



# Charges and Remissions Policy

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<u>Version</u>	<u>Reason for issue</u>	<u>Approval date</u>
1.0	Revised publication for approval by Governing Body	19 Oct 2010
2.0	Policy reviewed and 'educational visits' replaced by 'educational visits' educational visit	12.2.15



# *Bramley Sunnyside Infant School*



## 1 Introduction

This Circular sets out the provisions of Sections 449-462 of the Education Act, 1996, as they relate to charges for activities organised for school pupils by schools and other persons. It also sets out advice to governing bodies and head teachers when they decide upon the types of activity for which they will charge parents and where such charges are made the types of activities for which they will reduce or remit such charges and by how much.

The legislation identifies activities, and the circumstances in which they are provided, where charges may legally be made to parents. These are known as Optional Extras. Activities which are not deemed to be Optional Extras cannot be charged for. Board and lodging costs can be charged for, except for pupils whose parents are in receipt of Income Support, Child Tax Credit, Income Based Job Seekers Allowance or Working Tax Credit, when charges cannot be made.

This circular should be read in conjunction with the local authority's Circular 146 "Educational Visits Policy and Guidelines", and "The Education (School Government) England Regulations 1999".

Section 457 of the Education Act 1996 requires every governing body of a maintained school and every local authority to determine and keep under review a policy describing the circumstances in which they will make charges for optional extras and for board and lodgings. A Remissions Policy must also be drawn up where it is intended to meet the cost (or part thereof) of any charges which may be made under the policy. No charges whatsoever can be levied unless a charging policy has been determined. Attached to this document, at Appendix I, is the policy for the local authority with respect to charges and remissions. This policy will continue to be reviewed on an annual basis.

The policies established by the LA and governing bodies must be kept under regular review. It is suggested that a convenient medium for review will continue to be the Spring Term meetings of governing bodies which will provide an opportunity to prepare arrangements for the subsequent financial year.

## 2. General Provisions Relating to Charging

The legislation specifies the types of activities and circumstances in which charges may and may not be made. Where charges can be made for education, including transport or examination entry, such charges are known as Regulated charges. Types of classes of education for which charges may be made are known as Optional Extras. Paragraph 3 below identifies the types of activities (and circumstances of their provision where relevant) which may be termed optional extras for which a charge can be made and those activities for which charges cannot be made.



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Where the local authority makes a charge, governing bodies can determine to meet the costs (or part thereof) involved on behalf of the child. Where governing bodies intend to do this, they must document the circumstances in which this will occur in their Remissions Policy.

### 3. Circumstances in which Charges may and may not be made

A. No charges may be made for:-

- (i) Education provided for registered pupils in school hours.
- (ii) Education provided out of school hours, but which is part of an educational activity, more than half of which, including travelling time in school time, takes place in school hours.
- (iii) Education provided for a registered pupil if it is required as part of a syllabus leading to a prescribed public examination. This includes such education where any part of it is provided by the school whether in school time or not. (But see B (vii)(b) below).
- (iv) Education specifically provided to fulfil statutory duties relating to the national curriculum, whether in school time or not.
- (v) Entry fees to a prescribed public examination, in any syllabus for which a registered pupil has been prepared by the school.
- (vi) Any religious education which is part of the school's basic curriculum whether in school time or not.
- (vii) Education provided on residential courses where the number of school sessions on which the course takes place is equal to or greater than fifty per cent of the number of half days (twelve hours ending noon or midnight) spent on the educational visits. A school session is fifty per cent or more of a school session and a half day is fifty per cent or more of a half day for purposes of calculation.
- (viii) Transport which is incidental to education described above.
- (ix) Board and lodging where a registered pupil is on a residential educational visit in school hours or deemed to be in school hours and where his/her parents are in receipt of Income Support, Child Tax Credit, Income Based Job Seekers Allowance or Working Tax Credit in any part of the period in which the residential educational visit occurs.

Parental agreement must be sought and received prior to any activities taking place where it is intended to make a charge.



## B Charges may be made for:

- (i) Education, including transport, provided outside school hours. This includes education where the time it takes up, including any travelling time in school time, is less than fifty per cent of the total time allocated to the activity.
- (ii) The cost of transport not provided by the LA or school to travel direct from home to an activity sanctioned, though not provided by the LA or the school (for example, from home to work experience).
- (iii) Tuition in playing a musical instrument which is provided in a group of four or fewer pupils. Where, however, such tuition is provided, whether within or outside school hours, as part of the syllabus for a prescribed public examination or is provided as part of the national curriculum, no charge may be made.
- (iv) Gifted and Talented Masterclasses taking place outside school session times.
- (v) Any board and lodgings provided for a registered pupil (except in circumstances described in 3A(ix) above).
- (vi) Any education, including transport costs, provided on residential educational visits where the number of school sessions on the educational visit is less than 50% of the number of half days spent on the educational visit.
- (vii) Examination fees:
  - (a) Where the registered pupil has not been prepared for a prescribed public examination at the school.
  - (b) Where a pupil who has followed the syllabus for a prescribed examination fails such an examination and where, in the opinion of the governing body/LA, the pupil has failed to meet the examination requirements without good cause.
  - (c) Where a parent asks for examination results to be rescrutinised, any charge made by the examining body.
- (viii) Where a pupil's behaviour results in damage to school property, the school will reserve the right to require parents to pay to remedy the damage or to replace the item concerned.



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- (ix) Schools may charge for or require the supply of materials and ingredients if parents indicate in advance a wish to own a finished product.
- (x) Any activities which are organised by persons or organisations other than the governing body (or persons acting on their behalf) or the local authority and where the charges are made by those persons or organisations.

## 4. Charging Principles

Where a charge is made for an activity (an Optional Extra) or for transport or board and lodging, the charge made will not exceed the cost of provision. In calculating the charge the costs involved will be as follows:-

- (a) Those incurred in the provision of any materials, books, instruments or other equipment.
- (b) Entrance fees to museums, castles, theatres etc.
- (c) Insurance costs.
- (d) Those attributable to the provision of support staff for any purpose connected with the provision of such optional extras.
- (e) Those attributable to staff engaged under contracts of service for the purpose of providing the optional extra. Contracts of service will only be relevant to excursions organised outside school hours.

A contract for services can be a simple document or letter, written on behalf of the governing body inviting a member of staff to provide certain services for a specific activity taking place at a specified time in return for payment of expenses. The local authority does not support the issuing of contracts for services which include payment for services rendered. Where a head teacher issues a contract for services on behalf of the governing body, the member of staff should be asked to signify agreement by signing and returning a copy of the letter.

A sample contract prepared by one of the professional associations is attached at Appendix II.

- (f) Board and lodging costs.

The provision of an optional extra will not include the cost of the provision of staff either by way of salary costs and expenses including travel and subsistence except where the LA or the governing body determine to enter into



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a specific contract for an optional extra or where the governing body provide separate instrumental music tuition for pupils.

In identifying activities and circumstances in which charges cannot be made the equipment which may be necessary to provide such education and provided by the school need not include any clothing required to participate in such activities. Thus, parents may be requested to provide overalls and aprons required in laboratories, craft areas and workshops and clothing needed in connection with sporting activities.

## 5. Voluntary Contributions

Schools are able to seek voluntary contributions towards the cost of school activities (including residential visits which involve pupils whose parents receive Income Support, Child Tax Credit, Income Based Job Seekers Allowance or Working Tax Credit, but the terms of the request must make it clear:-

- (a) that there is no obligation to contribute, and
- (b) that registered pupils at the school will not be treated differently according to whether or not their parents have made any contribution in response to any request.

A request for a contribution may include the cost of subsidising low income families or the cost of travel for accompanying staff.

Attached at Appendix III are two flow charts which illustrate briefly the circumstances in which charges may or may not be made.

## 6. Charges and Remissions Policy

### (i) Day Educational visits

The Authority has no financial involvement in the provision of day excursions and governing bodies should determine charges and remissions policies for such activities.

### (ii) Music Tuition

Schools are charged an annual fee per child receiving tuition. The governing body may, at its discretion, remit the whole or part of this fee or pass it on in full to parents. The school is still obliged to pay for this tuition, however, if the lessons form part of the school curriculum or are essential for an examination subject. The governing body, of course, will be free to provide additional tuition, should they wish to do so, and make a charge accordingly.

### (iii) The Necessitous Pupils Scheme



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The Government does not allow the LA to hold back funds for a necessitous pupils' scheme from the Dedicated Schools Grant. It is for the governing body to decide within its remissions policy the nature of any remissions. It must be emphasised that where residential visits take place, no charge can be made for board and lodging to pupils whose parents are in receipt of Income Support, Child Tax Credit, Income Based Job Seekers Allowance or Working Tax Credit. The governing body will need to make provision for such pupils or ensure that voluntary contributions are invited. This will also apply where visits to Habershon House or Longdendale Residential Centre take place.

#### (iv) Activities Arranged during School Hours by a Third Party

Where an organisation other than the LA or governing body (for example a travel company) arranges an activity to take place during school hours, and parents ask the school to grant their children leave of absence to take part in the activity, the organisations concerned may charge the parents direct.

Neither the LA nor the governing body would take part in the transaction and it would be for parents and any school staff released for the activity to satisfy themselves about the adequacy of the arrangements with respect to the safety and welfare of the children. Where an activity is arranged in accordance with the provisions of this paragraph and has the specific and prior approval of the LA/governing body and fulfils the supervisory and other requirements of the Authority's School Educational Excursions Scheme as documented in LA Circular 146, the Authority's Third Party insurance will cover all participating employees.

The governing body and the head teacher will need to be satisfied that the release of pupils to take part in such an activity can be justified in the light of the statutory requirements relating to the school curriculum. It should also be noted that a pupil must not be granted more than 2 weeks leave of absence in any year, save in exceptional circumstances.

Head teachers should also ensure that the third party is a sound trading company and that the body has not been formed for the sole purpose of providing the specific activity for the school concerned. A group of parents/staff for example operating independently to organise an activity would not be regarded as a sound trading company for this purpose.

#### (v) Examples with Respect to Charging

Appendix IV offers examples as to what charges may and may not be made.





### **ROTHERHAM METROPOLITAN BOROUGH COUNCIL**

#### CHILDREN AND YOUNG PEOPLE'S SERVICES

#### Charges and Remissions Policy for School Activities

This document sets out the Authority's policy with respect to charging for school activities and its policy with respect to remissions as required under the provision of the Education Act, 1996.

#### Charges

Charges will be made by the LA in the following circumstances, although the Governing Body may, at its discretion, remit the whole or part of the costs involved as part of its own remissions policy should it so determine.

1. Any individual or small group (normally of up to four pupils) tuition in playing a musical instrument or voice, including that provided through the Authority's Music Service. Rotherham Music Service will continue to set fees for the provision of extra-curricular activities after school and at weekends. There is a policy for partial remission of this fee for subsequent family members and those eligible for free school meals.
2. Any board and lodging provided for a registered pupil at Habershon House Residential Centre or Longendale Residential Centre.
3. Any education, including transport costs, provided on residential educational visits where the number of school sessions on the educational visit is less than 50% of the number of half days spent on the educational visit.

#### Remissions

The governing body will be responsible for any remission of charges, including a full remission in respect of board and lodging for any pupils attending any journeys in what is deemed to be school time and where parents receive Income Support, Child Tax Credit, Income Based Job Seekers Allowance or Working Tax Credit)

FSS/DVB  
October 2002





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## APPENDIX II

### DRAFT LETTER/CONTRACT SCHOOL VISITS ETC.

Dear

Educational Visit (..... to ..... 20....)

On behalf of the governing body of the school I confirm the Contract for your services as (Staff in Charge) on the forthcoming ( ) educational visit.

In return for your services the cost of your board, lodging and travel will be met by the school, but no additional payment will be made to you.

Please sign and return the extra copy of this letter as confirmation of your acceptance of these arrangements.

Yours sincerely,

..... (Head)

Signed: ..... (Member of staff)  
(on copy letter)

FSS/DVB  
October 2002

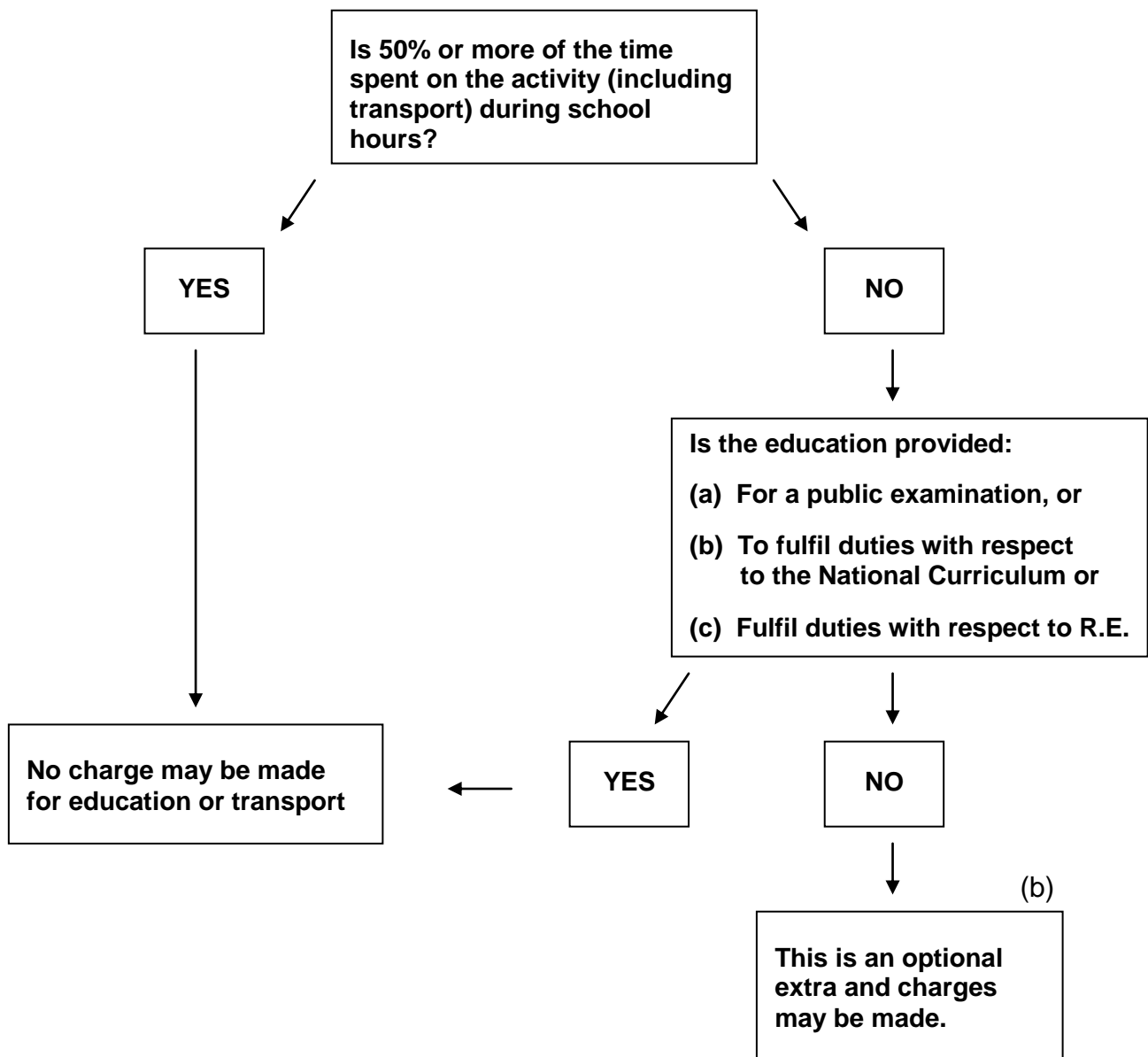


APPENDIX III

**ROTHERHAM METROPOLITAN BOROUGH COUNCIL**

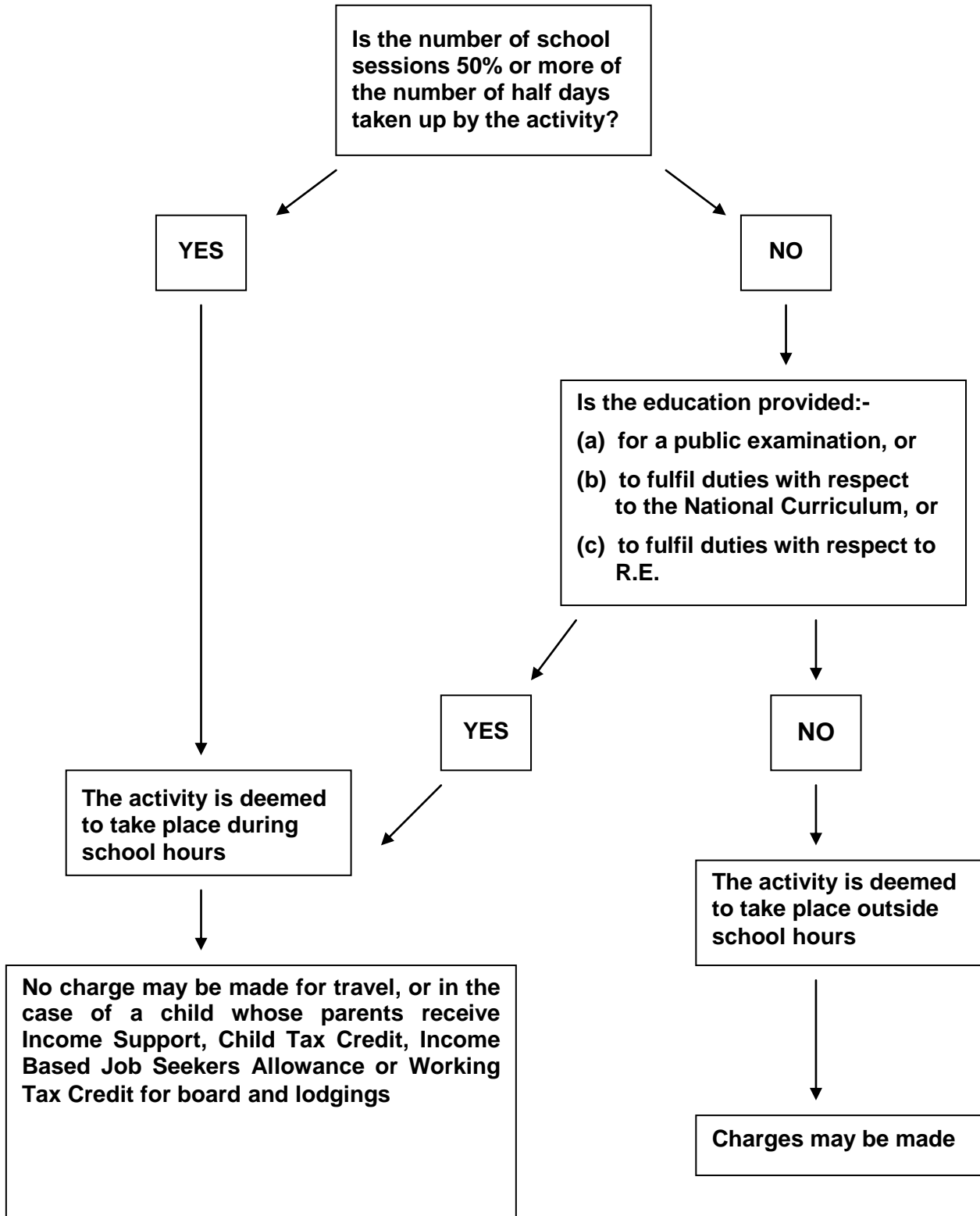
1. When Can Charges be Made?

(a) Non-Residential





Residential





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## APPENDIX IV

### Examples with respect to Charging for School Activities Day Educational visits

School Day 9.00 a.m. - 12.00 noon

1.00 p.m. - 3.30 p.m.

#### Example 1

Day educational visit starts at 9.00 a.m. and party returns to school at 6.00 p.m.

The total length of the journey (including travel time in school time) is, therefore, 9 hours. As the time taken on the day educational visit in school time (5.5 hours) is more than 50% of the total time of the educational visit, then no charge can be made to parents.

#### Example 2

Day educational visit in which party leaves school at 7.30 a.m. and returns to school at 8.00 p.m.

The total length of the journey including travel in school time is 12.5 hours. The period of the school day (5.5 hours) taken up on the journey is less than 50% of the total length of the time taken. Therefore, it is possible to make a charge for the journey if the governing body had taken a prior decision to include such a journey in its charging policy.

### Residential Educational visits

School Day 9.00 a.m. - 12.00 noon

1.00 pm. - 3.30 p.m.

#### Example 1

A visit to France commences at 5.30 p.m. on Friday and the party returns to school on the following Friday at 5.30 p.m.

No. of School Sessions included in the visit = Monday to Friday = 10.

No. of Half Days included in the visit = Friday to Friday = 14 (the afternoon of the first Friday and the morning of the second Friday are included in the calculation).

As the number of school sessions is greater than 50% of the number of half days taken up on the journey, no charge can be made for education, including any transport provided.

#### Example 2

A visit to Belgium commences at 6.30 p.m. on Friday and the party returns to school at 5.30 p.m. on the following Monday.



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No. of School Sessions included in the visit = Monday = 2.

No. of Half Days included in the visit = Saturday to Monday = 5 (only the morning of Monday is included in the calculation).

As the number of school sessions is less than 50% of the number of days then a charge can be made for the education provided as well as for any transport involved in its provision.

## Example 3

A journey commences on Tuesday at 5.30 p.m. and the party returns at 6.30 p.m. on Saturday week, 11 days later. The second week of the journey takes place when the school is closed for a holiday.

No. of School Sessions included in the Visit = 6 (Wednesday to Friday in the first week).

No. of Half Days included in the visit = 23 (Tuesday to Saturday week). The afternoon of the first Tuesday and the Saturday on which the party returns are included in the calculation.

As the number of school sessions is less than 50% of the number of half days, in which the journey takes place, a charge can be made for the education provided including any transport involved in its provision.