



1 AYRESOME PRIMARY SCHOOL CHARGING AND REMISSIONS POLICY

1.1 Introduction

Sections 449-462 of the Education Act 1996 sets out the law on charging for school activities in schools maintained by local authorities in England. Ad Astra Academy Trust and any school within it are required through their funding agreements to comply with the law on charging for school activities.

This policy has been written to provide information for all schools with Ad Astra Academy Trust to comply with statutory requirements with regards to charging and remissions. The advice contained in this policy accurately reflects the terms of the Education Act 1996, but it is not a substitute for those terms.

General Points

- Schools within Ad Astra Academy Trust, subject to the limited exceptions referred to in this document, cannot charge for education provided during school hours (including the supply of any materials, books, instruments or other equipment).
- Schools within the Trust must ensure that they inform parents on low incomes and in receipt of the benefits listed in this document of the support available to them when being asked for contributions towards the cost of school visits.

1.2 Charging

Ad Astra Academy Trust **cannot** charge for;

- an admission application as per paragraph 1.9 (n) of the 'School Admissions Code 2012' which 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 curriculum^[1], 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 pupils 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 school. [2] Ad Astra Academy Trust **can** charge for;
- any materials, books, instruments, or equipment, where the child's parent wishes him/her to own them;
- optional extras (see below);
- music and vocal tuition, in limited circumstances;
- certain early years provision[3];
- community facilities[4].

1.2.1 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;
 1. part of the national curriculum;
 2. part of a syllabus for a prescribed public examination that the pupil is being prepared for at the school; or
 3. 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 Trust has arranged for the pupil to be provided with education);
 - board and lodging for a pupil on a residential visit;
 - extended day services offered to pupils (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 pupils will not exceed the actual cost of providing the optional extra activity, divided equally by the number of pupils participating. It will 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.

1.2.2 Voluntary contributions

Nothing in legislation prevents Ad Astra Academy Trust 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 local governing body or head teacher will make this clear to parents at the outset. The local governing body or head teacher must also make it clear to parents that there is no obligation to make any contribution.

No child will 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, or the school cannot fund it from some other source, then it will be cancelled. Schools within the Trust will ensure that this is made clear to parents. If a parent is unwilling or unable to pay, their child will still be given an equal chance to go on the visit. Schools will also make it clear to parents at the outset what the policy for allocating places on a school visit will be.

When making requests for voluntary contributions, parents will not be made to feel pressurised into paying as it is voluntary and not compulsory. Schools within the Trust 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.

1.2.3 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 will not exceed the cost of the provision, including the cost of the staff that 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).

1.2.4 Transport

Ad Astra Academy Trust **cannot** charge for;

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

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.



1.3 Remissions

The remissions policy of ad Astra Academy Trust sets out the circumstances in which the Trust propose to remit (wholly or partly) any charge which would otherwise be payable to them in accordance with the charging policy.

Residential visits

Schools within the Trust **cannot** charge for;

- education provided on any visit that takes place during school hours;[\[5\]](#)
- 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 pupils on a residential visit.

Schools within the Trust **can** charge for;

- board and lodging but the charge must not exceed the actual cost. When a school informs parents about a forthcoming visit, they will 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;

1. Universal Credit in prescribed circumstances;[\[6\]](#)
2. Income Support (IS);
3. Income Based Jobseekers Allowance (IBJSA);
4. support under part VI of the Immigration and Asylum Act 1999;
5. 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;
6. the guarantee element of State Pension Credit;
7. an income related employment and support allowance that was introduced on 27 October 2008.

1.4 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 pupils to leave school an hour before the school day ends, but the activity does not end until late in the evening.

1.4.1 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.

1.4.2 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.

[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.

[3] The Education (Charges for Early Years Provision) Regulations 2012

[4] The powers to provide community facilities are under s.27(1) of the Education Act

[5] See section 452 of the Education Act 1996 for guidance as what counts as during school hours.



[6] The government plans to prescribe the circumstances when Universal Credit is fully rolled out.