



**TAFF BARGOED
LEARNING PARTNERSHIP**
'Learning and Growing Together'

Charging and Remissions Policy

INTRODUCTION

- 1.1 This guidance note supplements Schools' Financial Procedure Rules. The content of the guidance note is intended to encourage a consistent approach to the charging for school activities and lettings, and to encourage recognised good practice. Any officers seeking to make alternative arrangements should seek advice and approval from the Audit and Risk Manager.
- 1.2 Sections 449 to 462 of The Education Act 1996 set out the law regarding what charges can and cannot be made for activities in schools maintained by local authorities in Wales. The Act also prescribes what activities governing bodies may and may not charge for when taking place during or outside school hours (including residential activities). In addition, the Act requires that every governing body and local authority in Wales should have charging and remissions policies in place and review them.
- 1.3 It is the responsibility of the governing body to formulate and keep under review a policy on charges. No charges can be made unless a policy is in place. Governors have discretion over what charges they make for pupils' 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.
- 1.4 Governors should ensure that parents are aware of the charging and remissions policy. This can be done by placing it on the school website or in the annual report to parents.
- 1.5 A school may not charge for admitting pupils to maintained schools.
- 1.6 In summary a Governing Body:
 - may not charge for anything unless it has drawn up a statement of general policy on charging, which does not have to be the same as the LA's policy, as long as it meets the requirements of the law;
 - may not charge for any activities which take place in school time, apart from instrumental tuition (excluding voice tuition) for individual pupils or pupils in groups of up to four;
 - 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.
- 1.7 It is not permissible to plan for a surplus of income over expenditure (profits) from charging 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.

2. CHARGING FOR SCHOOL ACTIVITIES

- 2.1 The Governing Body must consult parents on its charging and remissions policy. The Governing Body may charge for activities outside school session time. All charges or requests for voluntary contributions must comply with the law.

2.2 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. However, if the activity cannot be funded without voluntary contributions, the Governing Body or Headteacher should make this clear to parents at the outset. The Governing Body or Headteacher must also make it clear to parents that there is no obligation to make any contribution.

2.3 Education during school hours

2.3.1 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 swimming or other sports facilities.

2.3.2 No charge will be made for materials to be used in craft and home economics lessons, although a charge may be levied if parents have agreed in advance that they or the pupil wish to keep the finished product e.g. ingredients or materials. Any charge will not exceed the cost of materials. The parent must know the charge for the product in advance. Alternatively, the parent may be required to provide the materials in question.

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

2.3.4 'School hours' are those in which the school is actually in session, not the break in the middle of the day.

2.3.5 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.

2.4 Public Examinations

2.4.1 No charge can be made for entry to public examinations where the pupil 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.

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

- If a pupil 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 pupil to take it;
- If a pupil fails without good reason to attend the examination or to complete the requirements of a public examination (i.e. submit coursework) where the Governing Body or LA originally paid or agreed to pay the entry fee.

2.5 Education partly during school hours

- 2.5.1 Sometimes an activity may happen partly during and partly outside school hours. If most of the time spent on a non-residential activity occurs during school hours, the activity counts as taking place entirely during school hours. No charge may be made for this activity. Time spent on travel only counts as being during school hours if the travel takes place during school hours.
- 2.5.2 For example, if a trip involved much travel before and after normal school hours but the time spent at the destination fell mainly within school hours, the trip would count as happening in school hours and would be free of charge.
- 2.5.3 However, a trip that involves leaving school an hour or so earlier than usual in the afternoon but went on late in the evening, would be classed as taking place outside school hours. A charge can then be made.

2.6 Education outside school hours

- 2.6.1 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, before school, after school and residential, is defined as an 'optional extra' activity and can be charged for.
- 2.6.2 There is no requirement to charge for optional extras. The school is free to determine whether any charge should be made for it and, if so, how much should be charged to whom (subject to the charge not exceeding the actual cost). The school's delegated budget cannot be used to subsidise extra-curricular activities.
- 2.6.3 Charges for 'optional extras' outside of school hours should, where relevant, include:
- staff costs – including management, support (including site, ICT and other) and supervisor and teacher costs. A separate contract should be given to staff involved in activities, otherwise no charge is possible;
 - the additional cost of support services such as power, water and insurance;
 - materials, books and equipment;
 - board and lodging for pupils;
 - entrance charges to facilities.
- 2.6.4 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 pupils 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 fund-raising;
 - A charge cannot be made for alternative provision for any pupils not attending.

- 2.6.5 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.
- 2.6.6 For residential activities, a trip counts as falling within school time if the number of sessions missed by the pupils 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. If 50% or more of a half-day is spent on a residential trip, the whole of the half-day should be counted as being spent on the trip.
- 2.6.7 For example, a term-time trip from noon on a Wednesday to 9pm on a Sunday would last for nine half-days. This would include five school sessions, and would count as taking place in school time. However, a trip from noon on a Thursday to 9pm on the Sunday would count as seven half-days (including three school sessions), and would be classified for charging as taking place outside school time.
- 2.6.8 For 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 can be made for either the education or for the cost of travel. However, charges can be made for board and lodge (except for pupils whose parents are receiving certain benefits). The Headteacher should tell all parents of the right to claim free activities if they are receiving these benefits.

2.7 Loss of/Damage to property

- 2.7.1 The Governing Body reserves the right to ask parents to contribute to the cost of repairs or of replacing defaced, damaged or lost property where this is a result of a pupil's inappropriate behaviour. The school may also require reimbursement for lost property loaned from school e.g. home-school reading books.

(Our current replacement cost for school reading books is £5.00)

2.8 Voluntary Contributions

- 2.8.1 Voluntary contributions in cash or kind may be made for school funds generally, school equipment or activities taking place during or outside the school day. 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 a particular activity cannot take place without some help from parents, this must be explained to them at the planning stage for the activity. 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.
- 2.8.2 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. Schools should not send letters that can be seen as intimidating or coercive.

2.8.3 Schools should make it clear to parents at the outset what their policy for allocating places on school visits will be. It is also suggested that schools do not ask parents to set up direct debit or standing order mandates for servicing voluntary contributions.

2.10 Remissions

2.10.1 The Governing Body will 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 pupil in respect of board and lodging, provided for their child pursuant to the charging policy, for the duration of a 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 pupil in all other instances pursuant to its charging policy.

3. **OTHER CHARGES**

3.1 Governing Bodies may levy other charges, which will be subject to VAT regulations where applicable. These charges should be reviewed annually. Such charges include:

- Private photocopying / telephone calls.
- Income from sales (non-profit-making) - some goods may be purchased through the school for the convenience of parents, pupils or teachers. Schools should not seek to make a profit from these sales. Goods in this category could include books, educational consumables, etc.
- Income from sales (profit-making) - some goods will be sold through the school with the intention of making a profit and thus raising money for the school. Goods in this category could include school photographs, bring and buy items, etc, which may be subject to VAT. This income may be paid into the school's unofficial fund.
- Income from donations - from time to time, schools may seek voluntary donations for specific purposes. This may be via non-uniform days, sponsorship, etc. It will be made clear at the time of asking that such donations are voluntary and the purpose for which the donation will be used. This income may be paid into the school's unofficial fund.

4. **CHARGING FOR USE OF SCHOOL PREMISES**

4.1 Governing Bodies control the use of the school premises, both during and outside the school day, but need to have regard to any rules set by Education. Schools must also have regard to the desirability of making the premises available outside school hours to the local community. Any lettings must not detract from the normal running of the school, or compromise the security of the pupils, staff or school.

4.2 Governors should review and set charges for the use of school premises on an annual basis.

4.3 Governing Bodies may not use their delegated budget to subsidise non-school activities. However, Governors may charge some organisations more so that the extra funds can be used to subsidise other users. Overall, community use must at least cover its own costs. Charges set

should cover the cost of opening the school, including the cost of caretaker time and utilities (such as lighting and heating).

- 4.4 Income from lettings of community school premises belongs to the LA, but the scheme for financing schools allows schools to retain such income for their own use. Income from lettings of voluntary aided school premises should be retained by the school for its own use. Voluntary controlled schools are allowed to keep the income created from community use.
- 4.5 Lettings will be subject to conditions. This includes the need for any association, body, group, organisation or club (sporting or otherwise) to have in place their own Public Liability insurance at the required minimum level of £5m of liability, prior to the hire of the facilities. In addition, Governing Bodies should not be responsible for any losses or damage arising out of the letting and hirers should indemnify the school for such damage or loss.
- 4.6 Lettings can be arranged either by Education, or by schools themselves. Where lettings are organised by Education, all necessary documentation will be arranged and all income collected by Education. Income due to schools will be paid either by journal transfer (for non-cheque book schools) or by BACS (for cheque book schools).
- 4.7 If schools arrange their own lettings, it is important to remember:
- The hirer must complete an application form prior to the school accepting the booking;
 - The school must agree the conditions of hire with the hirer;
 - Hirers must sign and return the hire agreement, agreeing to the conditions of hire.
- 4.8 The terms of a hire agreement must make it clear that the hirer will not have "exclusive" possession of any area of the school at any time. In that respect, the terms should provide that the hirer shall not impede the school's right to use its premises and that the hired area may be changed at any time at the school's discretion. If the school wishes to grant "exclusive" possession of an area then it should take legal advice before entering into an agreement. The arrangement may well be business tenancy and unless the hirer's statutory rights are excluded, the school will have difficulty in terminating the arrangement.
- 4.9 When hiring out part of a school building, measures should be taken to ensure that the rest of the building is fully secured e.g. zoned burglar alarms. Key-holding arrangements, as outlined in the school's emergency procedures, should remain in force when hiring out school premises.
- 4.10 Collection of debts
- 4.10.1 Income must be collected in full for all lettings of the school premises and VAT should be accounted for on all non-regular sports lettings.
- 4.10.2 Invoices raised should be raised promptly and signed by Headteacher or authorised senior officer prior to being issued to the debtor. An authorised copy of the invoice should be retained at the school.
- 4.10.3 All invoices should be recorded correctly (either on SIMS or another accounting package designed for lettings) and reconciled to income received on a regular basis. The Headteacher is

responsible for the collection of all income for lettings arranged by the school and the Governing Body should consider whether to establish a bad debt provision for debts that are not paid.

5. CHARGING FOR SCHOOL MEALS AND MILK

- 5.1 The LA must provide a free meal in the middle of the day for pupils whose parents receive certain benefits, such as income support and income-based Jobseeker's Allowance. Any Families in receipt of Working Tax Credit do not qualify. Children who receive Income Support or income-based Job Seeker's Allowance in their own right qualify for free meals as well.
- 5.2 Neither the LA nor the Governing Body has the power to provide free meals to any other pupil.
- 5.3 Parents wishing to claim for free meals for their child(ren) must complete an application form and submit it to the Local Authority. The entitlement to receive free meals starts when the application is agreed, and may be backdated.
- 5.4 The LA and schools do not have to offer milk to pupils. Where it is offered, it must be free to pupils of parents on income support or receiving income-based Jobseeker's Allowance. European Union subsidy rules allow LAs and schools to offer nursery and primary school pupils a maximum of 250 ml of subsidised milk per day.
- 5.5 Nursery and children under 5 are eligible for free school milk under a government initiative (the Welfare Food Scheme).
- 5.6 In Merthyr Tydfil, free milk is only supplied to the following pupils:
 - All children under five
 - All pupils in Foundation Phase