



# Charges and Remissions Policy

Next Review by John Clifford School: September 2021



## **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 school's 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).

## **Definition**

Charge: a fee payable for specifically defined activities

Remission: the cancellation of a charge which would normally be paid

## **Where Charges Cannot be Made**

**Education** - John Clifford School, as part of 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 pupil is being prepared for by the Trust, 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 or carer;
- entry for a prescribed public examination, if the pupil has been prepared for it by John Clifford School or the Trust; and

**Transport** - John Clifford School, as part of the White Hills Park Trust **cannot** charge for:

- transporting registered pupils to or from the school premises, where the local authority has a statutory obligation to provide transport;

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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).

- transporting registered pupils to other premises where John Clifford School or the Trust has arranged for pupils to be educated; and
- transport provided in connection with an educational visit.

**Residential Visits** - John Clifford School, as part of 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 pupil 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 pupils on a residential visit.

### **Where Charges Cannot be Made**

**Education** - John Clifford School, as part of the White Hills Park Trust **can** charge for:

- any materials, books, instruments, or equipment, where the child's parent wishes them to own them;
- certain early years provision;
- some community facilities;
- 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 include:**

- 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.
- transport that is not required to take the pupil to one of the Trust school sites or to other premises where the Trust has arranged for the pupil to be provided with education;
- board and lodging for a pupil on a residential visit; and

- extended day services offered to pupils (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 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 / carer choice and a willingness to meet the charges. Parental / carer agreement is therefore a necessary pre-requisite for the provision of an optional extra where charges will be made.

### **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 / carer. 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).

### **Residential Visits**

John Clifford School, as part of the White Hills Park Trust **can** charge for:

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

### **Voluntary Contributions**

Nothing in legislation prevents schools in The White Hills Park Trust from asking for voluntary contributions for the benefit of the School/Trust or any of the School/Trust's activities. However, if the activity cannot be funded without voluntary contributions, the Headteacher should make this clear to parents and carers at the outset. The Headteacher **must** also make it clear to parents and carers 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 their parents or carers are unwilling or unable to pay. If insufficient voluntary contributions are raised to fund a visit, then it must be cancelled. The School / Trust will make sure that this is made clear to parents and carers at the outset. If a parent or carer is unwilling or unable to pay, their child must still be given an equal chance to go on the visit. John Clifford School will make it clear to parents and carers 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 and carers must not be made to feel pressurised into paying as it is voluntary and **not compulsory**.

## **Remissions**

In some circumstances, John Clifford School may not charge for items or activities set out in the sections above of this policy. This will be at the discretion of the Headteacher and will depend on the activity in question.

### **Remissions for Residential Visits**

When John Clifford School informs parents and carers about a forthcoming visit, it will be made clear that parents and carers 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>2</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 £16384 (Financial Year 2020/21);
- the guaranteed element of State Pension Credit; and
- an income related employment and support allowance that was introduced on 27 October 2008.

John Clifford School will ensure it informs parents and carers on low incomes and in receipt of the benefits listed in this guide of the support available to them when being asked for contributions towards the cost of school visits.

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

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<sup>2</sup> The government plans to prescribe the circumstances when Universal Credit is fully rolled out.

# Flow chart to determine charging for activities

