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## John Milton Academy Trust

# Charging and Remissions Policy

### History of Document

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### 1. Purpose

- 1.1** This document sets out the John Milton Academy Trust's policy and procedures for ensuring a fair and equitable approach to charging parents and carers for school activities in compliance with the requirements of the law.
- 1.2** No charges may be made for any school activities unless there is an agreed charging and remissions policy in place.
- 1.3** Under the charging provisions set out in legislation, governing bodies may choose to charge for certain defined activities. Academies are required through their funding agreements to comply with the law on charging for school activities.
- 1.4** It is the intention of the John Milton Academy Trust that this Charging and Remissions Policy supports the Trust's aim of providing a broad and balanced curriculum for all children and young people regardless of their family circumstances. This includes the provision of offsite learning activities.

## 2. The Legal Position

**2.1** The Education Act 1996, which sets out the law on charging for schools in England, distinguishes between those activities for which schools can charge and those for which they may only request voluntary contributions.

**2.2** The items and activities for which schools in the John Milton Academy Trust **can charge** are:

- a) any materials, books, instruments, or equipment, where the child's parent wishes him/her to own them;
- b) optional extras (see 2.3 below);
- c) music and vocal tuition, in limited circumstances (see Section 6);
- d) certain early years provision;
- e) community facilities.

**2.3** **Optional extras** are:

- a) education provided outside of school time that is not: i) part of the national curriculum; ii) part of a syllabus for a prescribed public examination that the pupil is being prepared for at the school; or iii) part of religious education.
- b) examination entry fee(s) if the registered pupil has not been prepared for the examination(s) at the school;
- c) 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);
- d) board and lodging for a pupil on a residential visit;
- e) 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 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.

**2.4** Where an optional extra is being provided a charge can be made for providing materials, books, instruments, or equipment. 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.

**2.5** Schools within the John Milton Academy Trust **cannot charge** for:

- a) admission applications - paragraph 1.9 (n) of the 'School Admissions Code 2012' rules out requests for financial contributions as any part of the admissions process;
- b) education provided during school hours (including the supply of any materials, books, instruments or other equipment);
- c) 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 part of religious education;
- d) instrumental or vocal tuition, for pupils learning individually or in groups, unless the tuition is provided at the request of the pupil's parent;
- e) entry for a prescribed public examination, if the pupil has been prepared for it at the school; and
- f) examination re-sit(s) if the pupil is being prepared for the re-sit(s) at the school

**2.6** Schools within the John Milton Academy Trust can ask parents/carers for **voluntary contributions** towards the following activities:

- a) education provided during school hours (including the supply of any materials, books, instruments or other equipment) e.g. visiting theatre company
- b) offsite learning that 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. This includes the cost of transport (see 4.2 below).

However, it should be made clear to parents/carers that:

- a) there is no obligation to make any contribution. 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.
- b) if insufficient voluntary contributions are raised to fund a visit, or the school cannot fund it from some other source, then it must be cancelled. Schools must ensure that they make this clear to parents.
- c) if a parent is unwilling or unable to pay, their child must still be given an equal chance to go on the visit.

### **3. Offsite learning activities (see also the Offsite Learning Policy)**

**3.1** Schools **cannot** charge for:

- a) education provided on any visit that takes place during school hours (see 3.3 below);
- b) 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;
- c) supply teachers to cover for those teachers who are absent from school accompanying pupils on a residential visit.

**3.2** Schools **can** charge for:

Board and lodging during residential activities though 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 certain benefits will be exempt from paying the cost of board and lodging (see Section 9)

- 3.3** 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. 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.
- 3.4** In the case of residential activities 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.

## **4. Transport**

**4.1** Schools cannot charge for:

- a) transporting registered pupils to or from the school premises, where the local education 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; and
- d) transport provided in connection with an educational visit.

**4.2** Schools within the John Milton Academy Trust can ask for a voluntary contribution towards transport provided in connection with an educational visit (4.1d) in keeping with the provisions in 2.6 above.

## **5. Items on Loan/Hire to Students**

**5.1** If books or other resources required for the National Curriculum or examination courses are 'loaned' to students they must be returned in good order. If the book or resource is deemed damaged, defaced or lost, then the replacement cost will have to be met by the child/young person or their parent/carer. This should be clearly set out in writing by the school on issue of the book or resource and the agreement signed by the pupil/student.

**5.2** The cost of purchase or hire of instruments, materials, equipment or clothing for activities, which take place outside school hours and which are purely voluntary and optional can be charged to parents/carers.

**5.3** Schools may charge for materials or require them to be provided if parents/carers have indicated in advance that they wish to own any finished product produced in school e.g. Design Technology Products.

- 5.4** Where lockers are made available to pupils/students at the time of intake in which to keep books, PE Kit or other personal belongings then a non refundable charge may be made to provide the keys supplied by the school. This charge should not exceed the actual cost of the keys.
- 5.5** It remains the parents/carers' responsibility to supply school uniform including PE Kit.

## **6. Examination Fees**

- 6.1** Examination fees for qualifications taught as part of the school curriculum must be paid for by the school.
- 6.2** Where a student requests a resit to improve their grade and no formal teaching has been provided by the school then the cost is met by the student or their parents/carers. At Governors' discretion, the school will subsidise a resit cost up to 50% for one application in any one academic year.

## **7. Music Tuition**

- 7.1** 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.
- 7.2** Schools within the John Milton Academy Trust may charge 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. Any examinations relating to music tuition will be charged for. Charges may not exceed the cost of the provision, including the cost of the staff who provide the tuition. Costs are charged termly and will be subject to review each academic year.
- 7.3** A charge 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.
- 7.4** 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).

## **8. Repairing damage and replacing equipment**

Schools within the John Milton Academy Trust can charge parents/carers for the cost of repairing damage and replacing equipment (lost, defaced or damaged) when this damage or loss is the result of their child's behaviour or negligence.

## **9. Community facilities**

- 9.1** The schools of the John Milton Academy Trust are allowed to provide facilities that can be used by

the local community if these facilities further any charitable purpose for the benefit of the pupils at the school or their families or people who live or work in the locality in which the school is situated.

- 9.2** The schools of the John Milton Academy Trust can charge for the use of these facilities and a profit can be generated providing it is spent on the purposes of the relevant school and/or on community facilities.

## **10. Early Years Provision**

- 10.1** Early years provision falls under the remit of the Childcare Act 2016 and the document '*Early education and childcare; statutory guidance for local authorities*' DfE March 2017 should be referred to with regard to the details of those elements of provision for which schools may make a charge.
- 10.2** As with compulsory schooling a distinction is made between those items and activities for which a charge made be made and those for which a voluntary contribution may be requested.
- 10.3** The schools within the John Milton Academy Trust which are engaged in early years provision will have in place an appendix to this policy approved by the trust board that specifies charges and remissions for this provision.

## **11. Remissions**

- 11.1** There are circumstances in which the schools within the John Milton Academy Trust will exempt parents/carers from charges or supplement voluntary contributions by parents/carers.
- 11.2** Assistance via the Pupil Premium fund is available for:
- a) pupils/students who either currently receive Free School Meals, or who have done in the last six years.
  - b) pupils/students whose parents are in the armed forces and who qualify for Service Personnel Pupil Premium.
  - c) looked after children.
  - d) pupils/students who have been adopted from care.
- 11.3** Parents/Carers must apply to Suffolk County Council to receive Free School Meals for their child in order to trigger Pupil Premium payments to a school and therefore qualify for financial assistance from that school. Free School Meals are available to students whose parents are in receipt of any of the following:
- a) Income Support
  - b) Income based Job Seeker's Allowance
  - c) Income related Employment and Support Allowance
  - d) Guarantee element of State Pension Credit
  - e) Child Tax Credit but not the Working Tax Credit
  - f) Support under Part VI of the Immigration and Asylum Act 1999

- g) Working Tax Credit during the four-week period immediately after employment finishes or after they start to work less hours per week
- h) Universal Credit

- 11.4** Assistance for Pupil Premium students (with trips, visits, uniform, revision materials for example) may be available and parents / carers should consult the respective school website for information. Pupil premium funds are allocated each year in line with the Trust's Pupil Premium Policy and the resources available to each school.
- 11.5** Individual governing bodies may, from time to time, use their discretion to remit all or part of the cost of activities involving particular students. When arranging a chargeable activity, the Governing Body will invite parents to apply in confidence for the remission of charges. A 50% subsidy would be the standard amount, although in exceptional circumstances full remission may be offered. Authorisation of remission will be made by the Headteacher or Deputy Headteacher on behalf of the governors. All parents, however, will have the right of appeal to the Governing Body, normally represented by the Chair or Vice Chair of Governors. In the case of optional extra activities only one application for financial assistance in any one Academic year will be considered.

### **References**

*'Charging for school activities' DfE October 2014*

*'Early education and childcare; statutory guidance for local authorities' DfE March 2017*

*'Guidance on charging for school activities' NAHT May 2017*