

## POLICY ON CHARGING FOR SCHOOL

### SUMMARY

This document explains the legislation governing the charging for school activities as set out in the Education Act 1996: Sections 449-462. It covers what Shipley CE Primary School will and will not charge for when activities take place either during or outside of school hours, including residential activities.

### EDUCATION DURING SCHOOL HOURS

1. Education provided during school hours must be free. No charge can be made for:
  - admitting pupils to maintained schools.
  - materials, books and equipment, including instruments
  - transport provided in school hours by the Local Authority (LA) or by the school
  - to carry pupils between the school and an activity. "School hours" are those when the school is actually in session and do not include the break in the middle of the school day. Our school day is defined as 08.40-15.05 excluding midday break 12.00-13.00.
  - Tuition for pupils learning to play musical instruments if the tuition is required as part of the National Curriculum, or part of a syllabus for a prescribed public examination for which the pupil is being prepared at the school, or part of religious education. (But see para. 11 below for exceptions.)
2. Charges may be made for:
  - Any materials, books, instruments, or equipment, where parents wish their child to own them
  - Music and vocal tuition in limited circumstances (see para. 10)
  - We will charge for optional and/or extra activities provided outside of the school day, for example residential activities. Such activities are not part of the National Curriculum or Religious Education, nor are they part of an examination syllabus.

### EDUCATION PARTLY DURING SCHOOL HOURS

3. 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, that activity counts as taking place entirely in school hours and no charge may be made. (Time spent on travel only counts as being during school hours if the travel takes place during school hours.)

4. As an example, a long-distance trip might involve much travel before and after normal school hours, but if the time spent at the destination fell mainly within school hours, the trip would count as happening in school time and be free of charge. By contrast, a trip that involved leaving school an hour or so earlier than usual in the afternoon, but then went on until quite late in the evening, would be classified as taking place outside school time. Charges would then be allowed, provided the activity was not part of the National Curriculum, not part of a syllabus for a prescribed public examination for which the pupil was being prepared at the school and not part of religious education. (See para 6.)

### **EDUCATION OUTSIDE SCHOOL HOURS**

5. Parents can only be charged for activities that happen outside school hours when these activities are not a necessary part of the national curriculum or do not form part of the school's basic curriculum for religious education. In addition, no charge can be made for activities that are an essential part of the syllabus for an approved examination (see paragraph 12 on Public examinations).

6. Charges may be made for other activities that happen outside school hours if parents agree to pay. The Education Act 1996 describes activities that can be charged for as "optional extras". It is up to the LA or governing body providing the activities to decide whether to make a charge, but any charge must not exceed the actual cost per individual child for whom charges are being made. Optional extras are:

- Education provided outside of school time that is not:
  - a) part of the National Curriculum
  - b) part of a syllabus for a prescribed public examination for which the pupil is being prepared at the school
  - c) part of religious education
- Examination entry fees if the pupil has not been prepared for the examination at the school
- Transport that is not required to take the pupil to school or to other premises where arrangements have been made for the pupil to be provided with education
- Board and lodging for a pupil on a residential visit.

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

### **RESIDENTIAL ACTIVITIES**

7. Special rules apply for residential activities. A trip counts as falling within school time if the number of school 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 at midnight.

8. On this basis, a term-time trip from noon on Wednesday to 9.00 p.m. on Sunday would last for nine half-days, include five school sessions and would count as ShipleyCEPrimarySchool/ChargingPolicy/November2017

taking place in school time. A trip from noon on Thursday to 9.00 p.m. on Sunday would count as seven half-days, include three school sessions and would be classified for charging as taking place outside school time. If fifty per cent or more of a half-day is spent on a residential trip, you should treat the whole of that half-day as spent on the trip.

If a residential activity takes place largely during school time, meets the requirements of the syllabus for a public examination, or is to do with the national curriculum or religious education, no charge may be made either for the education or for the cost of travel.

The school may remit a proportion of the cost of school residential trips for pupils whose parents/carers are in receipt of certain benefits e.g. Income Support; Child Tax Credit (providing that they are not entitled to Working Tax Credit and have an annual income, assessed by HMRC, that does not exceed £16,105 for 2016/17); support under Part VI of the Immigration and Asylum Act 1999, an income based Job Seeker's Allowance) or Guarantee element of State Pension Credit. (See below).

However, charges can be made for board and lodging in these circumstances except for pupils whose parents/carers are receiving:

1. Income Support;
2. Income based Jobseeker's Allowance;
3. Support under Part VI of the Immigration and Asylum Act 1999;
4. Child Tax Credit (providing that they are not entitled to Working Tax Credit and have an annual income, assessed by HMRC, that does not exceed £16,105 for 2016/17); or
5. Guarantee element of State Pension Credit.

The Headteacher should advise all parents/carers of the right to claim free activities if they are receiving these benefits.

### **MUSICAL INSTRUMENT TUITION**

9. There is an exception to the rule about not charging for activities in school hours. The Education and Inspections Act 2006 introduced a regulation-making power which allowed the Department for Children, Schools and Families (DCSF) to specify circumstances where charges can be made for music tuition. The new regulations, which came into force in September 2007, provide pupils with greater access to vocal and instrumental tuition.

10. Charges may now be made for teaching either an individual pupil or groups of any appropriate size (provided that the size of the group is based on sound pedagogical principles) to play a musical instrument or to sing. Charges will also be incurred for any damage to instruments that are loaned out to the children. Guidance about the charging regulations can be found on TeacherNet. Charges may only be made if the teaching is not an essential part of either the national curriculum or a public examination syllabus being followed by the pupil(s), or the first access to the Key Stage 2 Instrumental and Vocal Tuition Programme (Wider Opportunities).

### **PUBLIC EXAMINATIONS**

11. No charges may be made for entering pupils for public examinations that are set out in Regulations. The governing body must enter a pupil for each examination in a public examination syllabus for which the school has prepared the pupil. This does not apply if the governing body thinks there are educational reasons for not entering the pupil, or if the pupil's parents request in writing that the pupil should not be entered. The LA may not override the governing body's decision on whether to enter a particular pupil for an examination.

An examination entry fee may be charged to parents if:

- the examination is on the set list, but the pupil was not prepared for it at the

school;

- the examination is not on the set list, but the school arranges for the pupil to take it;
- a pupil fails without good reason to complete the requirements of any public examination where the governing body or LA originally paid or agreed to pay the entry fee.

12. Charges may not be made for any cost associated with preparing a pupil for an examination. However, charging is allowed for tuition and other costs if a pupil is prepared outside school hours for an examination that is not set out in Regulations.

### **ACTIVITIES NOT RUN BY THE SCHOOL OR LA**

13. When an organisation acting independently of Shipley CE Primary School or the LA arranges an activity to take place during school hours and parents want their children to join the activity, such organisations may charge parents. Parents must then ask the school to agree to their children being absent, just as they would if they wanted to take their children out of school for a family holiday. However, where an activity is organised by a third party and is approved by the school, is educational, or is supervised by someone authorised by the school, then it is the DCSF's view that it should be treated as if it were provided by the school and no charge should be made to the parents or pupils. Such an activity, if it takes place outside the school premises, is an "approved educational activity" within the meaning of Regulation 4A (a) of the Education (Pupil Registration) Regulations 1995 (as amended).

### **VOLUNTARY CONTRIBUTIONS**

14. Although Shipley CE Primary School cannot charge for school-time activities, we may still invite parents and others to make voluntary contributions (in cash or in kind) to make school funds go further. All requests to parents for voluntary contributions will make it quite clear that the contributions would be voluntary. We will also make it clear that children of parents who do not contribute will not be treated any differently. If a particular activity cannot take place without some help from parents this will be explained to them at the planning stage.

15. Letters will include the following wording, '*We are asking for a voluntary payment of ..... for this trip. This covers the cost of ..... (what does it include eg. transport, workshop, entrance fee). Every attempt is made to keep the costs down and all contributions are voluntary. If we do not receive sufficient contributions, we may be forced to cancel the trip. If you feel you are unable to afford this, please speak to the office in confidence*'.

16. Where there are not enough voluntary contributions to make the activity possible and there is no way to make up the shortfall, the activity will be cancelled. No pupil may be left out of an activity because his or her parents cannot, or will not, make a contribution of any kind. We will first decide which class, or group of pupils, will benefit from the activity and then look for voluntary contributions, or by general fundraising.

### **CHARGING POLICIES**

17. The LA or governing body may not charge for anything unless it has drawn up a statement of general policy on charging. The governing body's policy may be more or less generous than the LA's, as long as it meets the requirements of the law. A policy statement will take account of each type of activity that can be charged for and explain when charges will be made. If a charge is to be made for a particular type of activity, for example optional extras, parents need to know how the charge will be worked out and who might qualify for help with the cost (or even get it free). This information should be made available to parents.

18. If a charge is made for each pupil it must not exceed the actual cost. If further funds are required, for example, to help in hardship cases, this must be by voluntary

contributions, general fundraising, or from the school budget share.

19. The permitted charge may include an allowance for the costs of teachers from the school who supervise the activity, but only if those teachers have been given a separate contract to provide the optional extra. A contract need not be a formal document. It could be a simple letter to a teacher asking him or her to provide a service on a particular occasion.

20. But any charge must not exceed the actual cost per individual child for whom charges are being made. Optional extras are:

- Education provided outside of school time that is not:
  - a) part of the National Curriculum
  - b) part of a syllabus for a prescribed public examination for which the pupil is being prepared at the school
  - c) part of religious education
- Examination entry fees if the pupil has not been prepared for the examination at the school
- Transport that is not required to take the pupil to school or to other premises where arrangements have been made for the pupil to be provided with education
- Board and lodging for a pupil on a residential visit.

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

Signed:.....

Chair of the Governing Body

Date:.....

Next Review: November 2018