

Pentyrch Primary School Ysgol Gynradd Pentyrch

“Learning and Growing Together”



“Dysgu a Thyfa Gyda’n Gilydd”

Charging and Remissions Policy

2017 - 2020

Last Revision Date -March 2017
Next Review Date- March 2020

Ysgol Gynradd Pentyrch Primary School
Charging and Remissions Policy
March 2017

INTRODUCTION

- 1.1 This guidance note supplements Schools' Financial Procedure Rules. The content of the guidance note is intended to encourage a consistent approach to the charging for school activities and lettings, and to encourage recognised good practice. Any officers seeking to make alternative arrangements should seek advice and approval from the Audit and Risk Manager.
- 1.2 A Charging and Remissions Policy is required by law. Sections 449 to 462 of The Education Act 1996 set out the law regarding what charges can and cannot be made for activities in schools maintained by local authorities in Wales. The Act also prescribes what activities governing bodies may and may not charge for when taking place during or outside school hours (including residential activities). In addition, the Act requires that every governing body and local authority in Wales should have charging and remissions policies in place and review them. Such policies are designed to minimise the financial barriers which may prevent some pupils from benefitting from school activities and visits.
- 1.3 It is the responsibility of the Pentyrch Primary School governing body to formulate and keep under review a policy on charges. The Governing Body may not charge parents for anything unless it has adopted a charging and remissions policy. The policy must give details of the circumstances in which the school will charge parents and in what circumstances it may ask for voluntary contributions. The Governing Body must also formulate a remissions policy to set out the circumstances in which they would remit all or part of the charges. The charging and remissions policy should list every activity that may be charged for and explain when charges will be made. It should provide clear information for parents about how a charge will be worked out and who might qualify for help with the cost or not have to pay at all.
- 1.4 It is for individual governing bodies to determine their policy in relation to the Council's policy. The Governing Body's policy may be more or less generous than the Council's, as long as it meets the requirements of the law. It should reflect any special circumstances for the school.

1.5 Governors should ensure that parents are aware of the charging and remissions policy. This can be done by placing it on the school website or in the annual report to parents.

1.6 In summary, a school or local authority may not charge for:

- an admission application or admission to any maintained school for children of compulsory school age;
- 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, or part of a syllabus for a prescribed public examination that the pupil is being prepared for at the school, or for education or activities that secure the school's duty to provide religious education;
- tuition for pupils learning to play musical instruments if the tuition is required as 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 for education or activities that secure the school's duty to provide religious education;
- entry for a prescribed public examination, if the pupil has been prepared for it at the school or for examination resit(s) if the pupil is being prepared for the resit(s) at the school; or
- any cost or charge associated with preparing a pupil for an examination.

Schools and local authorities may charge for:

- music tuition, in limited circumstances;
- optional extras;
- any materials, books, instruments or equipment, where the child's parent wishes for him / her or the child to own them.

2. CHARGING FOR SCHOOL ACTIVITIES

2.1 The Governing Body must consult parents on its charging and remissions policy. The Governing Body may charge for activities outside school session time. All charges or requests for voluntary contributions must comply with the law.

2.2 The Governing Body may ask for voluntary contributions for school activities that are either wholly or mainly in the school session time and incur a cost to the school that is over and above the normal day to day expenditure. However, if the activity cannot be funded without voluntary contributions, the Governing Body or Headteacher should make this clear to parents at the outset. The Governing Body or Headteacher must also make it clear to parents that there is no obligation to make any contribution.

2.3 Education during school hours

2.3.1 With very few exceptions, a charge for education is unlikely to be legal. Where an activity is part of the syllabus of a prescribed examination or is required to fulfil statutory duties relating to the National Curriculum or to religious education, then charges may not be made for tuition, materials or transport. This includes out of school activities, and transport to swimming or other sports facilities.

2.3.2 No charge will be made for materials to be used in craft and home economics lessons, although a charge may be levied if parents have indicated in advance that they wish to own a finished article. Any charge will not exceed the cost of materials. The parent must know the charge for the product in advance. Alternatively, the parent may be required to provide the materials in question.

2.3.3 The only area of school curricular provision for which a charge may be made is instrumental music tuition for individual pupils or pupils in groups of up to four where that tuition does not form part of the National Curriculum or of a public examination syllabus being followed by a pupil.

2.3.4 'School hours' are those in which the school is actually in session, not the break in the middle of the day.

2.3.5 A non-school organisation which arranges an activity to take place during school hours may charge parents who want their child to join the activity. Parents wishing their child to participate in the activity must obtain the school's permission for their absence from school, just as they would if they wanted to take their child out of school for a family holiday. The Headteacher and Governing Body must decide whether this is in the pupil's best interest. They must also bear in mind the requirements of the Regulation 7 of the Education (Pupil Registration) (Wales) Regulations

2010 ("the 2010 Regulations") that a pupil should not be allowed more than ten school days' absence in any year unless there are exceptional circumstances.

2.3.6 However, where an activity is organised by a third party and is approved by the school, is educational or is supervised by someone authorised by the school, then it should be treated as if it were provided by the school and no charge should be made to the parents or pupils. Such an activity, if it takes place outside the school premises, is an "approved educational activity" within the meaning of Regulation 6 of the 2010 Regulations.

2.3.7 An "approved educational activity" is defined as:

- (a) an activity which takes place outside the school premises and which is:
 - (i) approved by a person authorised in that behalf by the proprietor of the school;
 - (ii) of an educational nature, including work experience under section 560 of the 1996 Act and a sporting activity; and
 - (iii) supervised by a person authorised in that behalf by the proprietor or the Headteacher of the school.
- (b) attendance at another school at which the pupil is a registered pupil;
or
- (c) attendance on a course of study within the local curriculum at a place other than the school.

2.4 Public Examinations

2.4.1 No charge can be made for entry to public examinations where the pupil is being prepared for entry to the examination by the school. No charge is to be made for any books, materials, instruments, equipment or trips required for the purpose of the examination.

2.4.2 The cost of the examination entry may be passed to parents/carers only:

- If a pupil is entered for an examination for which he/she has not been prepared by the school;
- If the examination is not on the set list but the school arranges for the pupil to take it;
- If a pupil fails without good reason to attend the examination or to complete the requirements of a public examination (i.e. submit coursework) where the Governing Body or LA originally paid or agreed to pay the entry fee.

2.5 Education partly during school hours

- 2.5.1 Sometimes an activity may happen partly during and partly outside school hours. If an activity happens, including "connected travelling time", partly during and partly outside school hours, it counts as taking place entirely in school hours if at least 50% takes place in school hours. No charge may be made for this activity in these circumstances. "Connected travelling time" means time spent during school hours by the children taking part in the educational activity in question in getting to or from the place where the activity takes place.
- 2.5.2 For example, if a trip involved much travel before and after normal school hours but the time spent at the destination fell mainly within school hours, the trip would count as happening in school hours and would be free of charge.
- 2.5.3 However, a trip that involves leaving school an hour or so earlier than usual in the afternoon but went on late in the evening, would be classed as taking place outside school hours. A charge can then be made, but only if the activities are not a part of the National Curriculum, not part of the syllabus for a prescribed public examination that the pupil is being prepared for at the school, and not part of religious education.

2.6 Education outside school hours

- 2.6.1 An activity that takes place outside school hours cannot be charged for if it is not part of the syllabus of a prescribed examination that the pupil is being prepared for at the school or is required to fulfil statutory duties relating to the National Curriculum or to religious education. Any other activity which takes place wholly or mainly outside school hours, before school, after school and residential, is defined as an 'optional extra' activity and can be charged for.

2.7 School visits

- 2.7.1 Schools may 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; or
- supply teachers to cover for those teachers who are absent from school accompanying pupils on a residential visit.

2.7.2 Schools may charge for the actual cost of board and lodging for residential trips.

2.7.3 A visit counts as falling within school time 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. Each school day is divided into two sessions and each 24-hour period is divided into two half days beginning at noon and at midnight.

2.7.4 A visit from noon on Wednesday to 9pm on Sunday would count as nine half days, including five school sessions. This visit is deemed as taking place in school hours.

2.7.5 A visit from noon on Thursday to 9pm on Sunday would count as seven half days including three school sessions. The visit is deemed as taking place outside school hours. If 50% or more of a half day is spent on a residential trip, the whole of the half day should be treated as spent on the trip.

2.7.6 When a school informs parents about a forthcoming visit, it should be made clear that parents who can prove that they are in receipt of the following benefits will be exempt from paying the cost of board and lodging:

- (a) income support;
- (b) income based jobseeker's allowance;
- (c) in receipt of any other benefit or allowance, or entitled to any tax credit under the Tax Credits Act 2002 or element of such a tax credit, as may be prescribed by regulations for time to time for any period wholly or partly comprised in the time spent on the trip. Currently, the following are prescribed:

- support under Part 6 of the Immigration and Asylum Act 1999;

- Child Tax Credit, providing Working Tax Credit is not also received and the family's income (as assessed by HMRC) does not exceed £16,190 i.e. children who are eligible to receive free school meals;
- income related employment and support allowance;
- (d) guarantee element of the State Pension Credit;
- (e) receipt of universal credit.

2.7.7 Schools should be mindful of the financial circumstances of the families of pupils when planning residential trips. Schools should consider the cost of board and lodging and whether it is affordable, to ensure that residential trips are not too expensive for the majority of pupils' families. If trips are too expensive, uptake may be low and there is a risk that the trip would be cancelled.

2.7.8 Schools will also need to be mindful of the funding of the remission costs for eligible families when arranging school residential trips. Schools may also want to use discretion and remit in full (or in part) the cost of optional extras for trips, materials, books, instruments and equipment in certain circumstances where families on low incomes encounter difficulty paying for such things.

2.8 Optional Extras

2.8.1 There is no requirement to charge for optional extras. The school is free to determine whether any charge should be made for it and, if so, how much should be charged to whom (subject to the charge not exceeding the actual cost). The school's delegated budget cannot be used to subsidise extra-curricular activities.

2.8.2 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.
- transport that is not 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

- materials used in practical subjects and project assignments, provided that parents have agreed in advance that they or the pupil wish to keep the finished product (e.g. ingredients or materials)
- examination entry fee(s) if the registered pupil has not been prepared for the examination(s) at the school
- an examination that the school has arranged for the pupil to take but does not appear on a prescribed list.

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

- teaching staff engaged under contracts for services purely to provide an optional extra; this includes supply teacher engaged specifically to provide the optional extra;
- the additional cost of support services such as power, water and insurance;
- any materials, books, instruments and equipment provided in connection with the optional extra;
- non-teaching staff;
- the cost, or a proportion of the costs, for teaching staff employed to provide tuition in singing or playing a musical instrument, where the tuition is an optional extra.

2.8.4 With an 'optional extra':

- Participation 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;
- No profit can be included from any charges made - it is to be based on the actual cost of the activity divided by the number of pupils taking part;
- Charges on some cannot be used to subsidise others i.e. 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 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;
- In cases where a small proportion of the activity takes place during school hours, the charge cannot include the cost of alternative provision for any pupils who do not wish to participate. Therefore,

no charge can be made for supply teacher to cover for those teachers who are absent from school accompanying pupils on a residential visit.

2.9 Transport

2.9.1 The Governing Body cannot charge for:

- (a) transporting registered pupils to or from the school premises, where the local authority has a statutory obligation to provide transport;
- (b) transporting registered pupils to other premises where the Governing Body or local authority has arranged for pupils to be educated;
- (c) transport that enables a pupil to meet an examination requirement when he / she has been prepared for that examination at the school; or
- (d) transport provided in connection with an educational visit.

2.10 Musical Instrument Tuition

2.10.1 Although the law states that all education provided during school hours must be free, music lessons are an exception to this rule. Schools may charge for musical instrument tuition provided to individual pupils, or to a group of not more than four pupils, if the teaching is not an essential part of either the National Curriculum or a public examination syllabus followed by the pupil.

2.11 Other charges

Breakages and Damage

2.11.1 The Governing Body reserves the right to ask parents to contribute to the cost of repairs or of replacing defaced, damaged or lost property where this is a result of a pupil's inappropriate behaviour. Each incident should be dealt with on its own merit and at the school's discretion.

Uniform, PE Kit, Calculators, Pens etc. Aprons

2.11.2 Parents can be invited to equip their child with items of personal equipments intended to be used solely by their child.

2.12 Voluntary Contributions

2.12.1 Voluntary contributions in cash or kind may be made for school funds generally, school equipment or activities taking place during or outside the school day. 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 a particular activity cannot take place without some help from parents, this must be explained to them at the planning stage for the activity. If insufficient voluntary contributions are raised to fund a visit and there is no way to make up the shortfall, then it must be cancelled. Schools must make sure that they 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 - no pupil may be left out of an activity because his / her parents cannot, or will not make a contribution. The school must first decide which class, or group of pupils, will benefit from the activity and then look for voluntary contributions, either for that activity or by general fund-raising.

2.12.2 When making requests for voluntary contributions to the school funds, it must make clear that the contribution is voluntary, and parents must not be made to feel pressurised into paying. Schools should not send letters that can be seen as intimidating or coercive. The governing body must also make it clear that children of parents who do not contribute will not be treated any differently.

2.12.3 Schools should make it clear to parents at the outset what their policy for allocating places on school visits will be. It is also suggested that schools do not ask parents to set up direct debit or standing order mandates for servicing voluntary contributions.

2.12.4 The Welsh Government considers that it is good practice for schools to notify parents in plenty of time about forthcoming visits, charges for activities or requests for contributions. This is particularly important for costly matters such as residential visits. If the exact date and cost is not known, an indication should be given. Where practicable, it is good practice for schools to allow parents to pay for expensive trips by instalments over a reasonable period of time.

2.13 School minibuses

2.13.1 Only the school's pupils, staff or parents may travel for a charge in a school's minibus.

2.13.2 Schools may only charge pupils, staff or parents for transport in their minibuses if they hold a permit issued under section 19 of the Transport Act 1985, and only if the transport is for other activities that are not covered by "optional extras". In some cases, the permit exempts the school from Public Service Vehicle (PSV) operator and driver licensing requirements. A permit is not required if no charge is made in cash or kind. Schools should apply to their LA for a permit for each minibus.

2.13.3 Charges may recover some or all of the costs of running the vehicle, including loss of value. The school may not make a profit, either directly through the fares charged or incidentally as part of a profit-making activity, even if any profit would go into the school's other running costs or for charitable purposes. A charge is any payment made in cash or kind (such as a club subscription) by or on behalf of a person which gives him (or her) the right to be carried.

3. **OTHER CHARGES**

3.1 Governing Bodies may levy other charges, which will be subject to VAT regulations where applicable. These charges should be reviewed annually. Such charges include:

- Private photocopying / telephone calls.
- Income from sales (non-profit-making) - some goods may be purchased through the school for the convenience of parents, pupils or teachers. Schools should not seek to make a profit from these sales. Goods in this category could include books, educational consumables, etc.
- Income from sales (profit-making) - some goods will be sold through the school with the intention of making a profit and thus raising money for the school. Goods in this category could include school photographs, bring and buy items, etc, which may be subject to VAT. This income may be paid into the school's unofficial fund.
- Income from donations - from time to time, schools may seek voluntary donations for specific purposes. This may be via non-uniform days, sponsorship, etc. It will be made clear at the time of

asking that such donations are voluntary and the purpose for which the donation will be used. This income may be paid into the school's unofficial fund.

4. CHARGING FOR USE OF SCHOOL PREMISES

- 4.1 Governing Bodies control the use of the school premises, both during and outside the school day, but need to have regard to any rules set by Education. Schools must also have regard to the desirability of making the premises available outside school hours to the local community. Any lettings must not detract from the normal running of the school, or compromise the security of the pupils, staff or school.
- 4.2 Governors should review and set charges for the use of school premises on an annual basis.
- 4.3 Governing Bodies may not use their delegated budget to subsidise non-school activities. However, Governors may charge some organisations more so that the extra funds can be used to subsidise other users. Overall, community use must at least cover its own costs. Charges set should cover the cost of opening the school, including the cost of caretaker time and utilities (such as lighting and heating).
- 4.4 Income from lettings of community school premises belongs to the LA, but the scheme for financing schools allows schools to retain such income for their own use. Income from lettings of voluntary aided school premises should be retained by the school for its own use. Voluntary controlled schools are allowed to keep the income created from community use.
- 4.5 Lettings will be subject to conditions. This includes the need for any association, body, group, organisation or club (sporting or otherwise) to have in place their own Public Liability insurance at the required minimum level of £5m of liability, prior to the hire of the facilities. In addition, Governing Bodies should not be responsible for any losses or damage arising out of the letting and hirers should indemnify the school for such damage or loss.
- 4.6 Lettings can be arranged either by Education, or by schools themselves. Where lettings are organised by Education, all necessary documentation will be arranged and all income collected by Education. Income due to

schools will be paid either by journal transfer (for non-cheque book schools) or by BACS (for cheque book schools).

4.7 If schools arrange their own lettings, it is important to remember:

- The hirer must complete an application form prior to the school accepting the booking;
- The school must agree the conditions of hire with the hirer;
- Hirers must sign and return the hire agreement, agreeing to the conditions of hire.

4.8 The terms of a hire agreement must make it clear that the hirer will not have "exclusive" possession of any area of the school at any time. In that respect, the terms should provide that the hirer shall not impede the school's right to use its premises and that the hired area may be changed at any time at the school's discretion. If the school wishes to grant "exclusive" possession of an area then it should take legal advice before entering into an agreement. The arrangement may well be business tenancy and unless the hirer's statutory rights are excluded, the school will have difficulty in terminating the arrangement.

4.9 When hiring out part of a school building, measures should be taken to ensure that the rest of the building is fully secured e.g. zoned burglar alarms. Key-holding arrangements, as outlined in the school's emergency procedures, should remain in force when hiring out school premises.

4.10 Collection of debts

4.10.1 Income must be collected in full for all lettings of the school premises and VAT should be accounted for on all non-regular sports lettings.

4.10.2 Invoices raised should be raised promptly and signed by Headteacher or authorised senior officer prior to being issued to the debtor. An authorised copy of the invoice should be retained at the school.

4.10.3 All invoices should be recorded correctly (either on SIMS or another accounting package designed for lettings) and reconciled to income received on a regular basis. The Headteacher is responsible for the collection of all income for lettings arranged by the school and the Governing Body should consider whether to establish a bad debt provision for debts that are not paid.

5. CHARGING FOR SCHOOL MEALS AND MILK

- 5.1 The LA must provide a free meal in the middle of the day for pupils whose parents receive certain benefits, such as income support and income-based Jobseeker's Allowance. Any families in receipt of Working Tax Credit do not qualify. Children who receive Income Support or income-based Job Seeker's Allowance in their own right qualify for free meals as well.
- 5.2 Neither the LA nor the Governing Body has the power to provide free meals to any other pupil.
- 5.3 Parents wishing to claim for free meals for their child(ren) must complete an application form and submit it to the Chief Education Officer each year. The entitlement to receive free meals starts when the application is agreed, and cannot be backdated.
- 5.4 The LA and schools do not have to offer milk to pupils. Where it is offered, it must be free to pupils of parents on income support or receiving income-based Jobseeker's Allowance. European Union subsidy rules allow LAs and schools to offer nursery and primary school pupils a maximum of 250 ml of subsidised milk per day.
- 5.5 Nursery and children under 5 are eligible for free school milk under a government initiative (the Welfare Food Scheme).
- 5.6 In Cardiff, free milk is only supplied to the following pupils:
- All children under five
 - Children under the age of seven who would normally be entitled to free meals
 - All pupils in Foundation Phase.

This policy will be reviewed annually by the staff and the governing body curriculum committee.

Signature of headteacher: Date:

Signature of chairman of governors: Date:

