



## ST JOHN'S CATHOLIC PRIMARY SCHOOL

### West Sussex County Council Policy on Charging For School Activities

#### SUMMARY

This document explains the legislation governing the charging for school activities as set out in the Education Act 1996: Sections 449-462. It covers what a governing body may and may not charge for when activities take place either during or outside of school hours, including residential activities. The need to have charging and remissions policies and requests for voluntary contributions is also addressed.

#### EDUCATION DURING SCHOOL HOURS

Education provided during school hours must be free. At St. John's the school day for all children is

EYFS & Key Stage 1 8.45 – 12.00 and 1.00-3.00

Key Stage 2 8.45 – 12.15 and 1.00-3.00

No charge can be made for:

- Admitting pupils to maintained schools.
- Materials, books and equipment, including instruments
- Transport provided in school hours by the Local Authority (LA) or by the school to carry pupils between the school and an activity. "School hours" are those when the school is actually in session and do not include the break in the middle of the school day.
- 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 for which the pupil is being prepared at the school, or part of religious education. (But see para. 11 below for exceptions.)

Charges may be made for:

- Any materials, books, instruments, or equipment, where parents wish their child to own them
- Optional extras (see para. 8)
- Music and vocal tuition in limited circumstances (see para. 12)

### EDUCATION PARTLY DURING SCHOOL HOURS

Sometimes an activity may happen partly during and partly outside school hours. If most of the time spent on a non-residential activity occurs during school hours, that activity counts as taking place entirely in school hours and no charge may be made. (Time spent on travel only counts as being during school hours if the travel takes place during school hours.)

As an example, a long-distance trip might involve much travel before and after normal school hours, but if the time spent at the destination fell mainly within school hours, the trip would count as happening in school time and be free of charge. By contrast, a trip that involved leaving school an hour or so earlier than usual in the afternoon, but then went on until quite late in the evening, would be classified as taking place outside school time. Charges would then be allowed, provided the activity was not part of the National Curriculum, not part of a syllabus for a prescribed public examination for which the pupil was being prepared at the school and not part of religious education. (See para 8.)

### EDUCATION OUTSIDE SCHOOL HOURS

Parents can only be charged for activities that happen outside school hours when these activities are not a necessary part of the national curriculum or do not form part of the school's basic curriculum for religious education. In addition, no charge can be made for activities that are an essential part of the syllabus for an approved examination (see paragraph 14 on Public examinations).

Charges may be made for other activities that happen outside school hours if parents agree to pay. The Education Act 1996 describes activities that can be charged for as "optional extras". It is up to the LA or governing body providing the activities to decide whether to make a charge, but any charge must not exceed the actual cost per individual child for whom charges are being made. Optional extras are:

Education provided outside of school time that is not:

- Part of the National Curriculum
- Part of a syllabus for a prescribed public examination for which the pupil is being prepared at the school
- Part of religious education
- Examination entry fees if the pupil has not been prepared for the examination at the school
- Transport that is not required to take the pupil to school or to other premises where arrangements have been made for the pupil to be provided with education
- Board and lodging for a pupil on a residential visit.

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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
- 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
- The cost, or a proportion of the costs, for teaching staff employed to provide tuition in playing a musical, where the tuition is an optional extra.

### RESIDENTIAL ACTIVITIES

Special rules apply for residential activities. A trip counts as falling within school time if the number of school sessions missed by the pupils amounts to half or more of the number of half-days taken up by the activity. Each school day is normally divided into two sessions and each 24 hour period is divided into two half-days beginning at noon and at midnight.

On this basis, a term-time trip from noon on Wednesday to 9.00 p.m. on Sunday would last for nine half-days, include five school sessions and would count as taking place in school time. A trip from noon on Thursday to 9.00 p.m. on Sunday would count as seven half-days, include three school sessions and would be classified for charging as taking place outside school time. If fifty per cent or more of a half-day is spent on a residential trip, you should treat the whole of that half-day as spent on the trip.

If a residential activity takes place largely during school time, 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. However, charges, not exceeding the actual cost for the individual pupil, can be made for board and lodging in these circumstances except for pupils whose parents are receiving:

- Income Support;
- Income based Jobseeker's Allowance;
- Support under Part 6 of the Immigration and Asylum Act 1999;
- Child Tax Credit (providing that they are not entitled to Working Tax Credit and have an annual income, assessed by Her Majesty's Revenue and Customs, that does not exceed the amount set each financial year);
- The guaranteed element of State Pension Credit
- An income related employment and support allowance introduced on 27<sup>th</sup> October 2008.

The school must advise all parents of the right to claim free activities if they are receiving these benefits.

## MUSICAL INSTRUMENT TUITION

There is an exception to the rule about not charging for activities in school hours. The Education and Inspections Act 2006 introduced a regulation-making power which allowed the Department for Children, Schools and Families (DCSF) to specify circumstances where charges can be made for music tuition. The new regulations, which came into force in September 2007, provide pupils with greater access to vocal and instrumental tuition.

Charges may now be made for teaching either an individual pupil or groups of any appropriate size (provided that the size of the group is based on sound pedagogical principles) to play a musical instrument or to sing. Guidance about the charging regulations can be found on TeacherNet. Charges may only be made if the teaching is not an essential part of either the national curriculum or a public examination syllabus being followed by the pupil(s), or the first access to the Key Stage 2 Instrumental and Vocal Tuition Programme (Wider Opportunities).

## PUBLIC EXAMINATIONS

No charges may be made for entering pupils for public examinations that are set out in Regulations. The governing body must enter a pupil for each examination in a public examination syllabus for which the school has prepared the pupil. This does not apply if the governing body thinks there are educational reasons for not entering the pupil, or if the pupil's parents request in writing that the pupil should not be entered. The LA may not override the governing body's decision on whether to enter a particular pupil for an examination.

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;
- 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.

Charges may not be made for any cost associated with preparing a pupil for an examination. However, charging is allowed for tuition and other costs if a pupil is prepared outside school hours for an examination that is not set out in Regulations.

## ACTIVITIES NOT RUN BY THE SCHOOL OR LA

When an organisation acting independently of a school or LA arranges an activity to take place during school hours and parents want their children to join the activity, such organisations may charge parents. Parents must then ask the school to agree to their children being absent, just as they would if they wanted to take their children out of school for a family holiday. 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 is the DCSF's view that 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 4A(a) of the Education (Pupil Registration) Regulations 1995 (as amended).

## VOLUNTARY CONTRIBUTIONS

Although schools cannot charge for school-time activities, they may still invite parents and others to make voluntary contributions (in cash or in kind) to make school funds go further. All requests to parents for voluntary contributions must make it quite clear that the contributions would be voluntary. Governing bodies should also make it clear that children of parents who do not contribute will not be treated any differently. If a particular activity cannot take place without some help from parents this should be explained to them at the planning stage.

Where there are not enough voluntary contributions to make the activity possible and there is no way to make up the shortfall, the activity must be cancelled. The essential point is that no pupil may be left out of an activity because his or her parents cannot, or will not, make a contribution of any kind. The school must first decide which class, or group of pupils, will benefit from the activity and then look for voluntary contributions, or by general fundraising. Governors would be free to use the school budget share to meet the cost of such activities.

## CHARGING POLICIES

The LA or governing body may not charge for anything unless it has drawn up a statement of general policy on charging. The governing body's policy may be more or less generous than the LA's, as long as it meets the requirements of the law. A policy statement will take account of each type of activity that can be charged for and explain when charges will be made. If a charge is to be made for a particular type of activity, for example optional extras, parents need to know how the charge will be worked out and who might qualify for help with the cost (or even get it free). This information should be made available to parents.

If a charge is made for each pupil it must not exceed the actual cost. If further funds are required, for example, to help in hardship cases, this must be by voluntary contributions, general fundraising, or from the school budget share.

The permitted charge may include an allowance for the costs of teachers from the school who supervise the activity, but only if those teachers have been given a separate contract to provide the optional extra. A contract need not be a formal document. It could be a simple letter to a teacher asking him or her to provide a service on a particular occasion.

## THE LAW

**N.B.** As legislation is often amended and Regulations introduced, the references made in this document may be subject to legislation that has been superseded. For an up-to-date list of legislation applying to schools, please refer to the GovernorNet website, [www.governet.co.uk](http://www.governet.co.uk)

Education Act 1996: Sections 402, 449-462

The Education (Prescribed Public Examinations) Regulations 1989: SI 1989/377

The Education (Residential Trips) (Prescribed Tax Credits) (England) Regulations 2003: SI 2003/381

The Education (Pupil Registration) Regulations 1995: SI 1995/2089 (as amended by the Education (Pupil Registration) (Amendment) Regulations 1997 SI 1997/2624, and by the Education (Pupil Registration) (Amendment) (England) Regulations: SI 2001/2802)



## St John's Catholic Primary School

### Summary Statement of Charging and Remissions Policy

St John's Catholic Primary School believes that all our pupils should have an equal opportunity to benefit academically, personally and socially from school activities and visits and aims to promote and provide such activities as part of the school's broad and balanced curriculum and extended out of hours provision. This charging and remissions statement describes how we will apply legislation and try to minimise the financial barriers which may prevent some pupils taking full advantage of the opportunities provided.

The Governing Body reserves the right to charge in the following circumstances for activities organised by school:

- The cost, not exceeding the actual cost per individual child, of activities mainly outside school hours which are optional extras e.g. clubs for which the school is charged
- The cost of ingredients and materials (or require them to be provided) if the parents have indicated in advance that they wish to have the finished product.
- Music Tuition for either individual or groups of children where the teaching is not part of the National Curriculum.
- The cost of any board and lodging in any residential visit in school time or in any visit that takes place as part of the National Curriculum, except where a pupil's parents receive:

- Income Support
- Income based jobseeker's Allowance
- Support under Part 6 of the Immigration and Asylum Act 1999
- Child Tax Credit (providing that they are not entitled to Working Tax Credit and have an annual income, assessed by the HMRC, not exceeding £16,190)
- A guaranteed element of State Pension Credit
- An income related employment and support allowance introduced on 27 October 2008

Although the school cannot charge for school-time activities, the Governors authorise the school to invite parents to make voluntary contributions towards the cost of the activity. It will be made clear that contributions are voluntary but where insufficient contributions are received, trips or activities may be cancelled. This proviso applies to all activities (both charged and those where voluntary contributions are sought).

The Governors will request parents to pay for the cost of replacement or repair of equipment or of premises broken or damaged deliberately by pupils either during or out of school hours.

The Governors reserve the right to amend this summary statement annually, or more often if require

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