

TUNBRIDGE WELLS GIRLS' GRAMMAR SCHOOL

Approved by Governing Body: December 2019

To be reviewed by: December 2022

CHARGING AND REMISSIONS POLICY

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. This policy has been informed by section 7.5 of the Governors Handbook, and reflects the terms of the Education Act 1996, but it is not a substitute for those terms. 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 the benefits listed in this document of the support available to them when being asked for contributions towards the cost of school visits.

School Charging Education

School governing bodies and local authorities cannot charge for:

- an admission application to any state funded school - paragraph 1.9 (n) of the 'School Admissions Code 2012' rules out requests for financial contributions as any 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 curriculum¹, 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;
- instrumental or vocal tuition, for pupils learning individually or in groups, unless the tuition is provided at the request of the pupil's parent;
- entry for a prescribed public examination, if the pupil has been prepared for it at the school; and
- examination re-sit(s) if the pupil is being prepared for the re-sit(s) at the school².

Schools and local authorities can charge for:

- any materials, books, instruments, or equipment, where the child's parent wishes him/her to own them;
- optional extras (see page below);
- music and vocal tuition, in limited circumstances (see page 3);
- community facilities³.

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 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 that the pupil is being prepared for at the school; or
 - c. part of religious education.

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

- 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;

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 must not exceed the actual cost of providing the optional extra activity, divided equally by the number of pupils participating. It must 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.

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 pupils 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 pupils 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 prerequisite for the provision of an optional extra where charges will be made.

Voluntary Contributions

Schools are permitted to ask for voluntary contributions for the benefit of the school or any school activities. However, if the activity cannot be funded without voluntary contributions, this will be made clear to parents at the outset. It will also be made clear to parents that there is no obligation to make any contribution. No child will be excluded from an activity because her parents are unwilling or unable to pay, and the child will still have an equal chance to participate in the activity.

Music Tuition

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 are 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.

Charging may not be made if the teaching is an essential part of the national curriculum. 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).

Transport

Schools cannot charge for:

- transporting registered pupils to or from the school premises, where the local education authority has a statutory obligation to provide transport;
- transporting registered pupils to other premises where the governing body or local authority 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 school; and
- transport provided in connection with an educational visit.

Residential Visits

Schools cannot charge for:

- education provided on any visit that takes place during school hours;⁴
- 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 a residential visit.

Schools can charge for:

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

When School informs parents about a forthcoming visit, it is made clear that parents who can prove they are in receipt of certain benefits will be exempt from paying the cost of board and lodging. The list of benefits to which this applies is:

- 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)

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 pupil is being prepared for at the school and not part of religious education.

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.

⁴ See section 452 of the Education Act 1996 for guidance as what counts as during school hours.

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.

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). 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.

Refunds

Requests for refunds for trips should be made in writing or via email to the School Fund Manager (schoolfund@twggs.kent.sch.uk) and will be considered on an individual basis. A charge for administering a refund may be deducted by the school prior to the remaining refund being issued.

In the event that the school is unable to recoup some, or all, of the costs involved (eg if a parent withdraws a pupil from a trip for any reason not covered under the terms of the insurance policy), the refund request may be rejected, or only a partial refund provided.

If the written trip information sent to parents has specified that a deposit is non-refundable, then it will not be refunded.

The school reserves the right not to refund costs where a pupil is withdrawn from a trip or activity by the school because of a pupil's breach of the school's behaviour policy.

In circumstances where a school trip or activity has ended with a surplus of funds, these will be refunded to the parent/carer who paid for the activity, usually via the original payment method, if the value of the refund is £5 or higher.

Damage to School Equipment

The school may invoice parents for any breakages and replacements (including fixtures and fittings, furniture, school equipment and books) as a result of damage or loss caused wilfully or negligently by their child.