

# Emmbrook Junior School



## Charging for School Activities Policy (Statutory)

**Responsibility of: Resources Committee**

**Date of Policy:** October 2020

**Date of Next Review:** October 2023

### School Mission Statement

We provide an inclusive, positive environment in which we nurture and empower our children to develop life-long learning skills. This enables them to grow into reflective, successful and well-rounded individuals in our global community.

### Introduction

The purpose of this Policy is to describe how the school will charge and remit costs for school activities and school visits.

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. This Policy has been written to comply with those regulations and provide at-a-glance information. This Policy reflects the terms of the Education Act 1996, but it is not a substitute for those terms. This Policy is based on the Wokingham Borough Council (WBC) guide referred to in paragraph 1.82 in the School Admissions Code, and in paragraph 1.97 in the revised School Admissions Code (in force from 10/2/09).

The School shall ensure that it informs parents on low incomes and in receipt of the benefits listed in this Policy of the support available to them when being asked for contributions towards the cost of school visits.

### Education

The School will not charge for the following:

- 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 Curriculum<sup>1</sup>, 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;

The School may charge for the following items where costs are incurred. The charges will not exceed the costs to the school.

- 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
- community facilities<sup>4</sup>.

### **Optional Extras**

Charges may be made for some activities that are known as "optional extras". Where an optional extra is being provided, a charge may 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 religious education.
- 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); and
- Board and lodging for a pupil on a residential visit.
- extended day services offered to pupils (for example breakfast club, after-school clubs, tea and 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

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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>4</sup> The powers to provide community facilities are under s.27(1) of the Education Act

- optional extra;
- the cost of buildings and accommodation;
  - non-teaching staff;
  - administrative/insurance costs,
  - 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, where the tuition is an optional extra.

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 therefore not include any 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 will not include the cost of alternative provision for those pupils who do not wish to participate. Therefore, no charge will 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 pre-requisite for the provision of an optional extra where charges will be made.

### **Voluntary Contributions**

The school may ask for voluntary contributions for the benefit of the school or any school activities. However, if the activity cannot be funded without voluntary contributions, the governing body or head teacher should make this clear to parents at the outset. The governing body or head teacher will also make it clear to parents that there is no obligation to make any contribution.

No child 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, then it will be cancelled. The School will make sure that it makes 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 School 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 will not be made to feel pressurised into paying as it is voluntary and **not compulsory**. The School should avoid sending colour coded letters to parents as a reminder to make payments into the school or maintenance funds. The School should also ensure that direct debit or standing order mandates are not sent to parents when requesting for contributions.

When deciding whether an activity can proceed or not, consideration should be made in order to protect school funds so as to give best value for the school as a whole, the following guidelines will be applied:

- Contributions amounting to at least 95% of the cost must be received by the school or the shortfall in funding for any one proposed activity should not exceed £200;
- For these activities the decision on whether or not the activity takes place will be made by the Head Teacher.
- The only exception is where an activity involves overnight accommodation (residential) and the school's Full Governing Body (or a Quorum) will make the decision.

### **Reimbursement of Voluntary Contributions**

Once a voluntary contribution has been made there will be no reimbursements for absentees on the day. For example, if a child is absent from sickness then no reimbursement will be made.

If a school cancels a school trip and does not rearrange the trip then the contributions will be reimbursed.

For the year 6 residential trip, reimbursement of contributions will be made, however this is subject to the following cancellation charges;

Period in which pupil cancels attendance on trip	Cancellation Charge
70 days or more	Deposit paid
69 -14 days	75% of total cost of trip
13 days or less	100%

### **Residential Visits**

The School will not 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.

Schools **can** charge for:

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

When a school informs parents about a forthcoming visit, they should make it 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. The list of benefits to which this applies can be found on <https://www.gov.uk/apply-free-school-meals>.

### **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. 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 pupil'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 or is provided under the first access to the key stage 2 Instrumental and Vocal Tuition Programme. 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(l) of the Children Act 1989).

### **Transport**

The School will not 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 education 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.

### **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 may 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. For example, an excursion might require pupils to leave school an hour before the school day ends, but the activity does not end until late in the evening.

### **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 pupils 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**

Pupils 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**

Pupils 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.

Year 6 pupils participate in a residential trip. This is an optional activity and alternative provision is made for children who do not attend. The cost of the trip is broken down into: board and lodging, cost of activities, transport and minimal administrative/insurance costs. Board and lodging is fully chargeable but the other costs are paid on a voluntary basis. However, for the trip to be viable there must be sufficient voluntary contributions and at least 50% of the pupils participate.

Payment can be made by instalment.

For those eligible for FSM, the cost of the trip is funded by the school.

### **Charges for school clubs**

The school may operate clubs out of normal school hours. The school may charge parents of pupils who attend these clubs. The charges will be determined by the school and will be set at a level where they recover the cost incurred by the school. Charges for clubs may allow for monies to be accumulated where it is desirable to invest in equipment that will be used by the club for the benefit of pupils in the club. Charges for clubs will not exceed the costs of the club.

Where outside organisations run out-of-hours clubs on the school premises for the benefit of pupils, that organisation may charge parents of the pupils who participate. The school will not add any additional charges direct to the parent where no cost is incurred by the school.

Parents pay for school clubs via the online payment system. Places for a club are allocated on a first come first served basis via the system. When the school sets up a club on the payment system the number of places available on the club is set up. The system will not let this number be exceeded.

The school may exercise discretion regarding the level of charge, where the school is aware that a parent/carer is in financial hardship. The school offers one school funded club per term per pupil premium child.

***Approved by Governing Body***

***Chair of Resources Committee***

***Date***

***Head Teacher***

***Date***

## **Appendix: Questions and Answers Section taken from DfE guidance**

**Q What is a charging policy?**

**A** Under the charging provisions set out in legislation, governing bodies and local authorities of maintained schools may choose to charge for certain defined activities, but only if they have first drawn-up charging and remissions policies. These policies should be made available to parents on request.

**Q. A visit involving staying overnight has been arranged for children at my school. Can the school charge for this?**

**A.** Where a school activity requires pupils to spend nights away from home, the school is allowed to make a charge for board and lodging. This is with the exception of pupils whose parents are in receipt of certain benefits. The list of benefits to which this applies can be found on <https://www.gov.uk/apply-free-school-meals>.

Since April 2003 the eligibility criteria that entitle families to an exemption from paying for the cost of board and lodging on residential visits have been aligned with free school meals eligibility criteria. The head teacher must inform all parents of the right to claim free board and lodging if they are receiving these benefits.

**Q. With regard to the remission of board & lodging payments, can you please explain who pays for the expense, would it come out of the school budget or is there a grant available to claim?**

**A** Although the criteria for being eligible for the remission of charges for board and lodgings is the same as free school meals, that is where the similarity ends. The costs involved in the remission of board and lodgings are to be borne by the school from their contingency funds. There is no return to be completed to re-claim the money back.

**Q Our school has a large number of pupils eligible for free school meals; this means that they would also receive remission for board and lodgings expenses for residential school visits. How can the school fund/organize residential visits?**

**A** Government funding for schools to each local authority recognises the different needs of each area. In terms of the allocation to schools, each local authority sets a funding formula which is agreed with the local schools forum. All local authorities are required to include an element in their formula to reflect the needs of deprived pupils. The amount that individual schools receive from the local authority reflects their relative need compared with other local schools.

In addition, schools receive pupil premium funding for disadvantaged pupils, based largely on those who are eligible for free school meals. This funding is provided by the government to raise the attainment of eligible pupils and narrow the attainment gap between eligible pupils and their peers. It is for head teachers and school governing bodies to decide how to use their formula funding and pupil premium allocation.

Schools cannot exclude children from taking part in an activity that is part of the national curriculum purely on the grounds that the parent or carer cannot make, or refuses to make,

a contribution. This can clearly place schools in some difficulty on occasions where a number of parents/carers might be in such a position. The school then has to decide whether they can cover the costs of such activity from within the budget or by fundraising, or whether the activity has to be cancelled.

If there is a residential activity taking place largely during school time, or which 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.

**Q Can governing bodies charge for educating children in maintained schools?**

**A** The local authority or governing body cannot charge for education that takes place in school hours. Nor can they charge for activities that take place outside school hours if these are part of the National Curriculum, necessary as part of a syllabus for a prescribed public examination that the pupil is being prepared for at the school, or part of religious education. They can charge for permitted 'optional extras', provided they have drawn up a statement of general policy on charging and given details of 'optional extras' they intend to charge for. The governing body's policy does not have to be the same as the local authority's policy, as long as it meets the requirements of the law.

**Q Can a school charge for an activity that takes place out of school hours?**

This kind of activity is often referred to as an 'optional extra'. Where an optional extra is being provided, a charge can be made for providing materials, books, instruments, or equipment. See guidance on optional extras.

The actual charge for the optional extra cannot exceed the actual cost of the provision. Schools cannot and must not make a profit from charging for optional extras. 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.

**Q Can a school ask parents for voluntary contributions?**

**A** Schools may invite parents and others to make voluntary contributions to make school funds go further. All requests to parents for voluntary contributions must make it quite clear that the contributions would be voluntary. It should be remembered that education provided during school hours must be free. This includes materials, equipment, and transport provided in school hours by the local authority or by the school to carry pupils between the school and an activity. Governing bodies should also clearly explain that children of parents who do not contribute will not be treated any differently, and that the activity might be cancelled if insufficient contributions are received.

**Q The school has sent letters out to parents asking for contributions towards a school visit. Do parents have to pay?**

**A** Head teachers or governing bodies may ask parents for voluntary contributions towards the cost of:

- any activity which takes place during school hours;
- school equipment; and
- School funds generally.

Children of parents who are unable, or unwilling, to contribute may not be discriminated against. However, if insufficient voluntary contributions are received to cover the cost of the visit, or activity, and there is no alternative method to make up the shortfall, then the school should cancel the activity/visit. It would be advisable to make parents aware of a possible cancellation to the activity/visit if insufficient voluntary contributions are received from the outset.

**Q What happens if the school is not able to raise enough voluntary contributions to cover costs?**

**A** Where there are not enough voluntary contributions, and there is no way to make up the shortfall, for example school funds and/or fundraising activities, then it must be cancelled. The possibility of the activity/visit being cancelled due to a shortfall in contributions should be made clear in the information sent to parents.

**Q What if a parent is unable, or unwilling to make a voluntary contribution? How does this affect the child(ren)?**

**A** A school cannot exclude a child from taking part in an activity that is part of the National Curriculum purely on the grounds that you, the parent or carer, cannot make, or refuses to contribute. This can clearly place schools in some difficulty on occasions where a number of parents/carers might be in such a position. The school then has to decide whether they can cover the costs of such activity from within the budget or by fundraising, or whether the activity has to be cancelled.

**Q. What support can a school offer a parent/carers who has difficulty making a financial contribution?**

**A.** Where a residential trip includes education for which charging is prohibited and the pupil's parent is in receipt of certain benefits, they will be exempt from paying the cost of board and lodging. The list of benefits to which this applies can be found on <https://www.gov.uk/apply-free-school-meals>.

Schools must ensure that parents are aware of the support available to them when being asked for contributions toward the costs of school visits. Some schools also have funds available to enable families in financial difficulty to send their children on visits/activities. Parents should be encouraged to speak to the head teacher in order to establish if such funding arrangements exist.

No charge may be made if there is a residential activity taking place largely during school time, or which meets the requirements of the syllabus for a public examination. In addition, if the activity 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 for any pupil, not just those whose parents are in receipt of benefits.

**Q What about charges for transport during school hours?**

**A** Any transport provided by the school in school hours will be provided free of charge (though a voluntary contribution may be requested).

**Q Can the school charge for something like cooking ingredients or materials needed for a technology lesson?**

**A** The school can make a charge to cover the costs of materials/ingredients for subjects such as design or food technology where parents have indicated in advance that they would like their child to bring home the finished product.

**Q Can the school charge entry fees for examinations?**

**A** 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; and
- 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.

**Q. Can a school make a charge to pay for the administration required as part of the admission process?**

**A.** Paragraph 1.9 (n) of the 'Schools Admission Code 2012' rules out requests from admission authorities for financial contributions as any part of the admissions process. Legislation prevents state funded schools from charging fees for admission or for providing education during school hours.

**Q. Can a school ask for a direct debit to the school fund?**

**A.** No. A school may ask for voluntary contributions, as long as it is clear that they are voluntary, but we are clear that state education should be free and we have no intention of changing this policy. We will not tolerate this when it is brought to our notice. No contributions may be sought as part of the admissions process.

**Q. Can a school ask parents to contribute to (or pay in full) the cost of a tablet or computer?**

**A.** Sections 451 and 454 of the Education Act 1996 prohibits schools from charging for education and the supply of materials, books, instruments or other equipment (this would include tablets), during school hours. However, there is no prohibition on asking parents to make voluntary contributions. Additionally, there is a specific exception in the legislation

which enables schools to charge for materials where the pupil's parent wishes them to own the materials. All contribution requests to parents must make clear that the contributions are voluntary and that, if a parent cannot make or refuses to make a contribution, their children will not be treated any differently and will not be excluded from taking part in any activity or related equipment.

**Q. What are community facilities?**

**A.** Schools are allowed to provide facilities that can be used by the local community, for example out-of hours/holiday childcare or swimming pool sessions. These facilities further any charitable purpose for the benefit of pupils at the school or their families, or people who live or work in the locality in which the school is situated. Schools can charge for the use of these facilities, and a profit can also be generated, providing it is spent on the purposes of the school and or on community facilities.

Maintained schools should check the local authority's published financial "scheme" for maintained schools in their area for any rules about the carry of profit from one financial year to the next.