Schools Financial Services Guidance – Schools Charging and Remissions Policy

Reviewed Summer26

INTRODUCTION

- Each Governing Body must establish and keep under review a charging and remissions policy that complies with statutory requirements and has regard to the Authority's policy statements on charging.

- No charges apply unless the governing body of the school or local authority 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.

- A draft charging policy for schools is suggested in Appendix A, schools can adapt this to their own circumstances within any statutory requirements.

REGULATORY FRAMEWORK

- Sections 449-462 of the Education Act 1996 sets out the law on charging for school activities in schools maintained by local authorities in England.

- Academies are also required through their funding agreement to comply with the law on charging for school activities.

- There are also charging regulations for music tuition during the school day. (The Charges for Music Tuition (England) Regulations 2007) which came into force from 1 September 2007. Appendix B indicates specific guidance on these charging regulations.

KEY POINTS

- School governing bodies and local authorities, subject to the limited exceptions referred to in this advice, cannot charge for education provided during school hours (including the supply of any materials, books, instruments, or other equipment).

- Schools must ensure that they inform parents on low incomes and in receipt of defined benefits of the support available to them when being asked for contributions towards the cost of school visits.

LINKS TO GOVERNMENT GUIDANCE: -

- Charging for school activities (publishing.service.gov.uk)

- The Charges for Music Tuition (England) Regulations 2007

- The Education (Charges for Early Years Provision) Regulations 2012

Schools cannot charge for the following activities:

- Education provided wholly or mostly during school hours. This includes the supply of any materials, books, instruments, other equipment and also transport provided in school hours to carry pupils between the school and an activity.

- Education provided outside school hours if it is part of the National Curriculum, or part of a syllabus for a prescribed public examination which the pupil is being prepared for at the school, or part of religious education.

- Instrumental and vocal music tuition for pupils learning individually or in groups, unless the tuition is provided at the request of the pupil's parent / carer.

- Entry for a prescribed public examination if the pupil has been prepared for it at the school.

- Examination re-sit(s) if the pupil is being prepared for the re-sit at the school (note: 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)

The school may recover the full costs of the following activities, but charges may not exceed actual cost:

- Any materials, books, instruments, or equipment, where the child's parent wishes him/her to own them.

- Optional extras (see below).

- Music and vocal tuition, in limited circumstances (see above).

- Certain early years provision (see the Education (Charges for Early Years Provision) Regulations 2012).

- Community facilities. (See S27 Education Act 2002).

Optional Extras

Charges may be made for some activities, often referred to as 'optional extras'. This includes:

- Education provided outside of school time that is not:

    - part of the national curriculum.
    - part of a syllabus for a prescribed public examination that the pupil is being prepared for at the school.
    - part of religious education.

- Examination entry fee(s) if the registered pupil has not been prepared for the examination(s) at the school.

- Transport (other than transport that is required to take the pupil to school or to other premises where the local authority/governing body have arranged for the pupil to be provided with education).

- Board and lodging for a pupil on a residential visit (subject to remission arrangements).

- Extended day services offered to pupils (for example breakfast clubs, after school clubs, tea and supervised homework sessions).

Voluntary Contributions

Nothing in legislation prevents a school governing body from asking for voluntary contributions for the benefit of the school or any school activities. However, any requests for voluntary contributions are subject to the following conditions:

- Any children of parents who do not wish to contribute will not be treated any differently.

- Where there are insufficient contributions to make the activity viable then the activity will be cancelled. This should be made clear to parents from the outset.

All requests to parents for voluntary contributions must make it quite clear that the contributions would be voluntary and that there is no obligation to contribute.

Educational Visits

Schools **cannot** charge for the following:

- 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.

- Supply teachers to cover for those teachers who are absent from school accompanying pupils on an educational visit.

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 receiving specified benefits, usually equating to pupils being eligible for free school meals (due to the receipt of specified benefits, not through the introduction of universal infant FSM) will not be charged for board and lodging.

APPENDIX A

DRAFT SCHOOL CHARGING AND REMISSIONS POLICY

INTRODUCTION

The charging and remissions policy is subject to annual review to ensure compliance with statutory requirements.

CHARGING POLICY

Activities without charge

There will be no charge for the following activities:

- Education provided wholly or mostly during school hours. This includes the supply of any materials, books, instruments, other equipment and also transport provided in school hours to carry pupils between the school and an activity.
- Education provided outside school hours if it is part of the national curriculum, or part of a syllabus for a prescribed public examination which the pupil is being prepared for at the school, or part of religious education.
- Instrumental and vocal music tuition for pupils learning individually or in groups, unless the tuition is provided at the request of the pupil's parent / carer.
- Entry for a prescribed public examination including re-sits if the pupil has been prepared for it at the school.
- Examination re-sit(s) if the pupil is being prepared for the re-sit at the school.

Voluntary Contributions

The school may ask for voluntary contributions towards the cost of school-time activities to assist with funding, subject to the following conditions:

- Any children of parents who do not wish to contribute will not be treated any differently.
- Where there are insufficient contributions to make the activity viable, or the school cannot fund it from some other source, then the activity will be cancelled.

All requests to parents for voluntary contributions will make it clear that the contributions are voluntary and that there is no obligation to contribute.

Chargeable Activities

The school may recover the full costs of the following activities but charges will not exceed actual cost:

- Any materials, books, instruments, or equipment, where the child's parent wishes him/her to own them.

- Optional extras (see below).

- Music and vocal tuition, in limited circumstances (see Appendix B).

- Certain early years provision (see the Education (Charges for early years provision) regulations 2012).

- Community facilities. (See s27 education act 2002).

Optional Extras

Charges may be made for some activities which are detailed below:

- Education provided outside of school time that is not:

    - part of the national curriculum.
    - part of a syllabus for a prescribed public examination that the pupil is being prepared for at the school.
    - part of religious education.

- Examination entry fee(s) if the registered pupil has not been prepared for the examination(s) at the school.

- Transport (other than transport that is required to take the pupil to school or to other premises where the local authority/governing body have arranged for the pupil to be provided with education).

- Board and lodging for a pupil on a residential visit (subject to remission arrangements)

- Extended day services offered to pupils (for example breakfast club, after-school clubs, tea and supervised homework sessions where this is run under the responsibility of the governing body).

(Note: schools may wish to attach a schedule of current charges as an appendix to the policy)

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.

- The cost of buildings and accommodation.

- 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; and

- The cost, or an appropriate proportion of the costs, for teaching staff employed to provide tuition in playing a musical instrument, or vocal tuition, where the tuition is an optional extra.

Any charge made in respect of individual pupils will not exceed the actual cost of providing the optional extra activity, divided equally by the number of pupils participating.

REMISSIONS POLICY

There will be no board and lodgings charges for pupils whose parents/carers are receiving specified benefits. This is subject to change but usually equates to pupils being eligible for free school meals.

Charges for other 'chargeable activities' may be fully or partially remitted. Where appropriate Governors approve the use of the delegated budget and other funding streams such as Pupil Premium to allow 'chargeable activities' to be fully or partly remitted.

Details of remission arrangements will be stipulated when parents are advised of charges for individual activities.

APPENDIX B

MUSIC TUITION

Link to Government guidance:

The Charges for Music Tuition (England) Regulations 2007

Children Act 1989 (legislation.gov.uk)

Although the law states that, in general, all education provided during school hours must be free, instrumental and vocal music tuition is an exception to that rule.

The Charges for Music Tuition (England) Regulations 2007 set out the circumstances in which charges can be made for tuition in playing a musical instrument, including vocal tuition.

Charges may now be made for vocal or instrumental tuition provided either individually, or to groups of any size, provided that the tuition is provided at the request of the pupil's parent. Charges may not exceed the cost of the provision, including the cost of the staff who provide the tuition.

The regulations make clear that charging may not be made if the teaching is either an essential part of the national curriculum or is provided under the first access to the key stage 2 Instrumental and Vocal Tuition Programme. They also make clear that no charge may be made in respect of a pupil who is looked after by a local authority (within the meaning of section 22(l) of the Children Act 1989).