

CHARGING

ISLE OF WIGHT LEA POLICY ON CHARGES AND REMISSIONS FOR SCHOOL ACTIVITIES

Introduction

This paper sets out the policy of the Isle of Wight Local Education Authority on charges and remission for school activities as required by the Education Reform Act 1988. In general education in Island schools is provided free of charge. The policy provides for charges to be made, as permitted by the Act, in the areas set out below.

Remission arrangements are given in paragraph 3 and instrumental music tuition is broached in paragraph 4.

School governing bodies are required by the Act to have their own policies on charges, which should be read alongside that of the Authority in relation to the position on charges for any individual school.

1. Charges Made by the Authority and Schools

It is the Authority's intention to charge or permit charges to be made in the following areas:

a. Board and Lodging on Residential Visits

The full cost of board and lodging may be charged, at the actual cost for each pupil participating, for residential visits taking place wholly or mainly during school hours. The same will apply to residential visits out of school hours where the visit is provided as part of a syllabus for a prescribed public examination or required in order to fulfil any statutory duty in relation to the National Curriculum or religious education. (All other residential visits out of school hours may be treated as optional extras (see paragraph below)).

Compulsory charges cannot be made for any other costs associated with residential visits except in respect of relevant charges levied by others (paragraph below) although voluntary contributions may be requested from parents.

b. Board and Lodging at a School

The full cost of board and lodging will be charged where the Authority agrees, at the request of parents, to provide education for a pupil through boarding at any school. This is a continuation of existing powers and does not apply where the boarding placement is at the initiative of the Authority eg special education.

c. Transport

The cost of transport may be charged where a pupil travels direct from home to an activity sanctioned but not provided by the Authority or the school eg travel direct to a work experience placement.

d. Charges by Others

Parents may be expected to meet charges levied by others where these arise in connection with normal school activities including:

1. train, bus and ferry charges on scheduled public transport;
2. entrance fees to establishments e.g. museums, not owned by the Authority.

e. Charges for Ingredients and Materials

Schools are expected to provide any ingredients or materials required for the delivery of the curriculum. A charge may be made in cash or in kind for ingredients or materials where parents have indicated in advance a wish to own the finished product. This will normally apply to practical subjects such as home economics or CDT.

f. Clothing

Schools may require parents to provide items of clothing incidental to the education provided in schools e.g. cookery aprons, football boots.

g. Optional Extras

The full cost of any activities taking place out of school hours (and which are not part of the syllabus of any prescribed public examination or required in order to fulfil any statutory duty in relation to the National Curriculum or religious education) may be charged to parents. A pupil's participation in such activities, optional extras, is entirely at the discretion of parents.

The charge in respect of each pupil must not exceed the total cost of the activity divided by the number of pupils participating. The total cost will, as appropriate, include travel, board and lodging, materials, books, equipment, non-teaching staff costs and teaching staff costs (where the staff are 'contracted' to take part in the activity), entry fees to places of interest and insurance.

h. Public Examinations

The full cost of public examination entry fees may be charged in the following circumstances:

1. Where a pupil fails without good reason to meet the requirements of any examination for which he/she has been prepared and entered by the school. It is for the school to judge what constitutes good reason and each case must be judged on its merits. Good reason might include ill-health or unavoidable or unforeseen family commitments or circumstances e.g. bereavement.

2. Entry of a pupil for a prescribed public examination for which he/she has not been prepared by the school including the re-sitting of an examination for which no additional preparation has been given by the school.
3. Entry of a pupil at the request of parents for a public examination not on the list prescribed by the Secretary of State and for any costs associated with preparing the pupil for the examination where this preparation takes place out of school hours.

i. Voluntary Contributions

Voluntary contributions may be sought from parents towards the cost of any activity taking place during school hours. Contributions must be voluntary and pupils may not be excluded from an activity or otherwise disadvantaged by reason of their parents' unwillingness to contribute should the activity in question be implemented.

In practice, voluntary contributions are likely to be sought primarily for school visits during school hours but schools may, if they wish, seek such contributions for any other school purposes.

2. Remission

This policy provides for full remission of charges:

1. For board and lodging on a residential visit in school hours i.e. a visit which complies with the criteria in paragraph above, for pupils who are in receipt of free school meals. The cost of such remission will have to be found from funds available to the relevant school.
2. For hardship cases where board and lodging is provided at a school at the request of parents (paragraph 2 (b) above) the cost of such remission to be met by the Authority.

3. Instrumental Music Tuition

a. Tuition

Instrumental tuition in schools receives a substantial subsidy both from the Isle of Wight Council and the Department for Education and Skills. A proportion of the remaining cost is usually passed on by schools to parents. The exact figure varies from school to school.

b. Remission

Whilst schools are responsible for arrangements for financial support for public examination candidates (GCSE/A Level), the Music Service is able to provide (subject to documentary evidence) additional subsidy for pupils in financially disadvantaged circumstances. The Music Service also offers free tuition (including free instrument loan) for the first year of lessons on lower strings (all schools) and on double reed (first year) and brass (first

term) in middle and high schools. For further information please consult your child's school and/or the music office.

1. Music and Accessories

Whilst tuition is subsidised it is assumed that in most cases parents will wish to provide children with their own music to keep. This will naturally incur an occasional expense as and when necessitated by the child's progress. In addition it should be borne in mind that, whether the instrument be a pupil's own property or that of the IWMS or the school, he or she will be responsible for the replacement of broken strings, damaged reeds etc as the need arises. (All IWMS instruments are issued in full working order).

2. External Examinations

Should pupils make good progress beyond County Intermediate Grade standard it may well be in their interest to take occasional external examinations such as those set by the Associated Board of the Royal Schools of Music or the Guildhall School of Music and Drama, involving parents in expenses with regard to entry fees and possibly accompanist's time.

Instrumental staff will ensure that parents are consulted at an early stage by using a pre-printed letter and reply slip. No entry will be made for an external examination before parental permission has been obtained in writing and arrangements for an accompanist have been made.

Fuller details of current costs can be found in the "Guidelines for Instrumental Music Tuition" leaflet available from schools and the music office.

d. Instrumental Hire Scheme

A limited number of instruments owned by the Music Service is available for hire to pupils for their first year(s) of study, after which time parents are encouraged to provide a similar instrument for their child on which to continue. Music Service instruments are allocated by instrumental staff in consultation with school music staff. In cases of genuine financial hardship (for which documentary evidence may be requested) the hire period and / or termly charge may be adjusted or waived altogether.

e. Musical Instrument Assisted Purchase Scheme

Pupils studying a musical instrument in school are able to purchase instruments free of VAT and in addition benefit from substantial educational discounts – details from the music office.

f. Senior County Music Awards & Bursaries

Twice a year the Music Service offers, subject to a successful audition, a limited number of full Awards providing five hours of free individual tuition per term outside school and Bursaries providing up to £25 towards the cost of tuition in or outside school to pupils from maintained schools who show and continue to show evidence of substantial musical ability and commitment. – full details from the music office

4. Notes on Preparation of Governor Policies on Charging and Remission

- a. The Authority's policy is essentially an enabling document; that is to say it allows charges to be made by schools or the Authority as the case may be for the items described. With the exception of individual and small group (maximum of 4 per group) music tuition the items described include all those for which charges are permissible under the Education Reform Act. Having reserved the above position by way of the policy, schools and the Authority are then free to decide in respect of any chargeable item relevant to them whether or not they wish to make a charge on any particular occasion.
- b. Should governing bodies wish to adopt a similar policy to that of the Authority ie to reserve the right to make charges for the items relevant to them, then their policies need consist of no more than a simple statement to the effect that they endorse the policy of the Authority on charges in respect of their own schools.
- c. In practical terms a school policy can only differ from that of the Authority if the governing body decides not to make charges for any of the items specified, ie if the governors decide to adopt a policy more generous than that of the Authority. Should governing bodies wish to do this then they must, as a prerequisite, be able to identify funds available to them eg Schools Allowance, delegated budgets under LMS or the School Fund to meet the costs involved. For example, should a governing body not wish to charge for board and lodging on residential visits in school time then the governing body must make funds available to cover that cost.
- d. A few notes are given below to assist such governing bodies as may wish to amend the Authority's policy or produce a full written policy of their own. Any such governor policy might usefully follow the format of the Authority's document. DES Circular 2/89 "Charges for School Activities", which has been issued to all schools, should also be observed.
 1. Paragraphs 2.(b) (Board and Lodging at a School) and 4 (Instrumental Music Tuition) of the Authority's policy are Authority matters and need not be addressed in school policies.
 2. In respect of individual, ie one to one, and small group (maximum of 4 per group) music tuition it would be open to a school to charge for this should such provision be made by any school from within its own resources. In practice a policy need only be formulated if a school engages or might at some stage engage in music tuition separate from that provided by the Authority.

3. Charges for public examination entries are of course relevant only to high schools.
4. The Authority's policy on remission of charges (paragraph 3) is at the statutory minimum, which also applies to governors. As noted in paragraph 3 schools will need to accommodate remission for board and lodging on residential visits (in school time) organised by them from within their own resources. There will of course be further financial consequences if governors wish to extend remission beyond the statutory minimum.

5. Breakages and Fines

As explained in paragraph 60 of Circular 2/89 there is nothing to prevent schools from asking parents to pay for damage to equipment or property caused by their child. Governing bodies are advised to include their policy on such matters in school discipline codes where this has not already been done.

6. Local Management of Schools

Under local management of schools governors of schools with delegated budgets the flexibility to meet the costs of any activity for which charging is allowed should they wish to do so. Should, however, governors decide to make a charge for any activity (for which charging is allowed) where the Authority has included in the delegated budget funds to meet the cost of that activity, the Authority will deduct an appropriate amount from the budget of the school concerned. The activity would otherwise be double funded to the benefit of the delegated budget. In practice instances of this sort are likely to be exceptional.

7. Some Practical Considerations on Charging for School Activities

a. General

Concerns on the impact of charging legislation revolve primarily around educational trips and visits, a whole range of which are organised by many schools for the educational benefit of pupils. Notes are given below on school visits. Some comments on other aspects of charging follow.

b. Visits - School Hours

It is important to distinguish between visits taking place during school hours and visits taking place out of school hours. This is straightforward for visits totally within or totally outside the school day. For visits spanning both school and non-school time paragraphs 27-32 inclusive of Circular 2/89 describe the tests to be applied in order to decide whether a visit is to be deemed as taking place either during or out of school hours.

Visits taking place wholly out of school hours or deemed to be out of school hours may be treated as -optional extras (paragraph 3 below), all other visits i.e. totally within school hours or deemed as such are discussed in paragraph 4.

c. Optional Extras

Paragraphs 21-25 inclusive of Circular 2/89 describe in some detail procedures on charging for optional extras. In short, the full cost to any individual pupil may be charged. A pupil's participation in such activities is entirely at the discretion of parents. Statutory remission arrangements do not apply. On the other hand only the actual cost per pupil may be charged. The charge to some parents cannot be increased to fund or part fund the participation of pupils whose parents may have difficulty in meeting the full cost. Any 'subsidies' of this description, if desired, must be funded by other means.

Of more importance is the requirement that the costs of a teacher accompanying a visit (transport, subsistence etc) can only be recharged where the teacher concerned is on a specific contract of service for the purpose. The 'contract' need be no more than a written undertaking to participate in the visit. A suggested standard form of letter/contract will be provided for schools shortly.

Time spent by a teacher under 'contract' will not count against directed time. The teacher will however be contracted to the Authority and normal insurance and other safeguards will apply.

Clearly the classification of a visit as an 'optional extra' simplifies financial arrangements. Holiday time activities eg some ski-trips can continue unaffected. It may be possible for some visits taking place during term-time to be so organised as to be deemed to take place out of school hours (ie as optional extras) although in practice the ability to do this may be limited.

Any visits out of school hours which are entailed by a prescribed public examination course or required to fulfil statutory duties arising from the National Curriculum or religious education cannot be optional extras. These must be dealt with in common with other visits.

d. Visits During School Time

For school time visits only the cost of board and lodging (where relevant and subject to statutory remission) may be charged. Beyond this, such visits can be funded in one of three ways (or by a combination of (i) and (ii)):

1. from funds available to the school e.g. School Fund, schools allowance, PTA funds or (in due course) delegated budgets under LMS;
2. by voluntary contributions from parents (see below);

3. through the agency of a third party (see below).

e. Voluntary Contributions

Voluntary contributions may be sought from parents towards the cost of any school activity including school visits. It would be possible to ask for contributions for specific visits as and when they arise and/or to request contributions to a 'general fund' for school trips to be used when required. The latter course might lead to some parental objection, particularly as future participation of any individual pupil in any visit could not be guaranteed in advance. On the other hand, schools' normal fund-raising activities might have the funding of school trips as one objective.

The essence of voluntary contributions is that they must be genuinely voluntary. That is to say, pupils whose parents do not wish to contribute may not be excluded from a visit or otherwise disadvantaged in consequence. Willingness to pay cannot be used as a discriminator for deciding which pupils take part in a visit or for excluding pupils from a visit.

The corollary, and as accepted in DES Circular 2/89, is that visits may be made contingent on all or a sufficient number of parents being prepared to contribute. Schools will need to judge in the light of responses whether sufficient funds (together if necessary with any available school resources) have been received to implement the visit. If not, the visit should be cancelled for -all pupils.

It is essential that parents are made aware of the above considerations when voluntary contributions are sought. A suggested outline letter to parents will be circulated to schools shortly.

It should be noted that the amount of any voluntary contributions sought need not, and unlike the case with optional extras (Para above), be set at the actual cost for each pupil. The level of voluntary contribution to be sought is at the discretion of the school although clearly the actual cost per pupil will be a major consideration. Schools may see value in explaining the new situation to parents through any other channels available e.g. school newsletters, PTA meetings. Ultimately it is for the parents themselves to decide what and how much they are prepared to support by voluntary donation.

f. Place Limited Visits

Some visits, particularly residential visits, with a ceiling on the numbers of pupils who may take part are offered to year groups or similar. In future the selection of those who participate cannot be based on willingness to pay; schools will need to determine other criteria for selection. There is no easy answer. Should selection be required, schools will need to assess the relative benefit to the pupils wishing to participate in terms of the educational and social objectives of the visit. Schools would be wise to inform parents beforehand that such selection will need to be undertaken should the visit be over-subscribed. Again, if insufficient funds have been received from the parents of selected pupils the visit may be cancelled for all.

Third Party Arrangements

DES Circular 2/89 opens the prospect of arranging term-time visits through an outside agency, a travel firm or similar on the general principle that prohibitions on charging do not apply to charges levied by 'others', ie by bodies other than the Authority or its schools. Under such arrangements the third party could charge the full cost of the visit to parents wishing their child to participate. This would require:

1. that pupils are given formal leave of absence by their schools for annual family holiday allowable under Schools Regulations for a maximum normally of no more than two weeks in any one year;
2. that any accompanying teachers are similarly granted leave of absence;
3. that the school is not involved formally in any substantive arrangements for the visit e.g. collection of monies, which would be matters of contract between the organising body and parents.

This is a complex subject which raises serious issues of principle for the Authority and for schools. In addition, the position of teachers in terms of liability and insurance is not entirely clear. As such visits are, by definition, private not school ventures, it would appear that accompanying teachers would be agents of the organisers and not therefore covered by the Authority's insurance arrangements unless these could be extended to cover this situation. Any claim against a teacher for negligence resulting in injury to a pupil or any accident suffered by a teacher would not be covered by the Authority's insurance. It would therefore be important for teachers to ensure that full and effective insurance arrangements would be provided by the organisers.

IN THESE CIRCUMSTANCES SCHOOLS ARE ADVISED TO EXERCISE EXTREME CAUTION IN CONTEMPLATING ARRANGEMENTS OF THIS SORT AND MUST NOT ENTER INTO ANY SUCH ARRANGEMENT WITHOUT PRIOR REFERENCE IN GOOD TIME TO THE EDUCATION DIRECTORATE.

It should be emphasised that third party arrangements are irrelevant to visits outside school hours i.e. optional extras where schools can themselves charge the full cost to parents (paragraph 3 above).

g. Some Other Issues

Wasted Public Examination Fees (High Schools only)

Reference is made in paragraph of the Authority's policy on charges to the ability of governing bodies to charge parents for examination fees where a pupil fails without good reason to fulfil the requirements of any public examination for which he/she has been entered by the school. It is for the school to judge what constitutes good reason; some examples are given in paragraph . High schools may wish to consider this more fully and draw up and publish more extensive guidelines.

Attention is drawn in this context to paragraph 45 of DES Circular 2/89 which requires governing bodies to enter a pupil for any public examination for which the pupil has been prepared by the school unless, in the opinion of the governing body, there are educational reasons for not so doing. This requirement should be brought to the attention of high school boards.

Charges in Kind

Paragraph 2 e of the Authority's policy and paragraph 17 of DES Circular 2/89 refer. Parents may only be expected to supply materials or ingredients for practical subjects in cash or in kind where they have indicated in advance a wish to own the finished product. To reduce administration parents might be asked to agree to such arrangement at the start of their child's career at a school with the option to elect otherwise by subsequent notification. Pupils whose parents decline to provide materials must, nonetheless, be treated equally by the school with those whose parents agree.

It should be noted that the concept of "ownership" does not necessarily mean that a finished product will in all instances be returned to parents. There may not in all cases be a discrete product resulting from the use of materials supplied but the "ownership" of any outcome will nonetheless be vested in the suppliers. Parents might usefully be apprised of this to avoid misunderstandings or false expectations.