Charging and Remission Policy

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1. Introduction

This Policy is intended to:

- provide clarity as to when the Schools in Discovery Educational Trust (DET) can make a charge to Parents, or ask them to make a voluntary contribution, towards the cost of activities, visits, residential trips and associated costs, and other items, such as, books, materials, instruments and equipment, examination entry fees and the repair/replacement of property;
- provide clarity as to when Parents may be eligible for statutory remission of the cost of board and lodging on educational residential visits, or for discretionary remission of some or all of the cost of an activity, trip, non-educational residential visit or other item.

This Policy is intended to comply with Sections 450 to 462 of the Education Act 1996 (**EA 1996**), which applies to DET by virtue of its Funding Agreement, and current advice published by the Department for Education (**DfE**) on charging and remission. In the event of inconsistency between the legislation/DfE advice and this Policy, the legislation/DfE advice applies.

2. Definitions

Where the following words or phrases are used in this Policy:

- references to the **Trust** are references to DET;
- references to **Parent** or **Parents** means the natural or adoptive Parents of the pupil (irrespective of whether they are or have ever been married, with whom the pupil lives, or whether they have contact with the pupil) as well as any person, who is not the natural or adoptive Parent of the pupil, but who has care of, or Parental responsibility for, the pupil (e.g. legal guardian, foster carer).

3. Implementation and Application

DET and its Schools make Parents aware of this Policy by publishing it on websites and providing a hard copy on request to the School Office/School Main Reception. In addition, information about particular activities, trips and visits is notified to Parents by letter with full details of the costs involved (this is set out in further detail below).

DET and its Schools ensure that all staff are familiar with this Policy, and ensure that it is implemented in relation to any activities, trips or visits that they organise. Staff ensure that no charge is made to Parents unless it is permitted under this Policy. All requests for payments must be referred to the School Finance Lead (SFL) for action and/or approval before they are sent out.

4. Prohibited Charges

- No charge can be made in connection with admission to DET Schools.
- No charge can be made for education provided to pupils, or for books, materials, instruments or transport used in connection with the education provided to pupils:
    - wholly or mainly in School hours (excluding the lunch break); or
    - wholly or mainly outside of School hours and provided:

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- as part of the National Curriculum;
- as part of the syllabus for a prescribed examination for which the pupil is being prepared by the School; or
- as part of statutory religious education.

- No charge can be made for the cost of making alternative provision for pupils remaining in School when an activity, trip or residential visit takes place out of School.
- No charge can be made for entry to a prescribed public examination where the pupil has been prepared for the examination by the School, including re-sits. The following exceptions apply:
  - where the pupil, without good reason, fails to complete a requirement of a public examination, and the School has paid or agreed to pay the entry fee, the School can recover the entry fee from the Parents;
  - the School is not obliged to enter a pupil for a public examination it has prepared the pupil for where it considers that there are educational reasons for not entering the pupil. Where this is the case and the Parents nevertheless ask for the pupil to be entered, the School can make a charge for the entry fee.

5. Permitted Charges

The School is permitted to make the following charges:

- The cost of activities, trips and residential visits provided wholly or mainly outside of School hours (i.e. 'optional extras'), including (but not limited to):
  - activities;
  - non-teaching staff, who provide the activities (excluding the School's own staff, but including Teaching Staff engaged under a contract for services purely to provide that specific activity);
  - transport (including the proportionate cost of transporting pupils in the School's own vehicle);
  - buildings and other venues;
  - materials, books, instruments or equipment;
  - entrance fees;
  - board and lodging (on residential visits);
  - insurance.
- the cost of providing instrumental and vocal music tuition to an individual pupil or a group of pupils as an 'optional extra' at the request of Parents in or outside of School hours (this does not apply to music tuition provided as an essential part of the National Curriculum, under first access to the Key Stage 2 Instrumental and Vocal Tuition Programme or as part of the syllabus for a prescribed examination. This includes the cost, or an appropriate proportion of the cost, of Teaching Staff employed to provide the tuition as an 'optional extra';

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- the cost of a finished product (e.g. in art, craft, design or home economics), which Parents have confirmed that they want to own (including food items made and consumed by pupils), having been notified in advance of the relevant charge;
- the cost of extended services for pupils (e.g. breakfast and after-school clubs);
    - Parents are invoiced monthly in arrears, via ParentPay, for the sessions that their child has attended. Invoices are payable within seven days, and the provision is unavailable to any child where invoices remain unpaid. A copy invoice can be provided upon request.
- the cost of entry to an examination (prescribed or otherwise) for which the pupil has not been prepared by the School;
- the cost of preparing a pupil for a non-prescribed examination outside of School hours;
- the cost of repair or replacement of property belonging to the School which is, in the School's reasonable determination, carelessly lost or wilfully damaged or destroyed by the pupil.

6. Status of Activities, Trips and Residential Visits

Before Parents are notified of the cost of an activity, trip or residential visit, the School must determine whether it is educational or non-educational, as set out in the table below:

Status	Definition	Compulsory charge	Voluntary contribution
Educational	An activity, trip or residential visit, which takes place wholly or mainly in School hours.	No*	Yes
	An activity, trip or residential visit, which takes place wholly or mainly outside of School hours and is provided: • as part of the National Curriculum; • as part of the syllabus for a prescribed examination for which the pupil is being prepared by the School; or • as part of statutory religious education.	No*	Yes
Non-educational	An activity, trip or residential visit, which takes place wholly or mainly outside of School hours, otherwise than as set out above.	Yes	No
*****Except for the cost of board and lodging on residential visits, which is subject to a compulsory charge in both cases.			

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In order to determine whether an activity, trip or residential visit takes place mainly in or outside of School hours, the '50% rule' must be applied as follows:

Type	The '50% rule'
Activities and trips	Where **50% or more** of the actual time spent on the activity or trip (including travelling time, but excluding the lunch break) takes **place in School hours**, it is deemed to take place **mainly in School hours**. Where it is **under 50%**, it is deemed to take place **mainly outside of School hours**.
Residential visits	Firstly, the total number of half-days (a half-day being a 12-hour period, ending at noon or midnight, rounded up or down, as appropriate) spent on the residential visit are calculated. Secondly, the total number of School sessions (morning and afternoon) during the period of the residential visit (including travelling time) are calculated. Where the number of School sessions is **50% or more** of the number of half-days, the visit is deemed to take place **mainly in School hours**. Where the number of School sessions is **less than 50%** of the number of half days, it is deemed to take **mainly outside of School hours**.

For example, where pupils leave for a residential visit immediately after school on Thursday during term time, and return on Tuesday at 12.00 noon the following week, the total number of half days will be ten and the total number of School sessions will be five. As the number of School sessions is 50% of the number of half-days, the residential visit is deemed to take place mainly in School hours and a compulsory charge cannot, therefore, be made (except for the cost of board and lodging).

7. Determining the Level of Costs

For all educational and non-educational activities, trips and residential visits, the costs must be calculated to represent the actual cost per pupil (equally and proportionately).

The costs must not include:

- any administration costs incurred by the School in making the arrangements for an activity, trip or residential visit;
- any element of subsidy for other pupils (including those pupils for whom no payment is received, or who are eligible for statutory or discretionary remission);
- any element of profit;
- any element of contingency (other than nominal, where it was not possible to accurately determine the actual cost in advance).

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8. Compulsory Charges

Where a compulsory charge is made for a non-educational activity, trip or residential visit, this must be paid in full by Parents for their child to be included. This includes the compulsory charge for board and lodging on educational residential trips where all other costs are requested by way of voluntary contributions.

Where the cost of an educational residential visit includes a compulsory charge for board and lodging, together with voluntary contributions for all other costs, and Parents make payments to the School by way of a deposit and instalments, payments are used to satisfy the voluntary contributions in full first, and the compulsory charge for board and lodging last.

9. Voluntary Contributions

Where a voluntary contribution is requested for an educational activity, trip or residential visit, it is made clear to Parents in the letter sent to them setting out the costs of the trip and the voluntary contributions requested, that they are under no obligation to pay and, if they do not, their child will not be excluded from the activity, trip or residential visit.

Letters requesting voluntary contributions make it clear whether, if insufficient voluntary contributions are received, the activity, trip or residential visit will have to be cancelled, or whether the School is able to fund any shortfall.

10. Statutory Remission for Board and Lodging on Educational Residential Visits

Section 457 of the EA 1996 provides that Parents, who are in receipt of certain State benefits or tax credits **at any point during a residential visit,** are entitled to full remission of the compulsory charge made for board and lodging on educational residential visits (as defined in the table above) only. This does **not** apply to non-educational residential visits.

Eligibility for statutory remission mirrors that for Free School Meals (**FSM**). A list of qualifying State benefits and tax credits can be accessed via the Government's website. As such, DET and its Schools use the same entitlement verification procedures used for FSM to confirm eligibility for statutory remission.

Statutory remission is funded by DET/its Schools.

11. Discretionary Remission

In addition to statutory remission as set out above, DET and its Schools may award discretionary remission of some or all of the cost of materials, books, instruments or equipment, activities, trips or residential visits, to Parents, who are experiencing financial hardship.

Discretionary remission is funded by DET Schools.

DET and its Schools consider the remission of charges to Parents, who receive the relevant support payments (in accordance with the current Department for Education (DfE) listing), which make their child/children eligible for FSM, and for children in care.

All claims for remission of charges should be addressed to the Headteacher (HT) and are dealt with confidentially.

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DET and its Schools may decide to subsidise part of or all charges for some activities and pupils; each event or case is considered individually by the HT.

DET publishes this Discretionary Remission Criteria within this Policy each academic year.

12.Notifying Parents of Charges

Parents are notified of all compulsory charges in advance of them being incurred (with the exception of the cost of repair or replacement of property as set out in Section 4 above).

In relation to proposed activities, trips and residential visits, Parents receive correspondence setting out the details of the activity, trip and residential visit. In particular, the correspondence includes:

- confirmation as to whether the activity, trip or residential visit is deemed to be 'educational' or 'non-educational', as defined in Section 5 above;
- a breakdown of the costs involved (e.g. transport, buildings/venue, entrance fees, activities, board and lodging, insurance, etc.). These must reflect the actual cost per pupil (equally and proportionately);
- identification as to which costs are subject to a compulsory charge, and which costs are requested by way of a voluntary contribution;
- confirmation as to which costs, if any, are eligible for statutory or discretionary remission for qualifying Parents;
- confirmation that, in respect of voluntary contributions, Parents are under no obligation to pay, and their child will not be excluded from the activity, trip or residential visit if it goes ahead (except where a compulsory charge for board and lodging is made, there is no eligibility for statutory remission and the charge remains unpaid);
- confirmation as to whether, if insufficient voluntary contributions are received (i.e. payment is not received in full for every available place), the activity, trip or residential visit will be cancelled, or whether DET/its Schools have determined that they are able to fund any shortfall. There must not be any element of subsidy of one Parent by another Parent;
- confirmation of the date by which payment needs to be received, or the date by which the deposit and instalments need to be paid, where instalments are offered as an option;
- the order in which each payment received is allocated to the cost elements for the activity, trip or residential visit. For residential visits involving a combination of compulsory charges and voluntary contributions, payments are allocated as voluntary contributions first, and compulsory charges last. Where insurance is included, this is purchased on receipt of the first payment (which may be set at a higher level as a result);
- confirmation as to which cost elements are non-refundable once paid, as DET/its Schools are unable to recover these costs from the provider (e.g. insurance, booked non-refundable flights, booked non-refundable accommodation, etc.).

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13.Refunding Payments

Educational Visits and Residential Activities

Where Parents cancel or withdraw their child's inclusion on a service, activity, trip or residential visit:

- the payments made by Parents (whether voluntary contributions or compulsory charges) are only refunded by the School where they are recovered from the supplier(s) of the service, activity, trip or residential visit (e.g. tour operators, airlines, hotels, etc.) and/or under a policy of insurance with appropriate cover; **except that**
    - DET/its Schools may, at their discretion, refund some or all of the payments made by Parents (whether voluntary contributions or compulsory charges) from its own funds in cases of severe financial hardship where the decision was taken for unavoidable, unforeseeable, no-fault reasons. Such decisions are made by the HT in consultation with the Director of Finance to ensure a fair and consistent approach; **except that**
    - Schools on some occasions may find it necessary to remove a child from a planned event, prior to that event taking place, because that child now represents a risk to the safe running of the event because of a deterioration in behaviour. In this instance, the School seeks to reimburse Parents with the monies paid, but cannot guarantee being able to do so. Such decisions are made by the HT in consultation with the Director of Finance to ensure a fair and consistent approach.

Where DET/its Schools cancel or withdraw the service, activity, trip or residential visit (including where any or all elements of these are cancelled by the supplier(s) of them), DET/its Schools seek to recover payments made by Parents from the supplier(s) of the service, activity, trip or residential visit (e.g. tour operators, airlines, hotels, etc.) and/or under a policy of insurance with appropriate cover. All such monies recovered are passed on to Parents in equal proportion up to the total of the payments made by each Parent.

DET and its Schools have annual insurance cover with the Risk Protection Arrangement (RPA) for services, activities, trips or residential visits, which usually covers losses that cannot be recovered from suppliers. Insurance can be arranged separately for any activities not covered by the RPA policy, for example, costs related to annual prom events.

DET and its Schools take reasonable steps to pursue suppliers and insurers for recovery of costs incurred, where this is determined to be appropriate following a cost-to-benefit analysis of what this would involve.

In the rare instances where it is not possible for DET/its Schools to confirm the actual cost of a particular element of a service, activity, trip or residential visit in the original notification correspondence, and, therefore, had to provide Parents with an estimate, but the actual cost incurred was lower than anticipated, DET/its Schools write to Parents to notify them of this where:

- contributions for a day trip/activity exceed the final total cost by more than £10 per pupil;
- contributions for a residential trip exceed the final total cost by more than £25 per pupil.

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School Meals

Where payment for a school meal is received in advance, and the pupil is absent due to illness, the funds are retained to be used for future meals.

If DET/its Schools have to cancel meal provision for a short time, the income received in advance is recorded against each individual pupil to be used to cover future meals; the Parent is entitled to request a refund of these monies at any time.

When a pupil leaves a DET School, and income has been received, but meals have not been taken (and the credit balance cannot be transferred to a sibling), the Parent may request a refund. The request is passed on to Pabulum, the catering provider, which holds the funds.

Music Tuition

Where instrumental or singing lessons are cancelled by the tutor or DET/its Schools, and payment has already been received, DET/its Schools transfer the funds to cover future lessons taken by the relevant pupil. If lessons are not being continued in the following term, the Parent may request a refund.

Where a pupil fails to attend a pre-booked lesson, refunds do not apply.

Extra-Curricular Activities

If a pupil does not attend an activity due to illness, refunds do not apply

Where curriculum-related clubs are cancelled by DET/its Schools, the income received is held to cover the cost of future clubs. Where pupils are not taking part in the future, Parents are entitled to request a refund.

Outside of School Hours Activities - not part of the curriculum, or public examination syllabus or part of the School's basic religious education

If a pupil does not attend an activity due to illness, refunds do not apply.

Where the activity is cancelled by DET/its Schools, the income received is held to cover the cost of future clubs. Where pupils are not taking part in the future, Parents are entitled to request a refund.

Where the activity is arranged by DET/its Schools, but has been cancelled by external organisers/tutors/sports coaches, DET/its Schools endeavour to obtain refunds, which, upon receipt, are passed onto Parents.

Where an activity arranged by external organisers directly with Parents is cancelled, the Parents must contact the organisers to obtain a refund in accordance with the separate booking agreement.

Breakfast and After School Clubs

Refunds are made in accordance with the rules detailed in the separate Breakfast/After School Club Agreements.

14.Other Charges Outside the Scope of this Policy

DET has a separate School Uniform Policy, which sets out the uniform requirements for pupils (including required PE kit) and where this can be purchased by Parents. In determining the uniform at DET Schools, DET and its Schools comply with the requirement to achieve the best value for money for Parents.

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DET has a separate Lettings Policy, which sets out the cost of hiring DET Schools' premises and facilities.

Other Areas

Charges apply for:

- property damage – each individual case to be decided upon by the HT;
- full repair costs incurred as a result of wilful or reckless damage to DET/School property by a pupil or Parent;
- full recovery of costs incurred by DET/its Schools as a result of damage caused by a pupil to third party property.

Disclosure and Barring Service Checks

DET and its Schools cover the cost of Disclosure and Barring Service (DBS) checks for all employees.

There are no costs incurred as a result of DBS checks for volunteers.

15.Equality

In implementing this Policy, DET and its Schools have regard to their duties and responsibilities towards pupils and other persons with a protected characteristic (as defined by the Equality Act 2010). In particular, DET and its Schools ensure that the application of this Policy does not discriminate (either directly or indirectly) against a pupil or other person with a protected characteristic.

Where the application of this Policy would put a pupil or other person at a particular or substantial disadvantage compared to other pupils or persons because they or the other person are disabled (as defined in the Equality Act 2010), DET and its Schools adjust this Policy or take other steps to avoid that disadvantage, where it is proportionate and reasonable to do so (e.g. make a 'reasonable adjustment').

An adjustment may be made in a number of different ways, depending on the particular circumstances involved. For example, DET and its Schools may remit some or all of the compulsory charges and/or voluntary contributions requested, or they may agree to fund an additional member of staff or another adult (e.g. family member) being included in the activity, trip or residential visit in order to provide one-to-one support for a disabled pupil.

DET and its Schools may also adjust this Policy for pupils with special educational needs (SEN), who are not disabled (as defined by the Equality Act 2010), where it is reasonable and proportionate to do so.

16.Data Protection and Confidentiality

The information created in connection with this Policy may contain personal data. DET and its Schools' use of this personal data is in accordance with Data Protection law. DET has published privacy notices on its website, which explain how the Trust and its Schools use personal data.

Staff must ensure that they follow the Trust's policies and procedures when handling personal data created in connection with this Policy. This includes the DET Data Protection Policy, the DET Minimisation of Personal Data Procedure and the DET Data Handling Security Policy.

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For the avoidance of doubt, information about payments made to DET/its Schools and, in particular, inability to pay and qualification for statutory and discretionary remission remain strictly confidential, and staff are only made aware of this information on a 'need to know' basis.

17.Charges by Third Parties

On completion of satisfactory checks, DET and its Schools may sometimes allow a third party to provide activities to pupils (e.g. music tuition, after school clubs, etc.). Those third parties are permitted to charge Parents for the activities offered, and any such charges do not fall under the remit of this Policy (even where the School collects these payments on behalf of the third party for onward transmission).

18.Review and Monitoring

This Policy is kept under regular review and monitored by DET, particularly when there has been a change in legislation or DfE advice.

19.Complaints

Complaints about the implementation of this Policy or any decisions taken in line with this Policy should be made in accordance with the DET Complaints Policy and Procedure.

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