

# EASTHAMPSTEAD PARK COMMUNITY SCHOOL

## Policy on Charges & Remission of Charges



A BFC policy which has been adopted by Easthampstead Park Community School.

### Introduction

There is a duty on the LA to determine and publish a policy on any charges and remission of charges to be made for students' school activities. This policy has been subject to consultation with schools during November 2006 and was agreed by the Executive Member for Education and Libraries in December 2006. It is recommended to governing bodies for adoption.

The policy will be reviewed as and when necessary; if any changes are required schools will be consulted.

It is the responsibility of the Governing Body to formulate and keep under review a policy on charges. Governors have discretion over what charges they make for students' activities. The Governing Body must also formulate a remissions policy to set out the circumstances in which they would remit all or part of the charges. It is for individual governing bodies to determine their policy in relation to the Council's policy. The Governing Body's policy may be more or less generous than the Council's as long as it meets the requirements of the law. It should reflect any special circumstances for the school.

In summary, a Governing Body:

- has powers to provide any facilities or services that further any charitable purpose for pupils, their families and for people who live and work in the local community;
- may not charge for any activities which take place in school time, apart from instrumental tuition (excluding voice tuition) for individual students or students in groups of up to four;
- may not charge for any activity which is part of the syllabus of a prescribed examination or is required to fulfil statutory duties relating to the National Curriculum or to Religious Education even if it is out of school time;
- may invite parents and others to make voluntary contributions towards any part of the school's work;
- may charge for activities that are provided wholly or mainly outside school hours, as long as these activities are optional extras;
- may charge for board and lodging on residential courses;
- may charge for examination entry fee(s) if the pupil has not been prepared for the examination(s) at the school.

It is not permissible to plan for a surplus of income over expenditure (profits) from charges made to parents. However, it is accepted that from time to time profits are made by a school from providing facilities or services, and if this is the case, they must be re-invested in the school or service.

### Legislative Background

Education Act 1996: sections 402, 450-458, 460

The Education (School Sessions and Charges and Remissions Policies) (Information) (England) Regulations 1999

The Education (Schools and Further Education) Regulations 1981

### Further Information

'A Guide to The Law For School Governors', Chapter 16, DfES

'Offsite and hazardous activities guidance manual', Section 2, Bracknell Forest B.C.

Charging for School Activities: Department advice for governing bodies, school leaders, school staff and local authorities - May 2018

## **The Policy**

### **General Points**

The Governing Body will expect all activities wholly or mainly outside school session time not to incur a cost to the school budget unless the Governing Body has been consulted and decided otherwise.

The Governing Body may ask for voluntary contributions for school activities that are either wholly or mainly in the school session time and incur a cost to the school that is over and above the normal day to day expenditure.

All charges or requests for voluntary contributions must comply with the law.

### **Admission**

No charge is to be made for admission into any Bracknell Forest Council school.

### **Education during school hours**

With very few exceptions a charge for education is unlikely to be legal. Where an activity is part of the syllabus of a prescribed examination or is required to fulfil statutory duties relating to the National Curriculum or to Religious Education, then charges may not be made for tuition, materials or transport. This includes out of school activities and transport to other sports facilities.

No charge will be made for materials to be used in Design and Food Technology lessons, although a charge may be levied if parents have indicated in advance that they wish to own a finished article. Any charge will not exceed the cost of materials. Alternatively, the parent may be required to provide the materials in question.

The only school curricular provision for which a charge may be made is instrumental music tuition for individual students or students in groups of up to four where that tuition does not form part of the National Curriculum or of a prescribed examination syllabus being followed by a student.

'School hours' are those in which the school is actually in session, not the breaks during the school day.

A non-school organisation which arranges an activity to take place during school hours may charge parents who want their child to join the activity. Parents wishing their child to participate in the activity must obtain the school's permission for their absence from school.

### **Public Examinations**

No charge can be made for entry to public examinations where the student is being prepared for entry to the examination by the school. No charge is to be made for any books, materials, instruments, equipment or trips required for the purpose of the examination.

The cost of the examination entry may be passed to parents/carers only:

- If a student is entered for an examination for which he/she has not been prepared by the school.
- If the examination is not on the set list but the school arranges for the student to take it.
- Where the student 'fails without good reason to meet any examination requirements for that syllabus'.
- Where a student is re-sitting an examination to improve their grade.

### **Charges for out of school activities**

An activity that takes place outside school hours cannot be charged for if it is an essential part of the syllabus of a prescribed examination or is required to fulfil statutory duties relating to the National Curriculum or to Religious Education. Any other activity which takes place wholly or mainly outside school hours, both day and residential, is defined as an 'optional extra' activity and can be charged for.

Charges for 'optional extras' outside of school hours may include:

- travel, board and lodgings for students
- materials, books and equipment
- entrance charges to facilities
- staff costs – both support and teacher costs (where a teacher/instructor has been engaged specifically to provide the activity. These teachers should be given a separate contract to provide the optional extra.)
- insurance.

With an 'optional extra':

- parents can choose whether their children attend or not;
- no profit can be included from any charges made – it is to be based on the actual cost of the activity divided by the number of students taking part;
- charges on some cannot be used to subsidise others i.e. the cost will not include a share of the cost of any remissions – if further funds need to be raised, for example, to help in hardship cases, this must be by voluntary contributions or general fundraising;
- a charge cannot be made for alternative provision for any students not attending.

For day activities, if most of the time spent is during school hours then the activities count as taking place entirely within school hours and no charge may be made. If most of the trip is outside school hours then a charge is allowed. Only the element of travel that takes place during school hours may be counted as part of the activity.

For residential activities, a trip counts as falling within school time if the number of sessions missed by the students amounts to half or more of the number of half days taken up by the activity. Each school day is normally divided into two sessions and each 24 hour period is divided into two half days beginning at noon and midnight.

The Governing Body will decide if a charge is to be made.

Schools may charge students, staff or parents for transport in their minibuses only if they hold a permit issued under section 19 of the Transport Act 1985. The permit exempts the school from Public Service Vehicle (PSV) operator and driver licensing requirements.

### **Voluntary Charges**

Voluntary contributions in cash or kind may be made for activities taking place during or outside the school day. However, no child is to be excluded because his/her parents/carers did not contribute to funds. It is permissible to warn parents in advance that unless a majority is willing to make a contribution, the activity will not take place.

### **Damage to Property**

The Governing Body will ask parents to contribute to the cost of repairs or of replacing defaced, damaged or lost property where this is a result of a student's inappropriate behaviour. This will have followed and investigation and failure to pay may result in referral of the matter to the police.

**Remissions**

The Governing Body does not wish to see any child disadvantaged by virtue of the fact that their parent(s) are unable to pay. The Governing Body will:

- remit all charges otherwise payable by parents of a student in respect of board and lodging, provided for their child pursuant to the charging policy, for the duration of a mandatory residential trip if the parents meet the criteria for the 'benefits' that qualify them for free school lunch eligibility purposes.
- give consideration to remitting all or part of any charges payable by a parent of a student in all other instances pursuant to its charging policy.

**Approved on behalf of the Governing Body:**

**Responsible Committee:  
Finance & Resources Committee**

**Date: 23 November 2020**

**Date for review: Autumn Term 2022**