



WOODFIELD ACADEMY

CHARGING AND REMISSIONS POLICY

Ratified on 12th December 2018

Signed (Chair of Governors)..... Date.....

1.1 Background

The legal framework relating to charging, voluntary contributions and remissions is set out in sections 449-462 Education Act 1996. The basic principle governing the making of charges is that no charge shall be made for the provision of education to a registered pupil at an Academy provided during academy hours. There are, however, a number of specific exceptions to this general rule which are set out in the following paragraphs.

1.2 Charging and Remissions Policies

Every governing body of an Academy is required to determine and keep under review a policy covering the circumstances under which charges for any 'optional extra' or board and lodging may be levied. No charges can be made unless a charges and remissions policy has been determined.

This policy is adopted and sets out how the governing body will meet any charge payable to the Academy for outside curriculum activities in respect of optional extras outside of normal school times or for board and lodging. Extra-curricular can include residential trips, after school extra-curricular activities and swimming (if out of school time) as this is not part of the normal curriculum.

Governing bodies are additionally able to contribute to all or part of any charges made by the Academy for such additional curriculum trips or events. Woodfield Academy likes all education to be inclusive. The Governors agreed that a budget be set up for 'Loss on Trips'. This includes a sum of money which can be used in events whereby the parent cannot afford the trip and does not meet any other criteria, is in receipt of benefits etc. whereby the school would not wish to exclude the pupil from the trip. The use of this is only applied in exceptional circumstances and the parent is required to request funding in writing and may be asked to attend an interview to discuss the matter and provide evidence of need.

1.3 Residential Educational Trips

A 'residential trip' is any trip arranged for registered pupils at a maintained Academy which requires pupils taking part to spend one or more nights away from their usual overnight accommodation.

When looking at charging issues relating to residential trips, there are three main issues: education, transport and board and lodging.

(i) Education

In order to determine whether a charge can be made for this, one must calculate to what extent the education provided on a trip takes place during academy hours. The formula for calculating this is set out in s.452 of the 1996 Education Act. In summary, this states that if half or more of an educational activity (including travelling during academy hours) falls during academy hours then all the activity is to be treated as if it took place during academy hours, so no charge may be made. However, if less than half of the activity and travelling time is in academy hours all the activity is deemed to take place out of academy hours. The activity must be educational based and in accordance with what would usually be taught during a school day.

Therefore, subject to the exceptions set out above, charges may be made. Nevertheless, no charge may be made for education except by agreement with the pupil's parent. It is easiest to secure this agreement through usage of a signed consent form prior to the trip.

(ii) Transport

No charge may be made for transport, which is:

- a) incidental to education provided for which no charge may be made (s.451 and s.454(3)); or
- b) provided to enable a pupil to meet any examination requirement for any syllabus for a prescribed public examination which is a syllabus for which he has been prepared at the Academy (s.454(3)).

However, charges can be made for transport connected with any other form of education. Therefore, if for example less than half of a residential trip (and connected travelling time) were to take place outside academy hours and did not fall within one of the exceptions relating to examinations etc., a charge could be made for the transport necessary for that trip.

(iii) Board and Lodging

A charge may generally be made for board and lodging provided for a registered pupil at a maintained Academy on a residential trip. The board and lodging charge should reflect the cost of board and lodging and should be agreed with the pupil's parent prior to the trip.

Woodfield's charging and remissions policy provides for complete remission of any charges for board and lodging provided for a pupil on a residential trip if:

- a) the education provided on that trip cannot be charged for (see above) and
- b) the pupil's parents are in receipt of Income Support, Income-based Jobseeker's Allowance, Income-related Employment and Support Allowance, Support under Part VI of the Immigration and Asylum Act 1999, The guaranteed element of Pension Credit, Child Tax Credit (provided they are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190), Working Tax Credit run-on - paid for 4 weeks after qualifying for Working Tax Credit stops, Universal Credit – With an annual household income of less than £7,400 a year (after tax and not including any benefits).

Non-Residential Day Trips

The Academy deems that payment will be required for such trips except when they are deemed to fall within academy hours and be for normal curriculum activity.

1.4 **Music Tuition**

The general prohibition against charging for education provided during academy hours does not apply to music tuition where this is provided either individually or to a group of not more than 4 pupils unless:

- a) the tuition is required as part of a syllabus for a prescribed public examination which is a syllabus for which the pupil is being prepared at the Academy; or
- b) provided as part of the duty to implement the National Curriculum or to provide religious education as part of the basic curriculum, (ss.451(2) 357(1) and 384 1996 Education Act).

Outside academy hours, a charge may be made unless the tuition is provided as part of a syllabus for a prescribed public examination which is a syllabus for which the pupil is being prepared at the Academy or provided in accordance with ss. 357 or 384 (as above).

A charge cannot be made for music tuition for groups of more than 4 children.

1.5 **Other Tuition provided by Peripatetic Teachers**

A decision about charges should be made by reference to whether or not it takes place within academy hours. If the activity takes place during academy hours a charge cannot be made. If not then charges would be permissible, subject to the exceptions referred to above.

1.6 **Leasing Charges**

Leasing charges can only be made for instruments, sheet music, etc. in respect of music tuition for which charges may be made. Otherwise, they should be provided free of charge as being incidental to music tuition for which no charge may be made.

1.7 **Swimming**

No charge may be made for swimming under the provisions of the 1996 Education Act if the activity takes place within academy hours. However, the Academy may seek voluntary contributions for this and other activities and can seek payment for associated transport costs. At this moment in time this activity is provided for free of charge to pupils at Woodfield Academy.

1.8 **Examinations**

No charges may be made in respect of the entry of a pupil for a prescribed public examination in any syllabus for that examination for which the pupil has been prepared at the Academy.

However, where the Academy / governing body has paid an examination fee and the pupil then fails without good reason to meet an exam requirement for the syllabus, the fee can be recovered from the pupil's parent (s.453(2)).

It is legally a responsibility of the body which has paid the fee to determine whether the pupil had good reason for failing to meet the examination requirement. The Assistant Head (Finance) would then decide the circumstances in which the Academy would seek to recover the examination fee.

1.9 **Voluntary Contributions**

The governing body of Woodfield Academy requests voluntary contributions "for the benefit of the Academy or any Academy activities". However, this charging and remissions policy states the circumstances in which voluntary contributions would be sought (see below). The policy and any other terms of any specific request must be documented and it is made clear that there is no obligation for parents to make a contribution and that pupils' will not be treated differently according to whether or not their parents have contributed. However, it is noted that if there are insufficient voluntary contributions and the trip is therefore not viable due to budget restrictions, that the trip or activity will not go ahead.

1.11 **Charging**

The objectives of this policy are to make clear what is provided without charge and what will be offered with a charge being made. The list below gives events that are deemed chargeable or non-chargeable. This list and policy will be reviewed on an annual basis.

1. No charge will be made for admitting pupils to Academy.
2. Transport or admission costs for swimming lessons and sports activities during academy hours will be met by the Academy.
3. On residential trips that take place wholly, or mainly, out of academy hours, the Academy will charge for the cost of board and lodging and transport at the actual cost of the provision.
4. Children whose parents are in receipt of some specific support payments may, in addition to having a free academy lunch entitlement, also be entitled to the remission of some or all of these charges.
5. A similar waiver of charge will apply when the trip takes place outside academy hours but where it is necessary either as part of the national curriculum or the syllabus for religious education.
6. Where music tuition or singing tuition is not an essential part of the national curriculum, charges will be made.
7. When pupils damage academy property or lose academy equipment they will be asked to make an appropriate contribution to compensate the loss or damage.
8. The deposit for trips shall be at least the cost of the coach and is non-refundable except in the circumstance of a medical reason and if the insurance company covers the cost. Disinclination is not a reason for refund.

1.12 **Data Protection Statement**

All sensitive information in relation to payments or non-payments of parents for any additional fees or charges for school activities will be kept private and confidential in accordance with the terms of GDPR. Please refer to the Academy Data Protection Policy if further clarification is required in relation to how we store and process information and your rights in relation to this.