

**St James CE Primary School
Hereford**

**CHARGING AND REMISSIONS
POLICY**

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1. **Is Education Free?**

The general principle is that education for pupils in maintained schools must be free if it takes place in school hours and is part of the National Curriculum.

2. **Is there guidance on charging from the DfES?**

The Education Reform Act 1988 defined the law on charging in all LEA maintained schools and Circular 2/89 explained and provided guidance on the new provisions. This circular provides useful guidance even though the parent legislation has been superseded by the Education Act 1996 as amended by the Education Act 2002.

3. **Can any charge be levied?**

Yes, there is a legal right to charge for music tuition either individually or to a group of no more than four pupils. However, where it relates to a public examination a charge cannot be levied. There are other situations where a charge can be made for 'optional extras' but under no circumstances can a parent be asked for a contribution which relates to an application for school admissions.

4. **Can a charge be levied for a school trip during school hours?**

If the school organises a trip related to the national curriculum and it is solely in school hours then no charge can be levied even for transport.

5. Does the same situation apply if the activity is partly in school time?

The activity must be Free if more than half (including travel time) is in school hours.

e.g. A school trip leaving at 1.00 p.m. and returning at 4.30 p.m. (school normally finishes at 3 p.m.) must be Free. The same trip returning at 6 p.m. may be charged for under 'optional extras'.

6. Can a charge be levied for education outside school hours?

No charge can be made for education whether wholly or mainly outside school hours where it relates to a prescribed public examination or requirements under the National Curriculum. However, the cost of board and lodging can be charged on residential visits except for pupils whose parents are receiving: Income Support; Income-based Jobseeker's Allowance; Support under Part VI of the Immigration and Asylum Act 1999; or Child Tax Credit (providing that they do not also receive Working Tax Credit and have an annual income, assessed by The Inland Revenue, that does not exceed £13,230).

7. What are optional extras?

Charges may be made if the activity is wholly or mainly outside school hours as long as it does not conflict with paragraph 6 above. Participation in any optional extra activity will be on the basis of parental choice and a willingness to meet such charges.

8. What items can be included in the optional extras?

The following can be included –

- a) a pupil's travel costs;
- b) a pupil's board and lodging costs;
- c) materials, books, instruments and other equipment;
- d) non-teaching staff costs which can be attributable to providing the optional extra;
- e) entrance fees to museums, castles, theatres etc.
- f) insurance costs.

In addition a charge may also take account of the cost of engaging teaching staff specifically for the purpose of providing the activity and supplying such staff with travel, board and lodging.

Existing employed staff of Herefordshire Council or the Governors cannot have their costs passed onto pupils except for music tuition or where they have been given a separate contract to undertake this specific function.

9. Can parents be asked to subsidise other children?

Charges 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 willing to participate.

10. Can a parent in receipt of Income Support, Income-based Jobseeker's Allowance, Support under Part VI of the Immigration and Asylum Act 1999 or Child Tax Credit (providing that they do not also receive Working Tax Credit and have an annual income, assessed by The Inland Revenue, that does not exceed £13,230) be charged for board and lodging?

If the residential activity is deemed to be within school hours having regard to the 50% rule then the whole charge must be remitted.

However, if the education provided on a residential trip is to be treated as provided outside school hours and is not part of a prescribed public examination or basic curriculum situation it is unlikely that a pupil whose parents are in receipt of the relevant social security benefit will be able to go on the trip unless the Governing Body's remissions policy extends to the situation (see paragraph 11 which defined the 50% rule)

11. How does a school determine the 50% rule for residential activities?

The test is based on the number of half days taken up by the activity, including travel, compared with the number of school sessions – For example, a term time trip from 5 a.m. on Friday to noon on Saturday is 3 half days compared with two school sessions. The two sessions are more than 50% and the trip will, therefore, be inside school hours. If the trip returned at noon on Sunday the activity is considered to be outside school hours.

12. What determines Voluntary Contributions?

The school may seek voluntary contribution for any activity, free or not, but there must be no obligation and no pupil may be omitted from a non chargeable activity because parents were unwilling or unable to contribute. A school may point out to its parents that an activity will not take place if they are unwilling to support it.

