



National
Guidance

<http://oeapng.info>

Charging for school activities

Local authorities, maintained schools and academies (including free schools, studio schools and University Technical Colleges) must take account of the law relating to charging for school activities, as set out in sections 449 to 462 of the Education Act 1996.

General Principles

No charges may be made unless the governing body of the school or local authority has drawn up a charging policy giving details of the optional extras or board and lodging that they intend to charge for, and a remissions policy.

Schools and local authorities **must not** charge for:

- education provided during school hours.
- education provided outside school 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 school, or part of religious education.
- transport provided in connection with an educational visit.

It should be noted that 'part of the National Curriculum' is not restricted to learning outside the classroom experiences that are specifically subject based (e.g. geography or science fieldwork) but includes, for example, activities designed to fulfil requirements under the National Curriculum 'inclusion statement'

Schools and local authorities **may** charge for optional extras, which include:

- education provided outside of school time that is not:
 - a) part of the National Curriculum.
 - b) part of a syllabus for a prescribed public examination that the pupil is being prepared for at the school.
 - c) part of religious education.
- board and lodging for a pupil on a residential visit, except to parents in receipt of certain benefits (broadly equivalent to those which qualify children for Free School Meals).

Definition of “School Time” and “Non-school Time”

Where an activity or visit takes place partly during and partly outside normal school hours, the Education Act 1996 prescribes a basis for determining whether the activity is deemed to take place either “in” or “out” of school hours. This depends first on whether the venture is residential or non-residential.

Single Day (Non-Residential) Activities

A non-residential activity is deemed to take place during school hours if 50% or more of the activity occurs during school hours (including any travelling).

Where less than 50% of the activity falls during school hours, the venture is deemed to take place in non-school time. An example might be an activity that requires pupils to leave school an hour or so earlier during the afternoon and which does not end until late in the evening.

Residential visits

If the number of school sessions taken up by the visit is equal to or greater than 50% of the number of half days spent on the visit, it is deemed to have taken place during school hours (even if some activities take place late in the evening). Whatever the starting and finishing times of the school day, regulations require that the school day is divided into 2 sessions. A “half day” means any period of 12 hours ending with noon or midnight on any day.

Example 1: Visit during school hours

Pupils are away from noon on Wednesday to 9pm on Sunday. This counts as 9 half days including 5 school sessions, so the visit is deemed to have taken place during school hours.

Example 2: Visit outside school hours

Pupils are away from school from noon on Thursday until 9pm on Sunday. This counts as 7 half days including 3 school sessions, so the visit is deemed to have taken place outside school hours.

Voluntary Contributions

The restrictions on charging do not prohibit the Local Authority or school from seeking voluntary contributions in support of an activity or visit. Such contributions must, however, be genuinely voluntary. Consequently, it must be made clear to parents that there is no obligation to contribute, and students must not be treated differently according to whether or not their parents have made any contribution.

It is important to provide written information to Parents. This should explain the nature of the proposed activity or visit, the likely value in educational terms and the financial contribution per student which would be required if the activity were to take place. The information should emphasise that there is no obligation to contribute and that no student will be excluded because parents are unwilling or

unable to contribute. However, it must be made equally clear whether the activity or visit is likely to be cancelled if there are insufficient contributions.

There is no limit to the level of voluntary contribution, nor is there any restriction on the way in which such contributions may be used. Thus voluntary contributions may be used to subsidise students of lesser means and to pay the travel and accommodation costs of accompanying teachers.

Summary of Permissible Charges

The extent to which charges may be levied is dependent upon the answers to the following questions:

1. Is the activity or visit regarded as a statutory requirement?
2. Is the activity or visit to be held in school time?

If the answer to either question is "yes", the only charges that may be levied relate to the cost of board and lodging. No charges may be levied for either the travel or the educational activities.

If the answer to both questions is "no", the activity or visit is an "optional extra" and the full cost may be levied. However, any charge made in respect of individual pupils must not exceed the actual cost of providing the activity or visit, divided equally by the number of pupils participating. It must not therefore include an element of subsidy for any other pupils wishing to participate whose parents are unwilling or unable to pay the full charge.

Further information

Government guidance on charging for school activities is available at the following website. This includes details of the benefits which exempt parents from being charged.

<https://www.gov.uk/government/publications/charging-for-school-activities>

