take place during school hours and so no charge will be made. Time spent on travel counts in this calculation if the travel itself occurs within school hours⁶.
- If less than 50% of the time spent on an activity occurs during school hours, then the whole activity counts as taking place outside school hours and in those circumstances a charge may be made.⁷

Education outside school hours

A charge may be made for educational activities provided outside school hours but only if these activities are not a necessary part of the school curriculum.

Residential visits

A residential journey or visit counts as those which take place outside of school hours. However, 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 visit, it is deemed to have taken place during school hours (even if some activities have taken 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.

In respect to residential visits Schools **cannot** charge for:

- Education on any visit which takes place during school hours.
- Education provided on any visit that takes place outside of school hours if it is part of the national curriculum, or part of a syllabus for a prescribed public examination that the student 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 students on a residential visit

Schools **can** charge for:

- Board and lodging costs for the duration of the residential visit. It should be noted that these charges must not exceed the actual cost.

It should be noted that the school **must**:

- Ensure that it informs parents on low incomes and in receipt of the following benefits, of the support available to them when being asked for contributions towards the cost of school visits.
 - Universal Credit in prescribed circumstances⁸;
 - 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 HMRC) does not exceed £16,190;
 - The guarantee element of the State Pension Credit;

An income related employment and support allowance (from 27 October 2008)

⁶ School hours do not include the break in the middle of the day.

⁷ Education Act 1996 – Section 452

⁸ The government plans to prescribe these circumstances when the Universal Credit is fully rolled out.

Musical tuition

The school does not currently charge for musical tuition.

However, such a charge is permitted under *The Charges for Music Tuition (England) Regulations 2007*. These set out the circumstances for which charges can be made. Charges may 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 student's parent(s). In these circumstances, charges must not exceed the cost of provision, including the cost of staff who provide the tuition. The regulations further make it clear that charging may not be made if the teaching is either an essential part of the national curriculum, preparation for part of a syllabus of a prescribed public examination for which the student is being prepared by the school⁹ and that, under no circumstances, should a charge be made in respect of a student who is looked after by a local authority.¹⁰

If, at any point, it is intended to introduce charges for individual instrumental tuition then agreement of parents, in writing, will be obtained prior to the tuition starting

Transport

Schools **cannot** charge for:

- transporting registered students to or from the school premises, where the local authority has a statutory obligation to provide transport;
- transporting registered students to other premises where the governing body or local authority has arranged for them to be educated;
- transport that enables a student 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

Examinations

The school will not normally charge for entering students for a public examination, except where:

- The school considers that a student has made insufficient progress to justify his entry for a particular examination
- The examination is not one for which the student has been prepared in advance
- Parents request the re-marking of an examination against the advice of the school

The school may levy a charge for wasted examination fees where a student fails to sit an examination without a valid reason¹¹.

Voluntary Contributions

Although the school will not charge for an educational activity within school time or which is required as part of the school's curriculum, students, parents or carers may be invited to make voluntary contributions towards the cost of an activity. These activities may include visiting performer, art and craft materials, etc. However, it is important to note that no student will be excluded from an activity, or be treated differently, simply because they or their parent or carers are unwilling or unable to contribute.¹²

This may mean, if insufficient contributions are received and the shortfall cannot be made up by alternative funding, that a particular activity might have to be curtailed or cancelled. This should be made clear by the Governing Body or the Headteacher to parents at the outset. It should also be made clear, to parents, that there is no obligation to make any contribution.

⁹ Education Act 1996 – Section 451 (3a)

¹⁰ Within the meaning of section 22(l) of the Children Act 1989

¹¹ Further information relating to the conditions for charging in relation to examinations can be found in the Bow School Examinations Policy

¹² Education Act 1996 – Section 460 (1 and 2)

Calculating Charges

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 such tuition is an optional extra

Any charge made in the respect of individual students must not exceed the actual cost of the providing the optional extra activity, **divided** equally by the number of students participating. It must not therefore include an element of subsidy for any student wishing to participate in the activity whose parent is unwilling or unable to pay the full charge.

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 students who do not wish to participate. Participation in an optional extra will be on the basis of parental choice and a willingness to meet the charges. Parental agreement is therefore a necessary prerequisite for the provision of any optional extra where charges will be made.

In cases of hardship the Headteacher will consider, using their discretion, to remit the charges, either in full or in part, for those students they consider will benefit from participation in any particular activity.

Damages, Breakages and Losses

The Headteacher may charge a student or their parents or carers for any damage, breakage or loss of equipment, as she deems appropriate.

Recoupment of costs

The Governing Body will ensure that all costs that should be recouped are received. Examples would include the tuition costs of students where another local authority is responsible for the cost of the student's education, etc. Other costs to be recouped include: staff meals, staff telephone calls, etc.