



# Charges and Remission Policy

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## Introduction

Sections 449-462 of the Education Act 1996 set out the law on charging for school activities in schools maintained by local authorities in England. Academies are required through their funding agreements to comply with the law on charging for schools activities. This policy is based upon the guidance set out in the DfE guidance for charging for school activities (revised October 2014). Charges relating to admissions is referred to in paragraph 1.9 in the School Admissions Code (December 2014).

The White Hills Park Trust will ensure it informs parents on low incomes and in receipt of the benefits listed on page 3 of this guide of the support available to them when being asked for contributions towards the cost of school visits.

## Education

The White Hills Park Trust **cannot** charge for:

- an admission application – paragraph 1.9 of the Schools Admissions Code 2014 rules out requests for financial contributions as part of the admissions process;
- education provided during school hours (including the supply of any materials, books, instruments or other equipment);
- education provided outside school hours if it is part of the National Curriculum<sup>1</sup>, or part of a syllabus for a prescribed public examination that the student is being prepared for by the Trust, or part of religious education;
- instrumental or vocal tuition, for students learning individually or in groups, unless the tuition is provided at the request of the student's parent;
- entry for a prescribed public examination, if the student has been prepared for it by the Trust; and
- examination re-sit(s) if the student is being prepared for the re-sit(s) by the Trust<sup>2</sup>.

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<sup>1</sup> 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).

<sup>2</sup> However, if a student fails, without good reason, to meet any examination requirement for a syllabus, the fee can be recovered from the student's parents.

The White Hills Park Trust **can** charge for:

- any materials, books, instruments, or equipment, where the child's parent wishes him/her to own them;
- optional extras (see below); and
- music and vocal tuition, in limited circumstances (see page 3);

### **Optional Extras**

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. **Optional extras includes:**

- 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 that the student is being prepared for at the school; or
  - c) part of religious education.
- examination entry fee(s) if the registered student has not been prepared for the examination(s) by The White Hills Park Trust;
- transport that is not required to take the student to one of the Trusts school sites or to other premises where the Trust has arranged for the student to be provided with education;
- board and lodging for a student on a residential visit; and
- extended day services offered to students (for example breakfast club, after-school clubs, supervised homework sessions).

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 or agency teachers engaged specifically to provide the optional extra; and
- the cost or a 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 students must not exceed the actual cost of providing the optional extra activity, divided equally by the number of students participating. It must not therefore include an element of subsidy for any other students wishing to participate in the activity whose parents are unwilling or unable to pay the full charge.

Furthermore in cases where a small proportion of the activity takes place during school hours the charge cannot include the cost of alternative provision for those students who do not wish to participate. Therefore no charge can be made for supply teachers to cover for those teachers who are absent from school accompanying students on a residential visit.

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.

### **Voluntary Contributions**

Nothing in legislation prevents The White Hills Park Trust from asking for voluntary contributions for the benefit of the Trust or any of the Trust's activities. However, if the activity cannot be funded without voluntary contributions, the Executive Principal should make this clear to parents at the outset. The Executive Principal **must** also make it clear to parents that there is no obligation to make any contribution.

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 insufficient voluntary contributions are raised to fund a visit, then it must be cancelled. The Trust will make sure that this is made clear to parents at the outset. If a parent is unwilling or unable to pay, their child must still be given an equal chance to go on the visit. The Trust should make it clear to parents at the outset what their policy for allocating places on school visits will be.

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**. The White Hills Park Trust will avoid sending colour coded letters to parents as a reminder to make payments into the school or maintenance funds. The Trust will also ensure that direct debit or standing order mandates are not sent to parents when requesting for contributions.

### **Music Tuition**

Although the law states that all education provided during school hours must be free, music lessons are an exception to this 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. They allow charging for tuition in larger groups than was previously the case.

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 student'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. 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(1) of the Children Act 1989).

## Transport

The White Hills Park Trust **cannot** charge for:

- transporting registered students to or from the school premises, where the local authority has a statutory obligation to provide transport;
- transporting registered students to other premises where the Trust has arranged for students to be educated;
- transport that enables a student to meet an examination requirement when he has been prepared for that examination by the Trust; and
- transport provided in connection with an educational visit.

Guidance on school travel is available at [www.gov.uk](http://www.gov.uk).

## Residential Visits

The White Hills Park Trust **cannot** charge for:

- 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 student is being prepared for at the school, or part of religious education; and
- supply teachers to cover for those teachers who are absent from school accompanying students on a residential visit.

Schools **can** charge for:

- board and lodging and the charge must not exceed the actual cost.

When The White Hills Park Trust 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 exempt from paying the cost of board and lodging:

- Universal Credit in prescribed circumstances;<sup>3</sup>
- Income Support (IS);
- Income Based Jobseekers Allowance (IBJSA);
- support under part VI of the Immigration and Asylum Act 1999;
- Child Tax Credit, provided that Working Tax Credit is not also received and the family's income (as assessed by Her Majesty's Revenue and Customs) does not exceed £16,105 (Financial Year 2019/20);
- the guaranteed element of State Pension Credit; and
- an income related employment and support allowance that was introduced on 27 October 2008.

The Trust may support parents with a contribution to the costs of trips through the Post 16 Bursary fund or the Financial Assistance fund. This is subject to application and parents will need to evidence they are in receipt of one of the above benefits.

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<sup>3</sup> The government plans to prescribe the circumstances when Universal Credit is fully rolled out.

Guidance on school policies for Learning Outside the Classroom, including charging is available at [www.lotc.org](http://www.lotc.org)

### **Education partly during school hours**

Where an activity takes place partly during and partly outside school hours, there is a basis for determining whether it is deemed to take place either inside or outside school hours. However, a charge can only be made for the activity outside school hours if it is not part of the National Curriculum, not part of a syllabus for a prescribed public examination that the student is being prepared for at the school and not part of religious education. See non-residential activities below for the definition.

### **Non-residential activities**

If 50% or more of the time spent on the activity occurs during school hours, it is deemed to take place during school hours. Time spent on travel counts in this calculation if the travel itself occurs during school hours. School hours do not include the break in the middle of the day.

Where less than 50% of the time spent on an activity falls during school hours, it is deemed to have taken place outside school hours. For example, an excursion might require students to leave school an hour before the school day ends, but the activity does not end until late in the evening.

### **Residential visits**

If the number of school 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 school hours (even if some activities take place late in the evening). Whatever the starting and finishing times of the school day, Regulations require that the school day is divided into 2 sessions. A “half day” means any period of 12 hours ending with noon or midnight on any day.

#### **Example 1: Visit during school hours**

Students are away from noon on Wednesday to 9pm on Sunday. This counts as 9 half days including 5 school sessions, so the visit is deemed to have taken place during school hours.

#### **Example 2: Visit outside school hours**

Students are away from school from noon on Thursday until 9pm on Sunday. This counts as 7 half days including 3 school sessions, so the visit is deemed to have taken place outside school hours.

A flow chart to assist in the determination of charges is presented on Page 6.

# Flow chart to determine charging for activities

