

INSPIRING FUTURES

FINANCE

**CHARGING AND
REMISSIONS**

POLICY DETAILS

Policy Title:	Charging and Remissions Policy
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Organisation:	Endeavour Academies Trust
Policy Version Number:	1.1
Approved Board of Trustees On:	18 May 2021
Date of Next Review:	Spring 2023
Distribution:	Website

POLICY REVISION AND APPROVAL HISTORY

Version	Date of review	Date of next review	Comments	Approved by

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1. INTRODUCTION

- 1.1 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 (including free schools, studio schools and UTCs) are required through their funding agreement to comply with the law on charging for the school activities.
- 1.2 This policy covers Endeavour Academies Trust and all of the academies within it.

ACADEMY CHARGING

2. EDUCATION

- 2.1 Governing bodies **cannot** charge for:
 - 2.1.1 an admission application to the academy
 - 2.1.2 education provided during the academic day (including the supply of any materials, books, instruments or other equipment);
 - 2.1.3 education provided outside the academic day if it is part of the national curriculum¹, or part of a syllabus for a prescribed public examination that the pupil is being prepared for at the academy, or part of religious education;
 - 2.1.4 instrumental or vocal tuition, for pupils learning individually or in groups, unless the tuition is provided at the request of the pupil's parent;
 - 2.1.5 entry for a prescribed public examination, if the pupil has been prepared for it at the academy; and
 - 2.1.6 examination re-sit(s) if the pupil is being prepared for the re-sit(s) at the academy².
- 2.2 Governing bodies **can** charge for:
 - 2.2.1 any materials, books, instruments, or equipment, where the child's parent wishes him/ her to own them;
 - 2.2.2 optional extras (see later section);
 - 2.2.3 music and vocal tuition, in limited circumstances (see later section);
 - 2.2.4 certain early years provision³
 - 2.2.5 community facilities;⁴

1 It should be noted that 'part of the National Curriculum' is not restricted to learning outside the classroom experiences that are specifically subject based (e.g. geography or science fieldwork) and include, for example, activities designed to fulfil requirements under the National Curriculum 'inclusion statement' (e.g. developing teamwork skills).

2 However, 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.

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

4 The powers to provide community facilities are under s.27(1) of the Education Act 2002

3. OPTIONAL EXTRAS

3.1 Charges may be made for some activities that are known as 'optional extras'. Where an optional extra is being provided, a charge **can** be made for providing materials, books, instruments, or equipment.

3.2 We may charge for the following:

3.2.1 education provided outside of the academy time that is not:

3.2.1.1 part of the national curriculum;

3.2.1.2 part of a syllabus for a prescribed public examination that the pupil is being prepared for at the academy; or

3.2.1.3 part of religious education.

3.2.2 examination entry fee(s) if the registered pupil has not been prepared for the examination(s) at the academy;

3.2.3 where a pupil is entered for a second or subsequent attempt at an examination, we will pay the fee. Once pupils have left the academy, re-sits may be taken at the academy, but will be charged for.

3.2.4 review of marking: if a pupil or their parents/carers consider it to be in the best interests of the pupil to request that an examination mark is reviewed, any fees involved must be covered by the pupil or their parents/carers. If the awarding body changes the overall grade of the result, the academy will not be charged by the awarding body and the parent/carer/pupil will have their fees refunded.

3.2.5 transport (other than transport that is required to take the pupil to the academy or to other premises where the governing body have arranged for the pupil to be provided with education);

3.2.6 board and lodging for a pupil on a residential visit;

3.2.7 extended day services offered to pupils;

3.2.8 a fee of £10 may be charged to complete passport verification;

3.2.9 the academy may charge parents/carers for the cost of replacing items broken, damaged or lost due to their child's behaviour. Parents/carers will not be taken to court for failure to pay such costs.

3.3 In calculating the cost of optional extras an amount may be included in relation to:

3.3.1 any materials, books, instruments, or equipment provided in connection with the optional extra;

3.3.2 the cost of buildings and accommodation;

3.3.3 non-teaching staff;

3.3.4 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

3.3.5 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.

3.4 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. It will not therefore include an element of subsidy for any other pupils

wishing to participate in the activity whose parents are unwilling or unable to pay the full charge.

- 3.5 Furthermore in cases where a small proportion of the activity takes place during the academy hours the charge cannot include the cost of alternative provision for those pupils who do not wish to participate.
- 3.6 Participation in any optional extra activity will be on the basis of parental choice and a willingness to meet the charges. Parental agreement is therefore a necessary pre-requisite for the provision of an optional extra where charges will be made.

4. VOLUNTARY CONTRIBUTIONS

- 4.1 Nothing in legislation prevents the governing body from asking for voluntary contributions for the benefit of the academy or any the academy activities. However, if the activity cannot be funded without voluntary contributions, the governing body or principal will make this clear to parents at the outset. The governing body or principal will also make it clear to parents that there is no obligation to make any contribution.
- 4.3 It is important to note that no pupil will be excluded from an activity simply because his or her parents are unwilling or unable to pay. If insufficient voluntary contributions are raised to fund a visit, or the academy cannot fund it from some other source then it will be cancelled. The academy will 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. The academy will make it clear to parents at the outset what the policy for allocating places on the academy visits will be.
- 4.4 When making requests for voluntary contributions, parents will not be made to feel pressurised into paying as it is voluntary and not compulsory.

5. MUSIC TUITION

- 5.1 Although the law states that, in general, all education provided during the academy day must be free, instrumental and vocal music tuition is an exception to that rule.
- 5.2 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. They allow charging for tuition in larger groups than was previously the case.
- 5.3 Charges may 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 (or a pupil in post-16). Charges will not exceed the cost of the provision, including the cost of the staff who provide the tuition and will not be made if the teaching is an essential part of the national curriculum. No charge will be made in respect of a pupil who is looked after by a local authority (within the meaning of section 22(1) of the Children Act 1989).

6. TRANSPORT

6.1 The academy **cannot** charge for:

- transporting registered pupils to or from the academy premises, where the local authority has a statutory obligation to provide transport;
- transporting registered pupils to other premises where the governing body has arranged for pupils to be educated;
- transport that enables a pupil to meet an examination requirement when he has been prepared for that examination at the academy; and
- transport provided in connection with an educational visit; however, the academy trust may request a voluntary contribution for the cost of transport.

7. RESIDENTIAL VISITS

7.1 The academy **cannot** charge for:

- education provided on any visit that takes place during the academy hours⁵;
- education provided on any visit that takes place outside the academy 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 academy, or part of religious education; and
- supply teachers to cover for those teachers who are absent from the academy accompanying pupils on a residential visit.

7.2 The academy **can** charge for:

- board and lodging although the charge must not exceed the actual cost;
- residential visits that are an enrichment of the academy's curriculum rather than an essential aspect of the national curriculum.

7.3 When the academy informs parents about a forthcoming visit, it will be made clear that parents who can prove they are in receipt of the following benefits will be entitled to support towards the cost of board and lodging:

- income Support
- income-based Jobseeker's Allowance
- income-related Employment and Support Allowance
- support under Part VI of the Immigration and Asylum Act 1999
- the guaranteed element of Pension Credit
- Child Tax Credit (provided you're not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190)
- Working Tax Credit run-on - paid for 4 weeks after you stop qualifying for Working Tax Credit
- Universal Credit - if you apply on or after 1 April 2018 your household income must be less than £7,400 a year (after tax and not including any benefits you get)

⁵ See section 452 of the Education Act 1996 for guidance as what counts as during the academy hours.

8. EDUCATION PARTLY DURING THE ACADEMY HOURS

- 8.1 Where an activity takes place partly during and partly outside the academy hours, there is a basis for determining whether it is deemed to take place either inside or outside the academy hours. However, a charge can only be made for the activity outside the academy hours if it is not part of the national curriculum, not part of a syllabus for a prescribed public examination that the pupil is being prepared for at the academy and not part of religious education.

Non-residential activities

- 8.2 If 50% or more of the time spent on the activity occurs during the academy hours, it is deemed to take place during the academy hours. Time spent on travel counts in this calculation if the travel itself occurs during the academy hours. The academy hours do not include the break in the middle of the day.
- 8.3 Where less than 50% of the time spent on an activity falls during the academy hours, it is deemed to have taken place outside the academy hours. For example, an excursion might require pupils to leave the academy an hour before the academy day ends, but the activity does not end until late in the evening.

Residential visits

- 8.4 If the number of the academy sessions taken up by the visit is equal to or greater than 50% of the number of half days spent on the visit, it is deemed to have taken place during the academy hours (even if some activities take place late in the evening). Whatever the starting and finishing times of the academy day, regulations require that the academy day is divided into 2 sessions. A 'half day' means any period of 12 hours ending with noon or midnight on any day.



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