



# ASPIRE ACADEMY

## CHARGING and REMISSIONS

## POLICY AND PROCEDURES

POLICY FIRST ADOPTED AND RATIFIED BY THE TRUST	July 2014
POLICY REVIEWED / REVISED	November 2015
POLICY TO BE REVIEWED ANNUALLY OR AS REQUIRED	

**Signature:** *Val Jones*

**Date:** 2<sup>nd</sup> November 2015

**Name:** Val Jones

**CHAIR OF GOVERNORS**

# CHARGING AND REMISSIONS POLICY

## Statement of intent

The Governing Body of Aspire Academy Trust recognises that as a result of the 1996 Education Act there is no statutory requirement to charge for any form of education or related activity and that charging is prohibited except in certain circumstances.

The Governing Body recognises that the particular nature of our Alternative Provision Academy means, even in the circumstances set out below where reasonable charges may be requested, that it will seek to keep to a minimum the range of such charges and, wherever possible, seek not to charge for any pupil related activities at all.

It is the policy of Aspire Academy that:

- No charges are made for admitting pupils to the academy and that education provided during academy hours is free (except for music tuition as detailed below);
- Reasonable charges may be made for activities wholly or mainly outside academy hours;
- All cases of hardship relating to attendance at an academy originated activity will be dealt with sensitively and swiftly within the limits of the academy budget;
- All wilful loss of or damage to academy property must be paid for, or the academy reimbursed by the person responsible for the loss or damage;
- The use of the academy buildings and facilities by the local community or organisations will be encouraged. Reasonable charges for the hire of these premises will be made;
- Where appropriate, the academy may seek voluntary contributions for the benefit and support of academy activities that are educationally desirable.

## Specific Guidance

- The Governors have delegated to the Principal the discretion to waive charges to the local community for the hire/use of premises as 'charitable' support for appropriate local activities. The Principal will report the use of her discretion in this matter to the next Finance & Premises Committee meeting of the Governing Body;
- A list of charges, based on the prevailing local market rates, will be published for the hire of all types of academy premises and equipment;
- Charges to replace/repair damage or loss of academy property will be the cost to the academy of the replacement or repair. The Governors authorise the Principal to take all reasonable steps to recover a loss to the academy.

## Policy Review

The working of this policy will be reviewed by the Governors Finance and Premises Committee annually at the meeting following the anniversary of its approval.

## Review Data

At the annual review, the following data (or evidence) will be examined:

- The use of the Principal's discretion in waiving fees;
- The list of published charges;
- A Business Report on premises use/balance sheet;

- The number of “hardship cases” to ascertain that all pupils are benefiting from their Aspire Academy education.

## Charging and Remissions Procedures

- 1) Prohibition of Charges
- 2) Voluntary Contributions
- 3) Education outside Academy hours
- 4) Residential Activities
- 5) Instrumental / Vocal Music Tuition
- 6) Charges for Educational Activities
- 7) Hire and Rental charges
- 8) Charges for Loss or Damage
- 9) Principal’s Waiver

### 1) Prohibition of Charges

The Governing Body of the academy recognise that the legislation prohibits charges for the following:

- education provided during academy hours (including the supply of any materials, books, instruments or other equipment);
- education provided outside academy 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 academy, or part of religious education;
- tuition for pupils learning to play musical instruments if the tuition is required as part of the National Curriculum, or as part of a syllabus a prescribed public examination that the pupil is being prepared for at the academy, or part of religious education;
- entry for a prescribed examination, if the pupil has been prepared for it at the academy;
- examination re-sit(s) if the pupil is being prepared for the re-sit(s) at the academy;
- education provided on any trip that takes place during academy hours;
- education provided on any trip that takes place outside academy 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 academy, or part of religious education;
- supply teachers to cover for those teachers who are absent from the academy accompanying pupils on a residential trip;
- transporting registered pupils to or from the academy premises, where the Commissioner has a statutory obligation to provide transport;
- transporting registered pupils to other premises where the Governing Body has arranged for pupils to be educated;
- transport that enables a pupil to meet an examination requirement when she/he has been prepared for that examination at the academy;
- transport provided in connection with an education trip.

### 2) Voluntary Contributions

The academy may seek voluntary contributions from parents/carers for the benefit of the academy or in support of any academy activities whether during or outside academy hours, residential or non-residential.

The terms of any request made to parents will specify that the request for voluntary contribution in no way represents a charge. In addition, the following will be made clear to parents/carers:

- (a) that the contribution is genuinely voluntary and a parent is under no obligation to pay;
- (b) that the registered pupil at the academy will not be treated differently according to whether or not their parents/carers have made any contribution in response to the request;
- (c) if the activity cannot be funded without voluntary contribution, the Principal or her representative must make this clear to parents/carers at the outset;
- (d) the use to which the voluntary contributions will be put.

The responsibility for determining the level of voluntary contribution is delegated to the Principal. A part or all of the cost of an approved activity may be met from academy funds or a fund-raising activity.

(As a guide, the initial letter to parents/carers for which voluntary contributions are requested will include the following:

- (1) The nature of the proposed activity;
- (2) The value of the activity in educational terms;
- (3) The contribution per pupil which would be required if the activity were to take place;
- (4) A statement that the contribution is genuinely voluntary and a parent/carer is under no obligation to pay;
- (5) A reassurance that no registered pupil will be treated differently whether or not a voluntary contribution has been made
- (6) The use to which a voluntary contribution will be put (travel costs, residential costs etc);
- (7) How any surplus will be managed (repayment, put into academy funds etc);
- (8) A clear statement that the activity will not go ahead with sufficient voluntary contributions if this is the case;
- (9) A contact name/telephone number for discrete communication regarding support in case of hardship;
- (10) A statement that anyone in receipt of support payments (e.g. Income Support) is entitled to claim remission)

### **3) Education outside academy hours**

Education outside academy hours is defined in legislation as an 'optional extra'. Participation in any optional extra will be on the basis of parental choice and a willingness to meet such charges as are made. The agreement of parents/carers is a necessary pre-requisite for the provision of an optional extra for which a charge is made. The academy's delegated budget can be used to subsidise extra-curricular activities, and wherever possible it is the policy of the Governing Body that this will be the case.

A charge:

- may not exceed the actual cost of provision;
- may not include an element of subsidy;
- if the activity takes place with a small proportion of academy time, the cost of providing cover for pupils not attending may not be included;
- may be met by fund-raising.

The costs may include:

- pupil travel costs;
- pupils' board and lodging;

- materials and equipment;
- non-teaching staff costs;
- entrance fees;
- insurance costs;
- an amount to cover the cost of engaging staff specifically for the purpose of providing the activity and their travel and board and lodging. (Staff already employed by the academy may not have their costs included unless they are engaged on a separate contract to provide the optional extra.)

#### 4) Residential activities

A residential activity involves nights away from academy/home.

The test to determine whether the activity is within our outside academy hours (and therefore the legitimacy of charging pupils) is based on the number of half days taken up by the activity (including travel) relative to the number of days the pupil would have attended had the activity not taken place. A residential activity is deemed to have taken place within academy time if the number of half-day sessions missed by the pupil amounts to half or more of the number of half-days taken up the activity.

##### **Example 1**

Academy trip from noon Wednesday to 9.00am Sunday would last for 9 half-days, i.e. 5 half-days of academy sessions and 4 half-days of non-academy sessions. This activity takes place in academy time and any charges must reflect this. Charges may not be made for educational provision or travel. A charge can be made for board and lodging. Voluntary contributions may be requested.

##### **Example 2**

Academy trip from noon Thursday to 9.00pm Sunday would last for 7 half-days, i.e. 3 half-days of academy sessions and four half-days of non-academy sessions. This activity takes place outside academy time and charges may reflect this.

#### 5) Instrumental/Vocal Music Tuition

The following procedures are based on the 2006 Education and Inspection Act and the Statutory Instrument “The Education (Charges for Music Tuition) (England) Regulations 2007”.

The regulations prescribe the circumstances in which a charge may be made for tuition given during academy hours. Music tuition as part of the National Curriculum is excluded. They clarify that a charge may be made where the tuition is provided at the request of the pupil’s parent and is provided to individuals or groups of pupils. However, the academy may not charge for music tuition to:

- (a) pupils “looked after” by the LA (as defined by Section 221 of the Children’s Act 1989;
- (b) pupils not being charged prior to the new regulations coming into force on 1<sup>st</sup> September 2007 will not be charged after that date;

(NB: whether pupils entitled to free school meals are charged is at the discretion of the Principal.)

At the Aspire Academy, music tuition is provided by specialist external service providers. Details of the tuition, charges, payment options, termination and attendance/failure to attend are set out in the exemplar academy paperwork (enclosed).

## **6) Charges for Educational Activity**

With the exception of those activities prohibited by legislation and within the procedures described above, the academy has determined to charge as follows:

- (a) board and lodgings on residential visits (not to exceed costs) (Section 5);
- (b) the proportionate cost for an individual pupil of activities known as “optional extras” to meet the costs for: travel; materials and equipment; non-teaching costs; entrance fees, insurance costs; costs of engaging staff to deliver the activity and their board and lodging (Section 4);
- (c) individual (and group) music/vocal tuition (Section 7);
- (d) re-sits for public examinations where no preparation has been provided by the academy;
- (e) costs of non-prescribed examinations where no further preparation has been provided by the academy;
- (f) any other education, transport or examination fee unless charges are specifically prohibited;
- (g) breakages, loss and replacements as a result of damage caused wilfully or negligently by pupils (Section 10);
- (h) extra-curricula activity and academy clubs.

Parents/carers may also be expected to pay for:

- costs of ingredients and materials provided by the academy where parents/carers have indicated in advance they wish to own or retain the finished product;
- transport from home to an activity provided or sanctioned by the academy or LA, for example a work placement;
- the cost of an examination fee where, without good cause, the student has failed to complete the examination required;
- the costs of any individual re-marking or re-assessment where the parent/carer has queried the marking or grading.

## **7) Hire and Rental Charges**

It is the policy of the academy that its resources (buildings, sports facilities etc.) should be used to the maximum benefit of the community it serves, wherever appropriate.

The details of the resources available and the charges will be published and easily accessible via the academy’s website.

Booking can also be done over the internet.

A list of charges will be made available.

## **8) Charges for Loss or Damage**

In any academy, some accidental loss or damage to resources and fair wear and tear are accepted as a fact of life and the academy’s budget makes due allowance for this.

However, deliberate, wilful or negligent loss of or damage to the academy's resources not only puts an unfair strain on the budget but denies or compromises the opportunity and right to learn.

For these reasons, it is the policy of the academy that those causing wilful loss or damage will make good the loss or damage appropriately and as follows:

- (1) Loss of/irreparable damage to books, IT equipment, PE equipment, DT tools etc. : the academy will claim the "market rate" for repair or replacement.
- (2) Damage to the structure of the buildings, furniture etc. : the academy will claim the cost of the repair (e.g. broken window, chair etc.) or an appropriate replacement.
- (3) Where damage has been sustained to the fabric of the academy or equipment due to the criminal behavior of others, the academy will actively co-operate with the police authorities with a view to seeking restitution.
- (4) The Principal and/or her representative will consider in all cases where the costs of replacement have not been met by the perpetrators of the wilful loss or damage or criminal behavior, action via a Civil Prosecution or the Small Claims Court.
- (5) The academy should always try to recover debts owed to preserve its budget (for spending on improvements for learning) rather than replacement of wilfully lost or damaged items. The Principal is thus authorized to pursue bad debts, including the use of outside specialist debt collection agencies, as long as the effect on the academy's budget is at least cost neutral.

## **9) Principal's Waiver/Discretion**

Specifically in relation to this Charging and Remissions Policy, the Principal has the right to use her discretion and waive or reduce charges, costs or hiring charges as in the examples below. (These examples are not prescriptive nor exhaustive.)

It is anticipated by the Governors that the Principal will use this right to waive or reduce in exceptional circumstances only. Action taken by the Principal to waive or reduce will be reported to the Governors Finance & Premises Committee at the meeting following the action taken.

The Principal's actions will be constrained by the academy's budget and no action to waive costs may be made that would prejudice the budget no matter what the circumstances or how deserving the cause.