

Wharncliffe Side Primary School

Charging and Remissions Policies for School Activities: Guidance for Governing Bodies 2012-13



Under review by governors

SHEFFIELD EDUCATION DEPARTMENT
Wharncliffe Side Primary School

CHARGING AND REMISSIONS POLICIES FOR SCHOOL ACTIVITIES:
GUIDANCE FOR GOVERNING BODIES
2012-13

1. Background

- 1.1 Governors of schools will know that under the provisions of the 1988 Education Act (“the Act”) with effect from 1 April 1989, neither the LEA (Local Education Authority) nor a Governing Body may levy charges on a registered pupil at a school or her/his parents without first making information about their charging and remissions policies generally available.
- 1.2 Attached, for information, are copies of the LEA’s policy statements in respect of Charging (Annex 1) and Remissions (Annex 2). These will be kept under review as required in law and Governing Bodies may decide to endorse these policies as they stand or amend them in some respects through their own policy statements, bearing in mind that any remission of charges must be found from within a school’s own finances.
- 1.3 The guidance in this document relates to the two attached LEA policy statements and draws on the advice in DfES Circular 2/89 on “Charges for School Activities”.

2. Voluntary Contributions

- 2.1 Section 118 of the Act allows LEAs or schools to seek, as defined in the Circular, “voluntary contributions for the benefit of the school or in support of any school activity whether during or outside school hours, residential or non-residential”. Clearly it is important that voluntary contributions are sought at the earliest possible date to allow for the planning of school activities as far ahead as possible and to avoid unforeseen disruption or cancellations for different groups of pupils. Such contributions must be “genuinely voluntary” and any such request to parents or other parties must make clear that there is no obligation to contribute. Registered pupils at a school must not be treated differently according to whether or not their parents have contributed.
- 2.2 Where an activity cannot be funded without voluntary contributions this should be explained to parents at the outset. It is advisable to explain a proposed activity to parents in writing, emphasising that there is no obligation to contribute and that no pupil would be omitted from the activity because her/his parents did not contribute.

- 2.3 There is no limit on the size of any voluntary contribution nor is there any restriction on the use to which the contribution may be put.

The costs and means of funding an activity should be explained to parents and others interested to contribute.

- 2.4 These requirements point to the fact that in so far as it is possible, schools should seek to plan a comprehensive programme of school activities with full consultation and general agreement and budget accordingly rather than approach the whole matter on a piece-meal basis.

3. **Education During School Hours**

Governors will note the principles regarding free school education on which the provisions of the Act relating to education during school hours are based. Notably that activities offered wholly or mainly during normal teaching time should be available to all pupils regardless of their parents' ability or willingness to help meet the cost. Thus, the education provided by a maintained school for its registered pupils will be free of charge if it is provided wholly or mainly during school hours or where the provision is made:

- (i) to meet the syllabus requirements of a prescribed public examination;
- (ii) to comply with the requirements of the national curriculum;
- (iii) to fulfil statutory duties relating to religious education.

If the number of places available for a particular activity is limited, a school must decide which pupils should be given the opportunity to participate without regard to parents' willingness or ability to make a voluntary contribution towards the cost. Generally, voluntary contributions may be used to meet the costs of activities during school hours.

3.1 **School Hours**

School hours for the purpose of implementing this policy are those hours when students are in session: the break between sessions in the middle of the school day is not included.

(N.B.: The Secretary of State will issue regulations in May 1989 requiring governing bodies and Headteachers to make available information on school hours.)

3.2 **Materials and Equipment Costs**

- (i) It follows therefore that Governors do not have discretion to levy charges for the use of any materials, books, instruments or other equipment, including essential protective clothing during school hours. But parental voluntary contributions may be used in order to release resources from the school budget for other purposes: again no student should suffer any disadvantage because of a parent's unwillingness or inability to contribute voluntarily.

NB: "equipment" in this context excludes clothing e.g. football boots.

(ii) **Charging in Kind**

While, as indicated above, schools must provide materials and equipment for use during school hours free, parents who wish to do so may contribute in cash or in kind on a voluntary basis. Thus, a school may charge for, or require the supply of, ingredients or materials if parents have indicated in advance that they wish to retain the finished product.

3.3 **Transport**

Governors will note the LEA's charging policy in respect of transport provided during school hours. Costs may be offset wholly or in part by voluntary contributions.

3.4 **Educational Visits**

Governors will note that charges cannot be levied for visits deemed to take place wholly or mainly in school hours. Costs including incidental costs could be met from voluntary contributions.

3.5 **Tuition in the Playing of a Musical Instrument**

This is an exception to the rule about not charging for activities in school hours. Charges may be made for teaching either an individual pupil or groups of up to four to play a musical instrument, if the teaching is not an essential part of either the National Curriculum or a public examination syllabus followed by the pupil.

4. **Education Outside School Hours**

The principle of free education is maintained for provision made wholly or mainly outside school hours in accordance with requirements listed in item 3 (i) – (iii) above. However, the Act does give LEAs and schools the discretion to charge for optional activities provided wholly or mainly out of school hours. The LEA has sought to keep the use of this discretion to a minimum. It is important to note that there is no statutory requirement to charge for any form of education or related activity in or out of school hours.

4.1 Governors in consultation with the Headteacher, staff and parents will need to determine which educational activities, if any, should be deemed “optional extras”. They must also decide any level of charges they may wish to make bearing in mind the requirement under the Act to charge, at maximum, only the actual cost of provision divided equally by the number of students participating and the LEA charging policy. Governors will have an eye to the fact that any subsidies to support “optional extras” must be found from school funds or from voluntary fund-raising.

5. **Education Partly during School Hours**

Charges may be made for activities that take place partly during school hours provided that the majority of the activity takes place during sessions out of school hours and provided that the activity is not undertaken to fulfil any of the statutory requirements listed in paragraph 3 (i) – (iii) above.

5.1 **Day-Time, Non-Residential Activity**

A non-residential activity is deemed to take place during school hours if 50 per cent or more time spent on the activity occurs during school hours. Travel time counts in this calculation only if the travelling actually takes place during school hours. Where less than 50 per cent of time spent on a non-residential activity falls during school hours then the activity is deemed to take place outside school hours.

5.2 **Residential Visits**

The calculation for determining whether an activity can be deemed residential will be based on a similar 50 per cent rule based on half days. Each school session spent away on a visit will count as a half day and any part of a session over 50 per cent of a session will also count as a half day. Half days when the school is not in session will be deemed to last twelve hours starting and ending at noon or midnight (50 per cent of such a half day will count as a full half day but less than 50 per cent will

be disregarded). If more than 50 per cent of the half days spent on a visit take place while the school is in session then no charge can be made except for board and lodging.

- 5.3 Governing bodies may levy charges for other residential visits they approve except where they are provided to meet the requirements listed in para 3 (i) – (iii) above. Such arrangements must, of course, be subject to the statutory remissions policy.

SHEFFIELD EDUCATION DEPARTMENT**POLICY FOR CHARGING FOR SCHOOL ACTIVITIES**

1. This document explains Sheffield LEA's policy in respect of charging for school activities with effect from 1 April 1989 as required under sections 106 – 11 and 117 – 18 of the Education Act 1988 and applies to all maintained schools. The statement is based on advice set out in DfES circular no. 2/89 and relates only to charges which may be made by the LEA or Governing Bodies which may be paid by a registered pupil or a pupil's parent(s). The statement does not relate to charges for any educational activity which may be levied by or paid to third parties.

- 2.* **Voluntary Contributions**

The LEA and schools may at all times seek "voluntary contributions" for the benefit of the school(s) generally or in support of any activity organised by the school whether during or outside school hours.

3. **School Admissions**

A charge may not be made for admitting a child to any maintained school.

4. **EDUCATION DURING SCHOOL HOURS**

4.1 School hours, by way of definition for the purpose of this policy statement, are those hours when the school students are in session and do not include the break in the middle of the school day. Basically the education provided by a maintained school for its registered pupils will be free of charge if it is provided wholly or mainly during school hours or where the provision is made:

- (i) to meet the syllabus requirements of a prescribed public examination;
- (ii) to comply with the requirements of the National Curriculum;
- (iii) to fulfil statutory duties relating to religious education.

4.2* **Materials and Equipment Costs**

Charges may not be made for any materials, books, instruments or other equipment, including protective clothing for use during school hours. But where a parent has indicated in advance a wish to retain a finished product made in, say, Home Economics or CDT, then a charge may be made for ingredients/materials supplied.

4.3 **Transport**

No charge may be levied for any transport provided during school hours to carry students between school premises or between the school and any other place where education is to be provided.

4.4 **Educational Visits**

No charge may be made for visits by students deemed to take place in school hours.

4.5 **Tuition in the Playing of a Musical Instrument**

Charges may be made for teaching either an individual pupil or groups of up to four to play a musical instrument, if the teaching is not an essential part of either the National Curriculum or a public examination syllabus being followed by the pupil.

5. **EDUCATION OUTSIDE SCHOOL HOURS**

5.1 **Free Education**

No charge may be made for education provided, wholly or mainly, outside school hours for registered pupils where the provision is made to fulfil any of the statutory requirements listed in para 4.1 (i) – (iii) above.

5.2* **Optional Extras**

Charges may be made for education provided for registered pupils at maintained schools, wholly or mainly outside school hours, which does not fall within categories in para 4.1 (i) – (iii) above. Such provision is deemed an “optional extra” – i.e. an activity which does not take place during school hours. Students will opt for a particular optional extra on the basis that parents are willing to pay.

NB: The agreement of parents is therefore a necessary prior condition for providing an optional extra which will attract charges.

5.3* It should be noted that there is no requirement to charge for optional extras but where charges are levied they must not exceed the actual cost.

6.* **EDUCATION PARTLY DURING SCHOOL HOURS**

Charges may be made for activities that take place partly during schools hours provided that the majority of the activity takes place during sessions deemed half-days out of school hours and provided that the activity is not undertaken to fulfil any of the statutory requirements listed in para 4.1 (i) – (iii) above.

7. **Residential Visits/Activities**

A charge for board and lodgings may be made in any circumstances (subject to the remissions policy applying)

7.1 A charge for transport and other costs may be made except where the activity is either:

(i) deemed “in school hours” (para 4.3 above)

or

(ii) is provided to meet the statutory requirements listed in para 4.1 (i) – (iii) above.

Governing bodies may levy charges for the residential activities which they organise, so far as the law allows.

8.* **Public Examinations**

Charges for public examinations will only be made in the following circumstances:

(i)* Recovery of wasted examination entry fees:

Where a pupil is prepared for any public examination by the school but fails without good reason to complete the examination requirements, attempts must be made to regain the cost of the entry fee from the parents of the pupil concerned.

NB:

- The criteria to be adopted must be made clear to pupils and their parents before entries are made;

- Failure to complete examination requirements includes failure to complete course work requirements;
 - Good reasons for failure to complete requirements include illness (supported by a doctor's note) and other pressing reasons as agreed by the governing body of the school concerned (governing bodies will, no doubt, wish to leave some discretion to decide individual cases on their own merit).
- (ii) Where a pupil remains at school and wished to retake a particular examination, a charge for the entry fee should be made where the school has not provided tuition since the previous examination and the entry is not recommended and supported by the school.
- (iii) Where a pupil wishes to take the same subject examination with more than one examining body, the Authority will pay the entry fee for only one of the examinations; the Authority anticipates that governing bodies will normally require the pupil's parents to provide the additional entry fee(s).
- (iv) Where a pupil, with the agreement of his/her parents, is entered for a public examination which is not "prescribed" by the DfES, a charge may be made for the entry fee and, where preparation has occurred outside school hours, a charge to cover the costs of providing this optional extra may be made.

9.* **Breakages or Damage to School Premises/Equipment**

Schools may ask parents to pay for damage to school property or equipment where this is the result of the pupil's behaviour. Details should be given in the school's disciplinary code.

PLEASE NOTE:

- (i) Points at * above are matters for the discretion of school governors to determine in the light of this policy statement.
- (ii) All permitted charges are recoverable summarily as a civil debt.
- (iii) Both the LEA's charging policy and that of governing bodies are effective from 1 April 1989.

SHEFFIELD EDUCATION DEPARTMENT**POLICY ON REMISSION OF CHARGES FOR SCHOOL ACTIVITIES**

1. In accordance with the requirements of Section 110 of the Education Act 1988 this document explains Sheffield LEA's policy in respect of remitting charges for school activities with effect from 1 April 1989. The policy statement should be read in conjunction with the LEA's policy statement on "Charging for School Activities" February 1989. Both policy statements will be reviewed from year to year.
2. Headteachers must ensure that parents of all pupils taking part in the activities detailed below in paragraph 3 are made aware of the statutory entitlement to remission, as appropriate.

3. **Board and Lodging**

Board and lodging charges will be remitted for pupils whose parents receive income support or family credit where the activity is deemed to take place during school hours or where it occurs out of school hours and provided:

- (i) To meet the syllabus requirements of an approved public examination;
- (ii) To comply with the requirements of the National Curriculum;
- (iii) To fulfil statutory duties relating to religious education.

4. **Public Examinations**

Entry for public examinations for which students have been prepared at the school shall be free. However, governing bodies will want to consider the LEA's charging policy in respect of examinations and draft their own policy accordingly exercising any discretion they may deem appropriate within the resources available to them.

5. **Breakages or Damage to School Premises/Equipment**

It seems clear that governing bodies will wish to draw up clear policies for the recovery of costs resulting from breakage or misbehaviour. They are advised to make appropriate details available in the school's disciplinary code as well as their own charging policy statement.

6. **Remission of Charges for School Activities**

In drawing up its remission policy statement a governing body must have regard to the statutory minimum requirements to provide for complete remission of board and lodging charges for pupils whose parents are in receipt of home income support or family credit for any visit that takes place in school hours or is provided to meet the requirements set out under para 3 (i) – (iii). Parents of all pupils involved in such visits must be advised of the statutory entitlement.

A governing body may determine to make other full or part remission of charges. This is within their discretion, subject to statutory requirements but the cost of such remissions will be met from the school's own resources and under local financial management from its delegated budget.

7. **Review of Charging and Remissions Policy**

Governing bodies, like LEAs, are required to keep their policies under review. In order to do this governing bodies are advised that they:

- (i) Consider an annual report on the working of their policies;
- (ii) Ensure that policy statements and any subsequent revisions are made readily available to parents and those who need to know;
- (iii) Ensure schools establish adequate arrangements for consulting and communicating with parents over charging, optional extras, the programme of visits and making voluntary contributions.

8. **Activities arranged during school hours by a third party**

This provision under Section 118(4) of the Act allows a third party other than the LEA or governing body to levy charges direct on parents in return for services provided. This eventuality is wholly dependent on the governing body granting the requisite leave of absence to students and staff. In that event, neither the governing body nor the LEA would be party to the transaction and it would be for parents and party leaders involved to arrange the activity with the third party on effectively a private basis. It would be the responsibility of the parents and party leaders to satisfy themselves as to the general arrangements and the welfare and safety of the students. The governing body and Headteacher would weigh carefully whether the release of the students (and any staff) was justified in all the circumstances given the requirements of the statutory school curriculum and the education regulations that no school student should be granted more than two weeks' leave of absence in any year save in exceptional circumstances.