

# Children's Services Department

*Every Child Matters*



## **Jesmond Gardens Primary School**

# **Charging for School Activities Policy**

**November 2006**

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## **Introduction**

The purpose of this guidance is to help head teachers and governing bodies set out their policies on charging and remission for school activities and school trips.

This guidance has been written to provide at-a-glance information and complements the information given in “A Guide to the Law for School Governors 2006 6<sup>th</sup> Edition” (Chapter 16). This guidance accurately reflects the terms of the Education Act 1996, but is not a substitute for those terms.

## **Charging Policies**

No charges can be made unless **the local authority and the Governing Body has drawn up a statement of general policy on charging**, giving details of the optional extras or board and lodging for which they intend to charge.

## **Education**

### **Schools cannot charge for:**

- 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 part of 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 part of religious education;
- entry for a prescribed public examination, if the pupil has been prepared for it at the school;
- Examination re-sit(s) if the pupil is being prepared for the re-sit(s) at the school. However, if a pupil fails, without good reason, to meet any examination requirement for a syllabus, the fee can be recovered from the pupil’s parents.

### **Schools can charge for:**

- any materials, books, instruments, or equipment, where the child’s parent wishes him/her to own them;
- Optional Extras. [see appendix 1]
- Music Tuition, in limited circumstances. See page 2.

## **Voluntary Contributions**

Nothing in legislation prevents a school from asking for voluntary contributions to benefit the school or any school activities. **Voluntary contributions should be in cash.**

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 should also make it clear to parents that there is no obligation to make any contribution. It is also important to note that no child should be excluded from an activity simply because his/her parents are unwilling or unable to pay.

If insufficient voluntary contributions are raised to fund a trip, then it must be cancelled.

## **Residential Trips**

### **Schools cannot charge for:**

- education provided on any trip that takes place during school hours;
- education provided on any trip 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 pupils on a residential trip.

### **Schools can charge for:**

- board and lodging, **including that of necessary supervisory staff**, but the charge must not exceed the actual cost.

When a school informs parents about a forthcoming trip, they should 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:

- Income Support;
- Income-based Jobseekers Allowance;
- 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 the Inland Revenue) does not exceed £13,910 (FY 2005-06).
- Guarantee element of State Pension Credit.

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 trips will be.**

A flow chart giving guidance on charging for educational visit is given in appendix 2. Information for schools on charging and exemptions from charges which parents should receive when the visit is proposed is given in appendix 3.

## **Music Tuition**

Although the law states that all education provided during school hours must be free, **music lessons are an exception to this rule.**

Charges may be made for tuition in playing a musical instrument, for either an individual pupil or groups of up to four, **provided that the teaching is not an essential part of either the National Curriculum, or part of a public examination syllabus that the pupil is being prepared for at the school.**

The costs, or a proportion of the costs, for providing teaching staff for tuition in playing a musical instrument outside school hours can be charged, **if the tuition is not part of the National Curriculum, or part of a public examination syllabus that the pupil is being prepared for at**

**the school.** This is a permitted optional extra.

## **Transport**

### **Schools cannot charge for:**

- Transporting registered pupils to or from the school premises, where the children's services authority has a statutory obligation to provide transport;
- Transporting registered pupils to other premises where the governing body or children's services authority has arranged for pupils to be educated;
- Transport that enables a pupil to meet an examination requirement when he/she has been prepared for that examination at the school;
- Transport provided in connection with an educational trip.

### **Can charge for:**

- Any other transport. This is a permitted optional extra. [see appendix 1]

## **Remissions Policies**

The governing body must also have a remissions policy, setting out any circumstances in which they 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.)

## **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.**

## **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 trip is equal to or greater than 50% of the number

of half days spent on the trip, 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.

Using the above calculation, the trip below would equate to nine half day sessions, five of which are deemed to be in school hours, i.e. more than 50%.

**Example 1: Visit during school hours**

Pupils are away from noon on Wednesday to 9pm on Sunday. This counts as 9 half days including 5 school sessions, so the trip is deemed to have taken place during school hours.

**Example 2: Visit outside school hours**

Pupils are away from school from noon on Thursday until 9pm on Sunday. This counts as 7 half days including 3 school sessions, so the trip is deemed to have taken place outside school hours.

### 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 and accommodation and transport costs of supervisory staff on residential visits

#### **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 that is not required to take the pupil to school, or to other premises where the local education authority/governing body have arranged for the pupil to be provided with education;
- board and lodging for a pupil on a residential trip;
- any materials, books, instruments, or equipment provided in connection with the optional extra. [See paragraph below]
- non-teaching staff, for example:
  - NGB coaches,
  - activity instructors, etc
- 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 instrument, where the tuition is an optional extra.
- Breakfast Club (current cost is £2.50 per day)

Any charge made in respect of individual pupils may not exceed the actual cost of providing the optional extra activity, divided equally by the number of **pupils** participating.

**It may not include therefore 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 trip.**

The charge cannot exceed the actual cost of providing the optional extra or the board and lodging.

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 pre-requisite for the provision of an optional extra where charges will be made.