

Brandles School

Part of Larwood Academy Trust



S Barr

Sandra Barr

Chair of Trustees Signature

APPROVED DATE

Sept 2020

S Trimble

Sean Trimble

Executive Headteachers Signature

Review Date

SEPT 2022

CHARGING

POLICY

Executive Headteacher: Mr Sean Trimble

Registered office: C/o Brandles School, Webb Rise, Stevenage, Hertfordshire. SG1 5QU, UK.

Company Number: 10359418

Telephone: 01438 236333 Email: admin@Brandles.herts.sch.uk

(Based on the guidance provided in the ‘Governors’ Guide to the Law’ -Sept 2014 version
and DFE Guidance issued in Oct 2014)

We aim to provide a broad, balanced, and appropriate curriculum for all our students. We also recognise the importance of other events such as trips and visits that help students to learn, achieve and enjoy their time at Brandles School. Therefore, our policy seeks to comply with national legislation whilst ensuring that no child misses out, due to financial constraints, and equal opportunities are presented to all students.

The Local Authority or Governing Body may not charge for anything unless they have drawn up a statement or general policy on charging. The Governing Body's policy may be more, or less generous than the Local Authority's, as long as it meets the requirements of the law.

In general, no charge can be made for admitting students to maintained schools. Where education is provided wholly or mainly during school hours, it must be free. However, the school may charge for activities outside of school hours where these are not a necessary part of the national curriculum.

SCHOOL GOVERNING BODIES AND LOCAL AUTHORITIES, CANNOT CHARGE FOR:

- 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 curriculum¹, 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 students learning individually or in groups, unless the tuition is provided at the request of the pupil's parent.
- entry for a prescribed public examination, if the pupil has been prepared for it at the school; and
- examination re-sit(s) if the pupil is being prepared for the re-sit(s) at the school².

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).

SCHOOLS AND LOCAL AUTHORITIES CAN CHARGE FOR:

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

- certain early years provision
- community facilities

OPTIONAL EXTRAS

Charges may be made for some activities that are known as ‘optional extras. Where an optional extra is being provided, a charge can 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 a syllabus for a prescribed public examination that the pupil is being prepared for at the school; or
 - C. part of religious education.
- examination entry fee(s) if the registered pupil has not been prepared for the examination(s) at the school.
 - 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).
 - board and lodging for a pupil on a residential visit.
 - extended day services offered to students (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.

Any charge made in respect of individual students must not exceed the actual cost of providing the optional extra activity, divided equally by the number of students participating. It must 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 cannot include the cost of alternative provision for those students 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 students on a residential visit.

Participation in any optional extra activity will be based on 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

Nothing in legislation prevents a school governing body or local authority from asking 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 must also make it clear that there is no obligation to make any contribution.

It is important to note that no child should be excluded from any activity simply because his or her parents are unwilling or unable to pay. 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. If a parent is unwilling or unable to pay, their child must still be given an equal chance to go on the visit. Schools 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, parents must not be made to feel pressurised into paying as it is voluntary and not compulsory. Schools should avoid sending colour coded letters to parents as a reminder to make payments and direct debit or standing order mandates should not be sent to parents when requesting contributions.

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(1) of the Children Act 1989).

TRANSPORT

SCHOOLS CANNOT 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 the governing body or local authority has arranged for students 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.

CHARGING AND REMISSIONS POLICIES

No charges can be made unless the governing body of the school or local authority has drawn up a charging policy giving details of the optional extras or board and lodging that they intend to charge for, and a remissions policy.

The governing body's policy may be generous than the local authority's, if 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. The remissions policy must set out any circumstances in which the school or local authority propose to remit (wholly or partly) any charge which would otherwise be payable to them in accordance with their charging policy. For example, a school may decide to provide an Italian language evening class as an optional extra. The governing body may decide to reduce the cost for those children whose parents are in receipt of certain benefits.

RESIDENTIAL VISITS

SCHOOLS CANNOT 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.
- supply teachers to cover for those teachers who are absent from school accompanying students on a residential visit.

FAMILIES QUALIFYING FOR REMISSION OR HELP WITH CHARGES

To remove financial barriers from disadvantaged students, the governing body has agreed that some activities and visits where charges can legally be made may be offered at no charge or at reduced charge to parents/carers in particular circumstances. Examples of such circumstances are given below:

- 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 Her Majesty's Revenue and Customs) 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 on 27 October 2008.

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 can 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 students 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 students 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 two sessions. A 'half day' means any period of 123 hours ending with noon or midnight on any day.

VOLUNTARY CONTRIBUTIONS

The Head teacher or Governing Body may ask parents for a voluntary contribution towards the cost of:

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

The contribution must be genuinely voluntary, and the students of parents who are unable or unwilling to contribute will not be discriminated against. Where there are not enough voluntary contributions to make the activity possible, and there is no way to make up the shortfall, then it will be cancelled.