

AXE VALLEY ACADEMY

POLICY



Charging Policy

Updated: Nov 2017

Introduction

Sections 449-462 of the Education Act 1996 set out the law on charging for academy activities in academy's maintained by local authorities in England. The Academy's Funding Agreement (clause 33) states that this also applies to academies. This policy 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 Academy Admissions Code, and in para 1.97 in the revised Academy Admissions Code (in force from 10/2/09).

The Academy must ensure that they inform parents on low incomes and in receipt of the benefits listed in the Remissions List of this guide of the support available to them when being asked for contributions towards the cost of academy visits.

Aims/Purpose

- to continue the right of free academy education
- to establish that activities taking place wholly or mainly during normal teaching time to be available to all pupils regardless of their parents ability to pay (excluding optional activities such as music tuition or after academy clubs and activities).
- to emphasise that there is no requirement to charge but to give Governors the discretion to charge for optional extras wholly or mainly out of academy hours
- to invite voluntary contributions in support of any activity arranged by the Academy

Background/Rationale

The Academy wishes to encourage the widest possible educational experience for all of our students. To achieve this we wish staff to continue to organise visits, exchanges and enrichment activities. It is therefore important that we are clear about any charges that can be made and where remissions are permissible and that we communicate the situation to parents.

In certain circumstances a full or partial remission of fees may be available on application where families are in receipt of Income Support or Family Credit. The funds to support this may come from the Academy Welfare Fund or from any relevant Governor Trust Fund.

RESPONSIBILITIES

Local Governing Committee

- to review the operation of this policy and update as necessary in light of national and local changes

Headteacher and Leadership Team

- To appoint a member of the Leadership Team who will take responsibility for this policy area. This is currently the SBM.
- To draw up strategies and procedures relevant to this policy
- To review the operation of this policy annually
- To ensure that all staff have a copy of the policy. (This is likely to be via the ICT Network public drive).

Heads of Departments

- To ensure that within their Department/area of activity, the charging policy is implemented

All Staff

- To be aware of this policy and to play their part in its operation

Reporting Process

- Line Managers or other staff involved in organising activities which come under the charging policy, should report any difficulties being experienced in its operation to the member of the Leadership Team with responsibility for the policy
- The Leadership Team member will report to the Governors annually on the operation of the Charging Policy in light of any changes nationally or locally. This may be via the Headteacher and/or Governors' Committee.

Monitoring and Review

Any significant evidence that the Charging Policy is failing to meet its aims should lead to a thorough review of the causes, followed by proposals to address the problem and if necessary, an amendment to the policy.

Monitoring and review to take place at two levels; by Leadership Team and by Governors.

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CHARGING POLICY : IMPLEMENTATION STRATEGY

A THE LEGAL POSITION

1 Education During Academy Hours

No charge can be made for admitting pupils to academies. Education provided during academy hours must be free. This includes materials, equipment, and transport provided in academy hours by the LA or the academy to carry pupils between the academy and an activity. "Academy hours" are those when the academy is actually in session, and do not include the break in the middle of the academy day. Parents and others have a right to information about academy hours, and this information must be included in prospectuses published by the academy.

2 Musical Instrument Tuition

This is an exception to the rule about not charging for activities in academy hours. Charges may be made for teaching either an individual pupil or groups of up to four to play a musical instrument, if the teaching is not an essential part of either the National Curriculum or a public examination syllabus being followed by the pupil.

3 Voluntary Contributions

Although academies cannot charge for academy-time activities, they may still invite parents and others to make voluntary contributions (in cash or in kind) to make academy funds go further. All requests to parents for voluntary contributions must make it quite clear that the contributions would be voluntary. The Academy Board should also make it clear that pupils of parents who do not contribute will not be treated any differently. If a particular activity cannot take place without some help from parents, that should be explained to them at the planning stage. Where there are not enough voluntary contributions to make the activity possible, and there is no way to make up the shortfall, then it must be cancelled. The essential point is that no pupil may be left out of an activity because his or her parents cannot or will not make a contribution of any kind. The academy must first decide which class or group of pupils is to benefit from the activity and then look for voluntary contributions, either for that activity or by general fundraising.

4 Activities not run by the Academy

When a non-academy organisation arranges for an activity to take place during academy hours and parents want their pupils to join the activity, such organisations may charge parents. Parents must then ask the academy to agree to their pupils being absent, just as they would if they wanted to take their pupils out of academy for a family holiday. The Headteacher and Academy Board must decide whether this is in the pupils' best interest. They must also bear in mind the requirements of the Education (Academy's and Further Education) Regulations that a pupil should not be allowed more than two weeks absence in any year unless there are exceptional circumstances.

5 Education Outside Academy Hours

Parents can only be charged for activities that happen outside academy hours when these activities are not a necessary part of the National Curriculum or religious education. No charge can be made

for activities that are an essential part of the syllabus for an approved examination (see paragraph 13 below).

6 Charges may be made for other activities that happen outside academy hours if parents agree to pay. The Education Act 1996 describes which can be charged for as “optional extras”. It is up to the LA or Academy Board providing the activities to decide whether to make a charge.

7 Charging Policies

The Academy Board may not charge for anything unless it has drawn up a statement or general policy on charging. The Academy Board’s policy may be more or less generous than the LA’s, as long as it meets the requirements of the law. A policy statement will take account of each type of activity that can be charged for, and explain when charges will be made. 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). Parents have a right to ask for this information, and a summary must be included in the prospectus published by the academy.

8 If a charge is made for each pupil, this should not exceed the actual cost. If further funds need to be raised for example, to help in hardship cases, this must be by voluntary contributions or general fund-raising.

9 The permitted charge may include an allowance for the costs of teachers from the Academy who supervise the activity, but only if those teachers have been given a separate contract to provide the optional extra. A contract need not be a formal document. It could be a simple letter to a teacher asking him or her to provide a service on a particular occasion.

10 Education Partly During Academy Hours

Sometimes an activity may happen partly during and partly outside academy hours. If most of the time spent on a non-residential activity occurs during academy hours, that activity counts as taking place entirely in academy hours and no charge may be made. (Time spent on travel only counts as being during academy hours if the travel takes place during academy hours). As an example, a long-distance trip might involve much travel before and after normal academy hours, but if the time spent at the destination fell mainly within academy hours, the trip would count as happening in academy time and be free of charge. By contrast, a trip which involved leaving academy an hour or so earlier than usual in the afternoon, but then went on until quite late in the evening, would be classified as taking place outside academy time. Charges would then be allowed.

11 Residential Activities

Special rules apply for residential activities. A trip counts as falling within academy time if the number of academy sessions missed by the pupils amounts to half or more of the number of half days taken up by the activity.

Each academy day is normally divided into two sessions and each 24 hour period is divided into two half-days beginning at noon and at midnight. On this basis, a term-time trip from noon on Wednesday to 9 pm on Sunday would last for nine half days, including five academy sessions, and would count as taking place in academy time. A trip from noon on Thursday to 9 pm on Sunday would count as seven half-days, including three academy sessions, and would be classified as taking place outside academy time. If 50% or more of a half-day is spent on a residential trip, you should treat the whole of that half-day as spent on the trip.

12 For a residential activity taking place largely during academy time, or which meets the requirements of the syllabus for a public examination, or is to do with the national Curriculum or religious education, no charge may be made either for the education or for the cost of travel. However, charges can be made for Board and lodging in these circumstances, except for pupils whose parents are receiving Income Support, Family Credit, Disability Working Allowance or an income-based Jobseeker's Allowance. The Headteacher should tell all parents of the right to claim free activities if they are receiving these benefits.

13 Public Examinations

No charges may be made for entering pupils for public examinations that are set out in regulations. The Academy Board must enter a pupil for each examination in a public examination syllabus that the academy has prepared the pupil for. This does not need to apply if the Academy Board think there are educational reasons for not entering the pupil, or if the pupil's parents ask in writing that the pupil should not be entered.

14 An examination entry fee may be charged to parents if:

- the examination is on the set list, but the pupil was not prepared for it at the academy
- the examination is not on the set list but the academy arranges for the pupil to take it
- a pupil fails without good reason to complete the requirements of any public examination where the Academy Board originally paid or agreed to pay the entry fee

15 Charges may not be made for any cost associated with preparing a pupil for an examination. But charging is allowed for tuition and other costs if a pupil is prepared outside academy hours for an examination that is not set out in regulations.

16 Academy Minibuses

Only individuals undertaking academy business may travel at a charge in an academy minibus.

17 The Academy may charge for transport in their minibuses only if they hold a permit issued under section 19 of the Transport Act 1985. The permit exempts the academy from Public Service Vehicle (PSV) operator and driver licensing requirements. A permit is not required if no charge is made. Academies should apply to their LA for a permit for each minibus.

18 The Academy may not raise funds to make a profit by charging for travel in their minibuses.

19 Charges may recover some or all of the costs of running the vehicle, including loss of value. But the service may not make a profit, either directly through the fares charged or incidentally as part of a profit making activity, even if any profit would go into the academy's other running costs or for charitable purposes. A charge is any payment made in cash or kind (for example, a club subscription) by or on behalf of a person which gives him or her a right to be carried.

IN BRIEF

The Academy Board

- may not charge for any activities which take place in academy time, apart from instrumental tuition for individual pupils or pupils in groups of up to four

- must draw up a charging policy, which does not have to be the same as the LA's policy as long as it meets the requirements of the law
- may invite parents and others to make voluntary contributions towards any part of the academy's work
- may charge for activities that are provided wholly or mainly outside academy hours, as long as these activities are optional extras
- may charge for Board and lodging on residential courses
- must inform all parents of the right to claim free Board and lodging if they are receiving benefits (as per attached list)

CHARGING POLICY SCHEDULE

	CURRICULUM AREA	CHARGE TO BE MADE		FORM OF CHARGE	FULL/PARTIAL REMISSION OF CHARGE
		YES	NO		
1	MUSIC 1 Individual instrumental tuition 2 Music workshop 3 Tuition as part of external examination or national curriculum 4 Concert visits	✓ ✓ ✓ ✓		1 Direct payment by parent to tutor 2 Voluntary contributions 3 N/A 4 Voluntary contributions. Levy as an optional extra if out of academy time.	FOR THOSE IN RECEIPT OF: 1 See attached Remission List 2 See attached Remission List 3 N/A 4 See attached Remission List
2	PHYSICAL EDUCATION 1 Swimming 2 Outdoor Education (residential) 3 Outdoor Education (non-residential): a) in academy time b) out of academy time 4 Ski Trips etc	✓ ✓ ✓ ✓ ✓		1 Voluntary contributions 2 Levy on parents for Board and lodging 3 a) Voluntary contributions b) Levy on parents as optional extra 4 Levy as optional extra or direct payment to a third party	1 See attached Remission List 2 See attached Remission List a) See attached Remission List b) See attached Remission List 4 N/A
3	DRAMA 1 Theatre Visits a) in academy time b) out of academy time	✓ ✓ ✓		1 a) Voluntary contributions b) Levy as optional extra or direct payment to a third party	1 a) See attached Remission List b) N/A

	2 Theatre Companies visiting academy's 3 Drama Workshops a) in academy time b) out of academy time	✓ ✓		2 Voluntary contributions or direct payment to third party 3 a) Voluntary contributions b) Levy on parents as optional extra	2 See attached Remission List 3 See attached Remission List
	CURRICULUM AREA	CHARGE TO BE MADE		FORM OF CHARGE	FULL/PARTIAL REMISSION OF CHARGE
4	MISCELLANEOUS Museums, Art Galleries, Historic Houses and places of interest, Caves etc Clubs and activities outside of academy hours.	✓ ✓		a) Voluntary contributions if in academy time b) Levy on parents as optional extra if out of academy time a) Levy on parents as optional extra if out of academy time	a) See attached Remission List b) N/A a) See attached Remission List
5	OVERSEAS EXCURSIONS	✓		Levy on parents as optional extra	N/A
6	MODERN LANGUAGES EXCHANGES	✓		a) Optional extra charge when out of academy time b) Direct charge by a third party	a) N/A b) N/A
7	PRACTICAL SUBJECTS	✓		a) A charge can be made when parents keep finished project b) A charge cannot be made in all other circumstances	a) N/A b) See attached Remission List
8	EXTERNAL COURSES	✓		a) A voluntary contribution can be requested to cover the costs of transport	a) See attached Remission List

				<p>b) A charge can be made for any materials, books, instrument or equipment where the child's parent wishes him/her to own them</p> <p>c) A charge cannot be made in all other circumstances</p>	b) See attached Remission List
9	SIXTH FORM TRANSPORT	✓			a) additional financial assistance can be accessed through the Sixth Form Bursary Grant scheme where appropriate criteria are met

REMISSION LIST

When the Academy 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 exempt from paying the cost of board and lodging:

- Income Support (IS)
- Income Based Jobseekers Allowance (IBJSA)
- Support under part V1 of the Immigration and Asylum Act 1999
- Child Tax Credit, provided that Working Tax Credit is not also received and the families income (as assessed by Her Majesty's Revenue and Customs) does not exceed £15,575 (Financial Year 2008/2009)
- The guarantee element of State Pension Credit and
- An income related employment and support allowance that was introduced on 27 October 2008