



## Charging Policy

Date adopted : September 2017 (and previously 2015 and 2016)

Date to be reviewed : Following DfE reviews of their advice

*This document is based on DfE's advice 'Charging for school activities', published in October 2014.*

**Commented [JB1]:** We have still not found any updated advice from DfE. Last update was Oct 2014.

### Main points

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 reflects the terms of the Education Act 1996, but it is not a substitute for those terms.

- The school, subject to any limited exceptions referred to in this policy, cannot charge for education provided during school hours (including the supply of any materials, books, instruments or other equipment).
- Lawnswood School must ensure that we 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.

## Education

Lawnswood School will not charge for:

- an admission application to our school or seek any 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>a</sup>, 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
- 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 at the school
- examination re-sit(s) if the student is being prepared for the re-sit(s) at the school <sup>b</sup>.

Lawnswood School may charge for:

- any materials, books, instruments, or equipment, where the student's parent wishes him/her to own them
- breakages, vandalism or wilful abuse to property, premises or other items or material owned or provided by the school or building owner.
- optional extras (see below)
- music and vocal tuition, in limited circumstances (see below)
- community facilities <sup>c</sup>.

### Notes

- a. a '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).
- b. 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.
- c. The powers to provide community facilities are under s.27(1) of the Education Act

### Optional extras

We may make charges for some activities that are known as 'optional extras'. Where an optional extra is being provided, Lawnswood School may make a charge 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 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) at the school
- transport (other than transport that is required to take the student to school or to other premises where we have arranged for the student to be provided with education)
- board and lodging for a student on a residential visit
- extended day services offered to students (e.g. breakfast club, after-school clubs, tea and supervised homework sessions).

In calculating the cost of optional extras, we may include an amount 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, including 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 students will not exceed the actual cost of providing the optional extra activity, divided equally by the number of students participating. It will 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 will not include the cost of alternative provision for those students who do not wish to participate. For example, no charge will 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 prerequisite for the provision of an optional extra where charges will be made.

#### **Voluntary contributions**

Legislation allows Lawnswood School 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, we will make this clear to parents at the outset. We will also make it clear to parents that there is no obligation to make any contribution.

No student 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, or we cannot fund it from some other source, the visit will be cancelled. If a parent is unwilling or unable to pay, their child will still be given an equal chance to go on the visit. We will endeavour to make it clear to parents at the outset what our policy for allocating places on school visits will be.

When making requests for voluntary contributions, we will state that contributions are voluntary and not compulsory.

#### **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.

We may charge for vocal or instrumental tuition provided either individually, or to groups of any size, if the tuition is provided at the request of the student(s) parent. Charges will not exceed the cost of the provision, including the cost of the staff who provide the tuition.

No charge will be made in respect of a student who is looked after by a local authority (within the meaning of section 22(1) of the Children Act 1989).

#### **Transport**

We will not charge for:

- transporting registered students to or from the school premises, where the local education authority has a statutory obligation to provide transport
- transporting registered students to other premises where we or the local authority 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 at the school

- transport provided in connection with an educational visit.

### **Residential visits**

Lawnswood 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 student 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 students on a residential visit.

Lawnswood School may charge for:

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

When we inform parents about a forthcoming visit, we will endeavour to 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:

- Universal Credit in prescribed circumstances
- 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 HMRC) does not exceed £16,190 (financial year 2013/14)
- the guarantee element of State Pension Credit
- an income related employment and support allowance that was introduced in 2008.

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

Where an activity takes place partly during and partly outside school hours, a charge will 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 (including travel time) occurs during school hours, it is deemed to take place during school hours. 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.

### **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.

For example, 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.

Or, 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.