



St Malachy's Catholic Primary, a Voluntary Academy



CHARGING AND REMISSIONS POLICY

November 2018

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1. Introduction to the Charging and Remissions Policy

Within this policy statement, the Academy Council has considered each type of activity that can be charged for within the law, and has explained when charges will be made. Where a charge is to be made for a particular type of activity, for example board and lodgings on residential visits, parents will be informed as to how the charge has been worked out and who might qualify for help with the cost (or even get it free).

This policy sets out the circumstances in which the school proposes to remit (wholly or partly) any charge which would otherwise be payable to them in accordance with their charging policy. For example, a school may decide to provide an Italian language evening class as an optional extra. The Academy Council may decide to reduce the cost for those children whose parents are in receipt of certain benefits.

No charges or contributions can be asked for by the school unless the Academy Council has drawn up a charging policy giving details of the optional extras or board and lodging that they intend to charge for, and a remissions policy. This policy and guidance sets out where and where not charges and contributions may be made or asked for along with details of the support available for some families in receipt of certain benefits.

2. Rationale

St Malachy's Catholic Primary School aims to provide an inclusive environment. Activities which enrich the curriculum through off-site visits and visitors into school promote Excellence and Enjoyment. The purpose of this policy is to provide all staff with clear guidance so that when planning enrichment, staff are confident that they are following the procedures agreed by the Academy Council and that these procedures meet the requirements of the law. This policy is available to parents on request.

3. Aims of the charging and remissions policy

As inclusive learning is key to our educational practice, it is vital that all staff work to the same procedures and provide positive support and information for families without stigmatization or discrimination.

4. Guidelines

4.1 School governing bodies and local authorities cannot charge for:

- an admission application to any maintained school;
- 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;
- tuition for pupils learning to play musical instruments if the tuition is required as 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;

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).

- 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.

4.2 School governing bodies and local authorities can charge for:

- any materials, books, instruments, or equipment, where the child's parent wishes him to own them;
- optional extras (see paragraph 4.3); and
- music and vocal tuition, in limited circumstances (see paragraph 4.6).

4.3 Optional Extras

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.

At St Malachy's Catholic Primary School it has been agreed that the school will charge for:

- 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 that is not required to take the pupil to school or to other premises where the local authority/Academy Council 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;
- 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

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.

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.

4.4 Voluntary Contributions

Nothing in legislation prevents an Academy Council or local authority from asking for voluntary contributions for the benefit of the school or any school activities.

However, if the activity cannot be funded without voluntary contributions, the Academy Council have agreed that the school should make this clear to parents at the outset. All information provided for parents, verbal or in writing, **must** also make it clear to parents that there is no obligation to make any contribution. (See Appendix 1 – Letter to parents)

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, then it must be cancelled. Schools must make sure that they make this 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. Where there is to be some restriction on the number of places on a school visit, the member of staff organising the visit must discuss the method of allocating places with the Headteacher and make it clear to parents at the outset as to how this will be done. The method must not contravene the Disability and Discrimination Act or the Equality Act.

When making requests for voluntary contributions to the school funds, parents must not be made to feel pressurised into paying as it is voluntary and **not compulsory**. The school will not use colour coded letters to parents as a reminder to make payments into the school or maintenance funds. The school will not send direct debit or standing order mandates to parents when requesting contributions.

4.5 Residential Visits

The school **cannot** and will not 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; and
- supply teachers to cover for those teachers who are absent from school accompanying pupils on a residential visit.

The school **can** and will charge for:

- board and lodging yet the charge will not exceed the actual cost.

Schools **can** charge for:

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

When a school informs parents about a forthcoming visit, they should make it clear that parents who have children eligible for Free School Meals (Pupil Premium Funding) will be exempt from paying the cost of board and lodging.

4.6 Music Tuition

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 Education to specify circumstances where charging can be made for music tuition.

The 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. Guidance about these changes to the charging regulations can be viewed on the DfE web site. 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).

4.6 Transport

The school **cannot** and will not charge for:

- transporting registered pupils to or from the school premises, where the local education authority has a statutory obligation to provide transport;
- transporting registered pupils to other premises where the Academy Council or local education 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.

Guidance on school travel is available on the DfE website.

4.7 Categories at St Malachy's Catholic Primary

School based enrichment activities within the school day

All these activities will carry no compulsory charge. However, where requests to parents for contributions are made, the request will make clear that any contributions are voluntary. No pupils will be excluded on the grounds of non-contribution.

e.g. Travelling theatres, IPC launch activities

Enrichment activities beyond the school day

Where these activities are optional extras, they may carry a compulsory charge. On occasions a profit may be made.

e.g. Concerts, discos.

Off-site enrichment activities within the school day

The Academy Council recognises the educational value of children participating in educational visits. It is school policy, therefore, to seek voluntary contributions from parents to cover the total costs of such visits providing that the terms of any request make it clear that:

- i. There is no legal obligation to contribute;
- ii. Pupils will all be treated equally regardless of their parents' contribution;
- iii. Visits are dependent on sufficient funds being available.

Residential activity taking place largely during school time

Charges will be made for board and lodgings except for pupils who are eligible for Free School Meals (Pupil Premium Funding). The Head is responsible for informing all parents of the right to claim free activities if they are able to prove they are receiving benefits.

It is school policy to seek voluntary contributions from parents to cover other costs providing that the terms of any request make it clear that:

- i. There is no legal obligation to contribute;

- ii. Pupils will all be treated equally regardless of their parents contribution;
- iii. Visits are dependent on sufficient funds being available.

Education partly during school hours

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.

Non-residential activities

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.

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.

Residential visits

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 take 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.

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.

Roles and Responsibilities

Every enrichment activity regardless of category will have a named party leader who will calculate the costs involved. These costs will be discussed with the management of the school. The guidelines provided within this policy will be adhered to in all circumstances. The Headteacher in consultation with the Chair of Governors will make authorisation of any remission.

Equal Opportunities and Inclusion

The school is committed to working towards equality of opportunity in all aspects of school life. Our aim is to ensure that no child is discriminated against by being treated less favourably or by failure of staff to make reasonable adjustments to in recognition of pupils' needs and abilities.

Review framework

The policy should be reviewed annually in January by the Academy Council (or sooner in the event of revised legislation or guidance) in relation to the aims and content of other school policies such as the :

- Equal Opportunities Policy

Appendix 1

Dear Parent / Guardian

Activity _____ **Date** _____

Provisional arrangements have been made for a proposed educational visit (description of activity and educational objectives). Your child has the opportunity to take part in this visit. It will be necessary to ask for voluntary contributions to enable the visit to take place. The suggested contribution for each pupil is £ _____.

It should be noted that the relevant contribution is a voluntary one and no pupil shall be excluded from the visit if a contribution is not made.

The contribution is voluntary but the visit is subject to there being sufficient funds available to cover the costs. Would you please complete the consent slip below by ticking the appropriate boxes. Should you wish to make a contribution, please enclose cash or cheque, made payable to 'St Malachy's Catholic Primary School, voluntary Academy'. The school is, as always, grateful for your support.

Yours sincerely

Mrs Annie McNally

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Activity _____ **Date** _____

Name _____ Class _____

I wish my child to take part in the proposed visit.

I do not wish my child to take part in the proposed visit.

I am willing to contribute to the cost of the visit.

I am not willing to contribute to the cost of the visit.

Tick the above boxes as appropriate.

Please find enclosed my contribution of £ _____ .Signed _____

_____(Parent) Date_____

Frequently asked questions

Q What is a charging policy?

A Under the charging provisions set out in legislation, governing bodies and local authorities of maintained 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 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: 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. 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 & lodging payments, can you please 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 Pupil Premium 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 school visits. How can the school fund/organize residential visits?

A The government provides funding for each child of £1,300 Pupil Premium funding, if the child is or was eligible for Free School Meals.

Q Can governing bodies charge for educating children in maintained schools?

A. The local authority or Academy Council 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 Academy Council'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?

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 guidance on optional extras.

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 pre-requisite 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 quite 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 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 you, 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/carers who has difficulty making a financial contribution?

A Schools must ensure that children are eligible for FSM by contacting the Benefits Agency.

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 will 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; and
- a pupil fails without good reason to complete the requirements of any public examination where the Academy Council or LA 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. Legislation prevents Catholic 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. We will not tolerate this when it is brought to our notice. No contributions may be sought as part of the admissions process.