

**Netherhall School**

*An Ambitious, Caring Community*



# CHARGING AND REMISSION OF CHARGES POLICY

**Adopted by Netherhall School Governing Body**

**On 18 March 2021**

A handwritten signature in blue ink, which appears to read 'Jan Clarke', is written over a white background.

**Signed:**

**(Jan Clarke, Chair of Governors)**

**Date by which the procedure was last reviewed: March 2021**

**Anticipated review date: March 2022**

## **Equality Act 2010**

Our school is committed to equality both as an employer and a service provider. We welcome our general duty under the Equality Act 2010 to eliminate discrimination, advance equality of opportunity and foster good relations. In addition we recognise our specific duties to publish information every year about our school population; explain how we have due regard for equality; publish equality objectives which show how we plan to tackle particular inequalities and reduce or remove them.

We recognise our duty to ensure no-one experiences harassment, less favourable treatment or discrimination because of their age, any disability they may have, their ethnicity, colour or national origin, their gender identity or reassignment, their marital or civil partnership status, being pregnant or having recently had a baby, their religion or belief, their sexual identity and orientation.

We also welcome our duty under the Education and Inspections Act 2006 to promote community cohesion and British values.

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# 1 Introduction

Netherhall School (hereinafter referred to as 'the school') recognises the valuable contribution that a wide range of extra-curricular activities, including trips, clubs and residential experiences can make towards the education of our children and young people and aims to promote and provide such activities both as part of a broad and balanced curriculum for pupils and as additional optional enrichment activities.

The School strives to ensure that all young people have an equal opportunity to benefit from such activities, both on and off site and within and outside of the curriculum, regardless of their family's financial means. To ensure transparency in setting charges and also to ensure all young people are able to access all of the provision we offer, this Policy sets out our approach to charging and remissions. It has been informed by adherence to the law and by following statutory Department for Education guidance.

The purpose of this Policy is to ensure that, during the school day, all young people have full and free access to a broad and balanced curriculum. The school day is defined as 8.35am to 3.00pm excluding the lunchtime period 12.30pm to 13.15pm. A school session is equivalent to half a day i.e. either one morning session before lunch or one afternoon session afterwards.

We recognise our responsibility to ensure that the offer of activities and educational visits does not place an unnecessary burden on family finances and where we can we aim to:

- ensure our payments systems allow parents to pay in instalments;
- ensure fair access to popular trips.

Where this Policy refers to parents we mean any person with parental responsibility for a child or young person.

This Policy does not apply to charges made and determined by other organisations offering activities and services on the school premises e.g. breakfast club, evening community clubs.

Putting the School at the heart of community where we feel it belongs, we are proud to offer recreation and leisure opportunities to the wider community e.g. hire of facilities, use of fitness centre and sports facilities etc. This policy does not apply to any charges we make for these facilities or activities.

## 2 Admissions

No charge will be made for any aspect of the admissions process to this school.

## 3 Activities Wholly During the School Day

No charge will be made for 'education' provided during normal school hours. 'Education' is defined as including all activities related to the National Curriculum as well as the materials, equipment and transport required to provide it. Music Tuition which is not part of the school curriculum is covered under [Section 8](#), below.

We recognise that the definition of 'education' as 'part of the National Curriculum' is not limited to learning outside the classroom experiences required as part of a specific subject e.g. geography or science fieldwork, but also includes activities

designed to fulfil requirements under the National Curriculum 'inclusion statement' and others as applicable.

A charge will be made to cover the cost of ingredients or materials where parents have confirmed in advance that they wish their child to own the finished product.

We will ask parents for voluntary contributions to help school fund the range of these opportunities we offer, but no young person will be excluded from an activity on the basis of a parent's inability or unwillingness to pay this contribution. The Governing Body reserves the right however, to cancel an activity in its entirety if insufficient voluntary contributions are received.

From time to time we may invite a non-school based organisation such as e.g. travelling theatre company, to deliver an activity during the school day. Such organisations may wish to charge parents, who are entitled not to pay any fee and instead to ask the Head teacher to agree to their child being absent/taught elsewhere in the school for that period. In many cases, however, parents will be asked for a voluntary contribution towards the cost of the activity.

## **4 Activities Wholly Outside the School Day**

No charge will be made for education provided outside of normal school hours if it is part of the National Curriculum, or part of religious education.

We will ask parents for voluntary contributions to help school fund the range of these opportunities we offer, but no young person will be excluded from an activity on the basis of a parent's inability or unwillingness to pay this contribution. The Governing Body reserves the right, however, to cancel an activity in its entirety if insufficient voluntary contributions are received.

Other enrichment activities not required as part of the national curriculum or religious education *and* which are wholly outside school hours are Optional Extras and chargeable. Please see [Section 7](#) for more information about charging for Optional Extras.

Lunchtime activities, after school and other extra-curricular clubs are wholly outside of school hours and do not fall under the definition of 'education' above. Please see [Section 7](#) for more information about charging for Optional Extras.

## **5 Non-Residential Activities That Take Place Partly During and Partly Outside the School Day**

Where the majority of time spent on a non-residential activity is *within* normal school hours, the charging regime will be as if it happens *fully within* school hours. The majority of time is defined as 50% or more.

Where the majority of the time spent on a non-residential activity is *outside* of normal school hours, the charging regime will be as if it happens *fully outside* school hours i.e. the activity becomes an 'Optional Extra' unless it is part of the National Curriculum, or part of religious education. The majority of time is defined, in this case, as more than 50%.

Travel time is included when considering the time spent on an activity only when it occurs during school time as defined in the Introduction.

## 6 Residential Activities

A residential visit may be wholly chargeable if it is an Optional Extra. Please see [Section 7](#) for more information about charging for Optional Extras.

If a residential visit is **not** an Optional Extra, charges will be made to the parents of pupils who wish to participate in residential activities for the cost of board and lodging with the exception of those in receipt of:

- Universal Credit in prescribed circumstances (The government plans to prescribe the circumstances when Universal Credit is fully rolled out);
- 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 2013/14);
- the guarantee element of State Pension Credit; or
- an income related employment and support allowance (ESA) that was introduced on 27 October 2008.

We understand that parents should be informed of this when they are asked for money. Parents are encouraged to discuss their circumstances in confidence with the Head Teacher.

In order to cover any other costs associated with a residential visit e.g. activity tuition, for which charges cannot be made, parents will be asked to make a voluntary contribution. No child will be denied the opportunity of attending a residential (only where it not an Optional Extra) if the parents do not wish to or cannot contribute voluntarily. It is possible however, that unless sufficient voluntary contributions are received to cover the cost, the experience will not go ahead. The Governing Body reserves the right, to cancel an activity in its entirety if insufficient voluntary contributions are received.

Other charges will be made to cover associated costs only where the visit is an Optional Extra because the number of normal school sessions (defined in the [Introduction](#)) missed by the pupils taking part totals less than half of the number of half-days taken up by the activity. For the purposes of charging, The DfE defines a half-day session as a period of 12 hours ending in noon or midnight. In such cases, parents will be told how the charges were calculated.

### Example 1

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

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.

## 7 Optional Extras

The Governing Body reserves the right to charge parents for activities deemed to be Optional Extras. Such activities will include, for example, an evening visit to a

theatre which does not fit the definition of 'education' in [Section 3](#) . Parents must make payment in order for their child to participate.

A charge will be made for examination entry fee(s) if the pupil/external candidate has not been prepared for the examination(s) at this school.

Lunchtime and after school activity clubs do not operate during normal school hours and to cover the costs of offering such opportunities a charge may be made to the parents of pupils who wish to participate in them. Families on a low income who are unable to pay such charges should speak to the Head Teacher in complete confidence.

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.

## **8 Music Tuition**

No charge will be made for tuition for pupils learning to play musical instruments if the tuition is required as part of the National Curriculum. A charge will be made for vocal and musical instrument tuition for either an individual pupil or groups of any appropriate size, where it does not fall into the category of teaching described above.

National charging guidance is followed and no charge will be made in respect of a pupil who is looked after by a local authority (within the meaning of section 22(1) of the Children Act 1989).

## **9 School Minibus**

Only the school's pupils, staff or parents may travel at a charge in the school mini-bus. Charges can only be levied if the school has a permit issued by the LA under Section 19 of the Transport Act 1985. No permit is required if no charge is made to the user. Charges made for travel will cover only actual costs incurred, including depreciation; the service will not make a profit for the school. Charges may be made for educational visits but not for travel between school and a timetabled activity in school hours, nor for pupils representing school at sporting events, competitions etc.

## **10 Damage to Property and Breakages**

The school will attempt to recover some or all of the costs incurred repairing wilful or culpably negligent damage or breakage of school property or such damage or breakage of property belonging to a third party where the school has been charged. The actual amount will be determined by the Head teacher.

## 11 Calculating Charges

When charges are made for any activity, whether during or outside of the school day, they will be based on the actual costs incurred, divided by the total number of pupils participating. There will be no levy on those who can pay to support those who can't. Support for cases of hardship will come through applicable funding such as pupil premium monies, specified voluntary contributions, and fundraising.

Parents who would qualify for support are those in receipt of benefits as described in [Section 6](#).

The principles of best value will be applied when planning activities that incur costs to school and/or charges to parents.

## 12 Debt Recovery

It is the financial management policy of this school policy that all services provided by the school are paid for in advance and therefore it is expected that no debts will be accrued. In the unlikely event that debts are accrued, the Governing Body authorises school to take all reasonable measures to collect debts as part of its management of public funds. In doing so they will observe the relevant financial regulations and any other legal requirements. Please refer to Netherhall School's Debt Write Off Policy.

Staff will follow set school procedures to secure the collection of all debts. A debt will be written off only after all reasonable measures (commensurate with the size and nature of the debt) have been taken to recover it. The recovery of any sums above this amount will be referred to the Head Teacher and the Chair of Governor's for approval. If any debtor has a number of debts that together exceed the write-off limit then these will be treated as a total amount.

Unless a decision to write-off a debt is demonstrably a reasonable course of action authorisation is in place to initiate legal or other action to recover debts.

A formal record of any debts written off will be maintained and this will be retained for 7 years.

## 13 Arrangements for Monitoring and Evaluation

The Finance Committee of the Governing Body will monitor the impact of this policy by receiving on a termly basis, a financial report on those activities that resulted in charges being levied, the subsidies awarded (without giving names) and the source of those subsidies.

## 14 References and Associated Policies and Procedures

- DfE Statutory Guidance document '*Charging for school activities: Departmental advice for governing bodies, school leaders, school staff and local authorities*', October 2014
- Educational Visits Procedures
- Single Equality Scheme



## Frequently asked questions

### **Q. What is a charging policy?**

**A.** Under the charging provisions set out in legislation, governing bodies and local authorities of state funded schools may choose to charge for certain defined activities, but only if they have first drawn up charging and remissions policies. These policies should be made available to parents on request.

### **Q. How does this relate to academies?**

**A.** Academies (including free schools, studio schools and university technical colleges) are required through their funding agreements to comply with the law on charging for school activities.

### **Q. A visit involving staying overnight has been arranged for children at my school. Can the school charge for this?**

**A.** Where a school activity requires pupils to spend nights away from home, the school is allowed to make a charge for board and lodging. This is with the exception of pupils whose parents are receiving: Universal Credit; Income Support; Income-based Jobseeker's Allowance; Support under part VI of the Immigration and Asylum Act 1999; or Child Tax Credit (providing that they do not also receive Working Tax Credit and have an annual income, assessed by the Inland Revenue that does not exceed £16,190 FY 13/14) and an income related employment and support allowance. Since April 2003 the eligibility criteria that entitle families to an exemption from paying for the cost of board and lodging on residential visits have been aligned with free school meals eligibility criteria. The head teacher must inform all parents of the right to claim free board and lodging if they are receiving these benefits.

### **Q. With regard to the remission of board and lodging payments, explain who pays for the expense? Would it come out of the school budget or is there a grant available to claim?**

**A.** Although the criteria for being eligible for the remission of charges for board and lodgings is the same as free school meals, that is where the similarity ends. The costs involved in the remission of board and lodgings are to be borne by the school from their contingency funds. There is no return to be completed to re-claim the money back.

### **Q. Our school has a large number of pupils eligible for free school meals. This means that they would also receive remission for board and lodgings expenses for residential visits. How can the school fund/organise residential visits?**

**A.** Government funding for schools to each local authority recognises the different needs of each area. In terms of the allocation to schools, each local authority sets a funding formula which is agreed with the local schools forum. All local authorities are required to include an element in their formula to reflect the needs of deprived pupils. The amount that individual schools receive from the local authority reflects their relative need compared with other local schools. In addition, schools receive pupil premium funding for disadvantaged pupils, based largely on those who are eligible for free school meals. This



funding is provided by the government to raise the attainment of eligible pupils and narrow the attainment gap between eligible pupils and their peers. It is for head teachers and school governing bodies to decide how to use their formula funding and pupil premium allocation. Schools cannot exclude children from taking part in an activity that is part of the national curriculum purely on the grounds that the parent or carer cannot make, or refuses to make, a contribution. This can clearly place schools in some difficulty on occasions where a number of parents/carers might be in such a position. The school then has to decide whether they can cover the costs of such activity from within the budget or by fundraising, or whether the activity has to be cancelled. If there is a residential activity taking place largely during school time, or which meets the requirements of the syllabus for a public examination, or is to do with the national curriculum or religious education, no charge may be made either for the education or for the cost of travel.

**Q. Can governing bodies charge for educating children in maintained schools and academies?**

**A.** The local authority or governing body cannot charge for education that takes place in school hours. Nor can they charge for activities that take place outside school hours if these are part of the national curriculum, necessary as part of a syllabus for a prescribed public examination that the pupil is being prepared for at the school, or part of religious education. They can charge for permitted 'optional extras', provided they have drawn up a statement of general policy on charging and given details of 'optional extras' they intend to charge for. The governing body's policy does not have to be the same as the local authority's policy, as long as it meets the requirements of the law.

**Q. Can a school charge for an activity that takes place out of school hours?**

**A.** This kind of activity is often referred to as an 'optional extra'. Where an optional extra is being provided, a charge can be made for providing materials, books, instruments, or equipment. See advice on optional extras on page 4 of DfE document '*Charging for school activities: Departmental advice for governing bodies, school leaders, school staff and local authorities*', October 2014. The actual charge for the optional extra cannot exceed the actual cost of the provision. Schools cannot and must not make a profit from charging for optional extras. 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 prerequisite for the provision of an optional extra where charges will be made.

**Q. Can a school ask parents for voluntary contributions?**

**A.** Schools may invite parents and others to make voluntary contributions to make school funds go further. All requests to parents for voluntary contributions must make it clear that the contributions would be voluntary. It should be remembered that education provided during school hours must be free. This includes materials, equipment, and transport provided in school hours by the local authority or by the school to carry pupils between the school and an activity. Governing bodies should also clearly explain that children of parents who do not contribute will not be treated any differently, and that the activity might be cancelled if insufficient contributions are received.

**Q. The school has sent letters out to parents asking for contributions towards a school visit, do parents have to pay?**

**A.** Head teachers or governing bodies may ask parents for voluntary contributions towards the cost of:

- ♣ any activity which takes place during school hours;
- ♣ school equipment; and
- ♣ school funds generally.

Children of parents who are unable, or unwilling, to contribute may not be discriminated against. However, if insufficient voluntary contributions are received to cover the cost of the visit, or activity, and there is no alternative method to make up the shortfall, then the school should cancel the activity/visit. It would be advisable to make parents aware of a possible cancellation to the activity/visit if insufficient voluntary contributions are received from the outset.

**Q. Can a state boarding school make compulsory charges for day pupils?**

**A.** State funded boarding schools cannot charge for education during school hours. They may however charge for extended services offered to day pupils, but this must be optional. Compulsory charges must never be made for extended day services including breakfast clubs, after-school clubs, evening meal and supervised homework sessions whether the pupils take up these services or not. Many maintained schools provide wraparound services but they are not part of the school day and it would be unlawful for state funded boarding schools to make wraparound services compulsory.

**Q. What happens if the school is not able to raise enough voluntary contributions to cover costs?**

**A.** Where there are not enough voluntary contributions, and there is no way to make up the shortfall, for example school funds and/or fundraising activities, then it must be cancelled. The possibility of the activity/visit being cancelled due to a shortfall in contributions should be made clear in the information sent to parents.

**Q. What if a parent is unable, or unwilling to make a voluntary contribution? How does this affect their child(ren)?**

**A.** The school cannot exclude a child from taking part in an activity that is part of the national curriculum purely on the grounds that the parent or carer cannot make, or refuses to make, a contribution. This can clearly place schools in some difficulty on occasions where a number of parents/carers might be in such a position. The school then has to decide whether they can cover the costs of such activity from within the budget or by fundraising, or whether the activity has to be cancelled.

**Q. What support can a school offer a parent/carer who has difficulty making a financial contribution?**

**A.** Schools must ensure that parents in receipt of Universal Credit, Income Support, Income Based Jobseekers Allowance, 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 2013/14) are aware of the support available to them when being asked for contributions toward the costs of school visits. Some schools also have funds available to enable families in financial difficulty to send their children on visits/activities. Parents should be encouraged to speak to the head teacher in order to establish if such funding arrangements exist. No charge may be made if there is a residential activity taking place largely during school time, or which meets the requirements of the syllabus for a public examination. In addition, if the activity is to do with the national curriculum or religious education, no charge may be made either for the education or for the cost of travel for any pupil, not just those whose parents are in receipt of benefits.

**Q. What about charges for transport during school hours?**

**A.** Any transport provided by the school in school hours must be provided free of charge (though a voluntary contribution could be requested).

**Q. Can the school charge for something like cooking ingredients or materials needed for a technology lesson?**

**A.** The school can make a charge to cover the costs of materials/ingredients for subjects such as design or food technology where parents have indicated in advance that they would like their child to bring home the finished product.

**Q. Can the school charge entry fees for examinations?**

**A.** 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 local authority originally paid or agreed to pay the entry fee.

**Q. Can a school make a charge to pay for the administration required as part of the admission process?**

**A.** Paragraph 1.9 (n) of the 'Schools Admission Code 2012' rules out requests from admission authorities for financial contributions as any part of the admissions process. Legislation prevents state funded schools from charging fees for admission or for providing education during school hours.

**Q. Can a school ask for a direct debit to the school fund?**

**A.** No. A school may ask for voluntary contributions, as long as it is clear that they are voluntary, but we are clear that state education should be free and we have no intention of changing this policy. No contributions may be sought as part of the admissions process.

**Q. Can a school ask parents to contribute to (or pay in full) the cost of a tablet or computer?**

**A.** Sections 451 and 454 of the Education Act 1996 prohibits schools from charging for education and the supply of materials, books, instruments or other equipment (this would include tablets), during school hours. However, there is no prohibition on asking parents to make voluntary contributions. Additionally there is a specific exception in the legislation which enables schools to charge for materials where the pupil's parent wishes them to own the materials. All contribution requests to parents must make clear that the contributions are voluntary and that, if a parent cannot make or refuses to make a contribution, their children will not be treated any differently and will not be excluded from taking part in any activity or related equipment.

**Q. What are community facilities?**

**A.** Schools are allowed to provide facilities that can be used by the local community, for example out-of hours/holiday childcare or swimming pool sessions. These facilities further any charitable purpose for the benefit of pupils at the school or their families, or people who live or work in the locality in which the school is situated. Academies should seek guidance from the Charity Commission if they are in doubt. Advice from the Charity

Commission can be found here. Schools can charge for the use of these facilities, and a profit can also be generated, providing it is spent on the purposes of the school and or on community facilities. Maintained schools should check the local authority's published financial "scheme" for maintained schools in their area for any rules about the carry of profit from one financial year to the next. Academies should determine fees and charges in accordance with chapter 6 of HM Treasury's Managing Public Money.