



# **Charging and Remissions Policy**

**(including Debt Recovery Policy)**

**Adopted by Governing Body: July 2019**

**Due for review: 2021/22**

## **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 visits.

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 para 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**

School governing bodies and local authorities **cannot** charge for:

- an admission application to any maintained 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 Curriculum<sup>1</sup>, 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

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<sup>1</sup> 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).

- examination re-sit(s) if the pupil is being prepared for the re-sit(s) at the school<sup>2</sup>.

Schools and local authorities **can** charge for:

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

### **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 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

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<sup>2</sup> 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.

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.

### **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 makes 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 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 to the school funds, parents must not be made to feel pressurised into paying as it is voluntary and **not compulsory**.

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

Schools **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 free school meals the following benefits will be exempt from 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 £15,575 (Financial Year 2014/15);
- the guarantee element of State Pension Credit; and
- an income related employment and support allowance that was introduced on 27 October 2008.

### **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 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).

### **Transport**

Schools **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.

### **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.

## **TRINITY CE PRIMARY SCHOOL**

### **DEBT RECOVERY POLICY**

#### 1. General requirements

Trinity CE Primary School will take all reasonable measures to vigorously collect debts as part of its management of public funds. A debt will be written off only after all reasonable measures (commensurate with the size and nature of the debt) have been taken to recover it.

The school's debt recovery policy will observe the relevant financial regulations and guidance set out in the Scheme for Financing Schools and any other legal requirements.

## 2. Acceptable 'credit period'

### Invoices

In general payment for all goods and services supplied by the School should be collected in advance or at least within 30 days upon receipt of an invoice.

### Breakfast and After-School Clubs

Payment for breakfast and after school clubs should be paid within one month.

Should the parent/carer fall into arrears beyond the credit period, the school will withdraw the child's place.

### Music Lessons

Parents of children who have peripatetic music lessons where this is charged by the school must pay in advance for lessons.

It is the responsibility of the music teacher to ensure that children have paid for lessons before these are taken.

The school is unable to pay music teachers retrospectively for music lessons that have been taken but where payment has not been forthcoming.

### School lunches

Should the parent/carer fall into arrears beyond the credit period and fail to make a payment within a reminder letter, a further letter will be sent advising the parent/carer that their child will no longer be entitled to a school lunch and that they should send their child to school with a packed lunch. Failure for the parent/carer to provide their child with a packed lunch may result in involving the school's Designated Lead for Child Protection

## 3. Reporting of outstanding debt levels

The school will encourage parents to pay promptly. Text reminders are sent to parents where payment isn't forthcoming.

The Headteacher/administrator will ensure that the level of outstanding debt is regularly monitored. Suitable records will be maintained to detail individual debts and the total value of debt to the school.

## 4. Debt Recovery Procedures

Where payment from the parent/carer has not been received, the following process should be applied.

Letter 1 - First 'overdue payment' reminder letter issued if debt reaches £25. This will be checked at the end of each school week.

Letter 2 – Second 'overdue payment' reminder letter (WARNING LETTER) if full payment is not received within 10 school days, Letter Two will be sent home via 1<sup>st</sup> Class Post advising they will not be able to use the childcare facility or receive school meals unless debt is cleared or contact is made with the school.

Letter 3 - If by 5 school days, no payment or response is made, Letter 3 will be sent home advising this is a Final reminder and payment must be received immediately otherwise the Council's Legal Service will be contacted. The childcare and school lunches will be withdrawn for the following day.

Parents will be made aware that the failure to provide a school lunch will result in the school contacting childrens' social services.

#### 4.1 Staff Debt Recovery

Staff debts can accumulate from staff school lunches they have taken. A standard letter will be given to staff at the end of each ½ term advising of the debt. In the cases of staff who have left the employ of the school, staff will be advised of the need to ensure all debts are paid before the end of their employment advising their debts will be deducted from payroll.

#### 5. Negotiation of repayment terms

Debtors are expected to settle the amount owed by a single payment as soon as possible after receiving the initial 'overdue payment' reminder.

However, if people are unable to pay;

The School may reduce or cancel a debt in certain circumstances. A sensitive approach to debt recovery will be carried out, taking the following factors into account:

- Hardship – where paying the debt would cause financial hardship.
- Ill health – where our recovery action might cause further ill health.
- Time – where the debt is so large compared to the person's income that it would take an unreasonable length of time to pay it all off.
- Cost – where the value of the debt is less than the cost of recovering it.
- Multiple debt – where someone owes more than one debt to the School. In this situation an attempt to agree one repayment plan to include all debts will

be established.

If a debtor requests for 'repayment terms' these may be negotiated at the discretion of the Headteacher/administrator. A record of all such agreements entered into will be retained. In all cases, a letter will be issued to the debtor confirming the agreed terms for repayment. The settlement period should be the shortest that is judged reasonable. The Headteacher/administrator will decide whether any debtor who has been granted extended settlement terms will not be offered any further 'credit' and in future will be required to pay in advance.

#### 6. Costs of debt recovery

Where the school incurs material additional costs in recovering a debt then the Headteacher will decide whether to seek to recover such costs from the debtor.

The debtor will be formally advised in writing that they will be required to pay the additional costs incurred by the school in recovering the debt. This decision and its basis will be recorded and reported to the Finance and General Personnel Committee.