



Millfields Community School

**Charging Policy
2022/23**

Introduction

This document sets out the school's policy on charging and remission for school activities and school visits, in line with the Education Act 1996. The Head Teacher and Governing Body recognise the value of providing a wide range of experiences to enrich and extend pupils' learning and to contribute to their personal development. The school therefore aims to promote and provide such experiences for our pupils, both as part of a broad and balanced curriculum and as additional optional activities. Activities must be accessible to all pupils regardless of family income, offered at a minimum cost to parents, pupils and the school while recognising the wide variations in family income and while not adding additional unexpected burdens to the school budget.

Charges can be made for any activity which the school's Governing Body authorise and which is chargeable under the Act and where the activity takes place wholly or mainly outside the school session time. In general, the parents of all participants in an educational activity, arranged by the school, for which a charge is applicable, will be expected to contribute. Where educational activities are provided by third parties, their charges will be passed on to the parents of participating pupils. No charge will be made for activities which form part of the normal curriculum entitlement of pupils or for admission. Voluntary contributions may be sought for activities during the school day which entail additional costs, (for example field trips).

The Headteacher will ensure that staff are familiar with and correctly apply the policy and the Governing Body will review the policy annually.

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 guidance has been written to provide at-a-glance information and complements the information given in "A Guide to the Law for School Governors" (Chapter 23). This guidance accurately reflects the terms of the Education Act 1996, but it is not a substitute for those terms. This guide is also referred to in paragraph 1.82 in the School Admissions Code, and in paragraph 1.97 in the revised School Admissions Code (in force from 10/2/09).

Schools must ensure that they inform parents on low incomes and in receipt of the benefits listed on page 4 of this guide of the support available to them when being asked for contributions towards the cost of school visits.

Education

Millfields Community School and Local Authority **cannot** charge for:

- an admission application to school;
- 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;
- 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; and
- examination re-sit(s) if the pupil is being prepared for the re-sit(s) at the school².

Millfields Community School and Local Authority **can** charge for:

- any materials, books, instruments, or equipment, where the child's parent wishes to own them;
- optional extras (see below); and
- Music and vocal tuition, in limited circumstances (see page 4).

1. 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.

¹ 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).

² 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.

- 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 authority/governing body have arranged for the pupil to be provided with education; and
- board and lodging for a pupil on a residential visit.

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; and
- 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.

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

2. Voluntary Contributions

Nothing in legislation prevents Millfields Community School and 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, then this should be made clear to parents at the outset. The governing body or head teacher **must** also make it clear to parents that 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. If insufficient voluntary contributions are raised to fund a visit, then it must be cancelled. The school must make sure that this is made 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. The school 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 to the school funds, parents must not be made to feel pressurised into paying as it is voluntary and **not compulsory**. The school should also ensure that direct debit or standing order mandates are not sent to parents when requesting for contributions.

3. Residential Visits

Millfields Community School **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; and
- supply teachers to cover for those teachers who are absent from school accompanying pupils on a residential visit.

Millfields Community School **can** charge for:

- board and lodging and 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 the following benefits will be in receipt of a discounted rate for paying the cost of board and lodging:

- 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 £17,005 (Financial Year 2022/23);
- the guarantee element of State Pension Credit; and
- an income related employment and support allowance that was introduced on 27 October 2008.

4. Music Tuition

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

The Education and Inspections Act 2006 introduced a regulation-making power which allowed the Department for Children, Schools and Families to specify circumstances where charging 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. 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).

5. Transport

Millfields Community School **cannot** charge for:

- transporting registered pupils to or from the school premises, where the local education authority has a statutory obligation to provide transport;
- transporting registered pupils to other premises where the governing body or local education authority has arranged for pupils 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.

6. 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.

7. 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.

8. 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.

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 visit is deemed to have taken place during school

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 visit is deemed to have taken place outside school hours.

9. Concessions

The school may choose to subsidise, in full or part, charges for certain activities and pupils, as determined by the Governing Body, advised by the Headteacher. The circumstances in which concessions are applied will be reviewed regularly.

10. Voluntary Contributions

Where the school ask for voluntary contributions, we will make it clear that children of parents who choose not to contribute will not be treated differently from those who do. No pupil will be excluded from the activity if their parents do not contribute. However, if an activity cannot go ahead without sufficient voluntary contributions, this will be explained to parents when the contribution is requested. If the activity has to be cancelled due to insufficient funds, all monies received will be returned to parents.

11. Damage to Property and Breakages

The school may seek to recover some or all of the costs incurred due to wilful damage or breakage of school property (or the property of a third party, where the school has been charged). This will be determined by the Headteacher.

12. Childcare

The school will charge families for any childcare offered to children before and after school (and during school holidays), with the level of fees and any remissions to be set and reviewed regularly by the Governing Body, and in accordance with any requirements set by the local authority where it is subsidising the provision.

13. Hire of Premises

The school may hire its premises, as part of its community engagement programme. However, a separate lettings policy will be agreed by the Governing Body, along with charges, terms and conditions.

14. Other Charges

Third Party Activities: Arranged during school hours for which a child is being released from school at the request of their parent (In such circumstances any charge arising maybe agreed and paid by the parent direct to the third party).

Other Transportation: The cost of using any alternative transport between home and any other place where education is to be provided when transport from the school is available.

Lunches: Payments for school dinners are usually collected either weekly or in advance for a period of weeks (half-termly or termly).

Photocopying: Any photocopying that is requested by parents relating to their child, under the 'Freedom of Information Act.

Private fees: Any report or data that is requested on a child for the purpose of a third party private assessment requested by a parent (eg. Mid-year pupil progress report for solicitors, private psychologist reports or solicitor reports) will be charged at an agreed rate by the Headteacher in discussion with the Chair or Vice-chair of Governors. This rate will include a cost for staff time to sort and collate the relevant information as well as photocopying charges and postage.

Examination Entry Fee(s) if the registered pupil has not been prepared for the examination(s) at the school;

By order of the Governing Body of Millfields Community School agreed at the Governing Body Meeting on:

Signed: **Date:**
Head teacher

Signed: **Date:**
Chair of Governing Body

Signed: **Date:**
Chair of Finance & Resources Committee of Governing Body

Date of next review: