OHC&AT Finance Regulations Annex I – Charging and Remissions Policy

INTRODUCTION

Orchard Hill College and Academy Trust (OHC&AT) is a 'family' of providers, comprising Orchard Hill College (OHC) and Orchard Hill College Academy Trust (OHCAT). OHC&AT is committed to providing outstanding educational opportunities for all our pupils and students.

This policy applies to all OHCAT Academies in accordance with the charging arrangements for schools as set out in the Education Act 1996 ("the Act"). It also applies to Orchard Hill College in accordance with DfE Advice: funding rules for 16-19 provision.

OHC&AT recognises that the Act and guidance prohibit charges for school activities that take place within school hours and are part of the school curriculum. This policy reinforces that principle, whilst setting out those school or College activities for which a charge may be made or a voluntary contribution requested, and those circumstances in which charges may be remitted.

This policy is based on advice from the Department for Education (DfE) on charging for school activities and the Education Act 1996, sections 449 to 462 of which set out the law on charging for school activities in England. Academies are required to comply with this Act through their funding agreements.

It is also based on guidance from the DfE on statutory policies for schools and academy trusts as well as funding arrangements for post-16 provision.

This policy complies with our master funding agreements and articles of association.

POLICY STATEMENT

In accordance with the Academy Trust Handbook, OHC&AT will set fees for its chargeable services at full cost but can apply an additional rate of return when in a commercial environment. This rate will be decided at the discretion of the Director of Finance or CFOO on a case-by-case basis. For clarity, the sponsor relationship between OHC and OHCAT is not considered a commercial environment, and all charging between these two entities is done at cost or considerably below market value where both entities mutually benefit.

Within every OHC&AT provision, we aim to:

- Have robust, clear processes in place for charging and remissions.
- Clearly set out the types of activity that can be charged for and when charges will and will not be made.

- Offer a range of activities and visits whilst minimising the financial barriers that may prevent some pupils/students from taking full advantage of these opportunities.

Please note that throughout this policy, 'school' is used as a generic term to denote both OHCAT academies and Orchard Hill College provision.

CHARGING AND REMISSIONS

Where charges cannot be made

OHC&AT **cannot** charge for:

Education

- Admission applications
- 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
  - A syllabus for a prescribed public examination that the pupil/student is being prepared for at the school
  - Religious education
- Instrumental or vocal tuition, for pupils/students learning individually or in groups, unless the tuition is provided at the request of the pupil or student's parent/carer
- Entry for a prescribed public examination if the pupil/student has been prepared for it at the school
- Examination re-sit(s) if the pupil/student is being prepared for the re-sit(s) at the school

Transport

- Transporting registered pupils/students to or from the school premises, where the local authority (LA) has a statutory obligation to provide transport
- Transporting registered pupils/students to other premises where the governing board or LA has arranged for them to be educated
- Transport that enables a pupil/student to meet an examination requirement when they have been prepared for that examination at the school
- Transport provided in connection with an educational visit

Residential visits

- Education provided on any visit that takes place during school hours
- Education provided on any visit that takes place outside school hours if it is part of:
  - The National Curriculum
  - A syllabus for a prescribed public examination that the pupil/student is being prepared for at the school
  - Religious education

- Supply teachers, covering for teachers who are absent from school, accompanying pupils/students on a residential visit

Where charges can be made

OHC&AT **can** charge for:

Education

- Any materials, books, instruments or equipment, where the pupil/student wishes to own them or their parent/carer wishes the pupil/student to own them
- Optional extras (see below)
- Music and vocal tuition, in limited circumstances (see below)
- Certain early years provision
- Community facilities
- Examination re-sit(s) if the pupil/student is being prepared for the re-sit(s) at the school and the pupil/student fails, without good reason, to meet any examination requirement for a syllabus

Optional extras

Charges can be made for activities known as 'optional extras'. In these cases, schools can charge for providing materials, books, instruments or equipment. The following are optional extras:

- Education provided outside of school time that is not part of:
    - The National Curriculum
    - A syllabus for a prescribed public examination that the pupil/student is being prepared for at the school
    - Religious education
- Examination entry fee(s) if the registered pupil/student has not been prepared for the examination(s) at the school
- Transport (other than transport that is required to take the pupil/student to school or to other premises where the LA or governing board has arranged for the pupil/student to be provided with education)
- Board and lodging for a pupil/student on a residential visit
- Extended day services offered to pupils/students (such as breakfast clubs, after-school clubs, tea and supervised homework sessions)

When 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 (including supply teachers engaged specifically to provide the optional extra)

- 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/students will not be greater than the actual cost of providing the optional extra activity, divided equally by the number of pupils/students participating.

Any charge will not include an element of subsidy for any other pupils/students who wish to take part in the activity but whose parents/carers are unwilling or unable to pay the full charge.

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/students who do not wish to participate.

Parental agreement (or agreement of the student where they are an adult and have capacity) is necessary for the provision of an optional extra that is to be charged for.

Music tuition

Schools can charge for vocal or instrumental tuition provided either individually or to groups of pupils/students, provided that the tuition is provided at the request of the pupil or student's parent/carer.

Charges may not exceed the cost of the provision, including the cost of the staff giving the tuition.

Charges cannot be made:

- If the teaching is an essential part of the National Curriculum
- If the teaching is provided under the first access to the Key Stage 2 instrumental and vocal tuition programme
- For a pupil/student who is looked after by a local authority

Residential visits

OHC&AT provisions can charge for board and lodging on residential visits, but the charge must not exceed the actual cost.

Voluntary contributions

As an exception to the requirements set out in 'Where charges cannot be made', the school is able to ask for voluntary contributions from parents/carers to fund activities that would not otherwise be possible.

Some activities for which the school may ask parents/carers for voluntary contributions

include:

- school trips
- sports activities
- contributions to the school fund, which may be used to:
    - acquire educational resources and fixed assets or provide services which would otherwise be unaffordable from the school's mainstream budget, and
    - support a pupil/student participating in an activity outside school hours where that pupil or student's parent/carer is not in a position to make the requested contribution.

There is no obligation for parents/carers to make any contribution, and no pupil or student will be excluded from an activity if their parents/carers are unwilling or unable to pay.

If the school is unable to raise enough funds for an activity or visit then it will be cancelled.

Activities charged for

Each OHC&AT provision offers a range of activities tailored to the needs and wants of its pupil/student cohort, some of which will fall into the 'optional extras' category as defined above. Please consult with individual OHCAT academies regarding chargeable activities at that school.

Any such activities will be charged at cost; charges will be reviewed annually and parents/carers will be informed of any changes.

Loss of or damage to school property

Loss of, damage to, or breakage of, school property e.g. books, windows, furniture, scientific equipment etc. will be charged for if caused by carelessness, negligence or a deliberate act. The charge will be the cost of replacement or repair, or such lower cost as the Principal may decide.

Similarly a charge will be levied in respect of wilful damage, neglect or loss of property belonging to a third party, where the cost has been recharged to the school.

Other charges

The school may levy a charge for miscellaneous services up to the cost of providing such services e.g. for providing supporting evidence regarding visa applications, passports etc.

REMISSIONS

In some circumstances, the school may not charge for items or activities set out in this

policy as chargeable. This will be at the discretion of the Principal in consultation with the Trust Finance team and will depend on the activity in question.

Remissions for residential visits

Parents/carers who can prove they are in receipt of any of the following benefits will be exempt from paying the cost of board and lodging for residential visits:

- 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 you're 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 you stop qualifying for Working Tax Credit
- Universal Credit – if you apply on or after 1 April 2018, your household income must be less than £7,400 a year (after tax and not including any benefits you get)

Other requests for remittance may be considered on an individual basis by the Principal.