

HERNE JUNIOR SCHOOL



Charging and Remissions Policy

RATIONALE

Every school must have, and publish for parents, a charging policy. The purpose of such a policy is to ensure that there is clarity for parents over those items which the school will provide free of charge and those items for which there may be a charge. The policy for this school has been decided by the Governing Body with reference to the relevant Local Authority policy and guidance from the Department of Education.

METHODS

Books and equipment

- Most parents want to buy their children their own pens, pencils, calculators, etc, although the school will loan such equipment on request or when needed in lessons.
- Books and stationery are provided free, including a Home-School Link book and Times Tables book.
- If a child has carelessly lost a library book or reading book or their Home-School Link book or Times Tables book, the cost of replacement will be borne by the parent.
- If a child wilfully or carelessly damages or loses school property, the cost of replacement or repair will be borne by the parent.

Charging for materials

- Parents of pupils who take part in practical courses (eg. Home Economics, Art, DT etc.) and who wish their children to own the finished product will be charged for the materials used.

Activities within the school day or part of an examination course:

- Any payment from parents for these activities is voluntary but if parents are unable or unwilling to contribute, it may be that the activity will not be able to take place. Pupils will never be treated differently whether or not their parents have made any such payments.
- When visiting speakers or group are brought into school Herne may ask for a voluntary contribution towards the cost of this.
- There is no charge made for swimming lessons in Year 4 where swimming is part of the child's entitlement to the National Curriculum.

Activities outside the school day

- Herne provides its pupils with the option of participating in a wide range of after-School clubs and activities for the majority of which there is no charge. This usually applies to activities run by school staff (not including Breakfast and Twilight Clubs). Details of these are provided to pupils and parents as appropriate through the year.
- Herne also offers its pupils the opportunity to take part in activities after School which are organised and/or run by other parties. For these activities payment is required for pupils to take part. Herne provides details of these activities and the costs involved to pupils and parents as appropriate through the year.

Residential Visits

- On residential visits parents are asked to pay for the costs of transport, food, accommodation and activities.
- If there is a genuine hardship Herne may be able to support through charity sources.

Public Examinations

- The Headteacher has the delegated responsibility to decide whether pupils are entered for particular examinations.
- The Headteacher has the authority to charge for examination entries in certain circumstances.
- The Headteacher is authorised to request payment for wasted examination fees.

Music Tuition

- The Headteacher is authorised to charge for music tuition outside normal classroom activities, when permitted.
- Lost or damaged instruments must be replaced by the parents.
- A charge is made for those children having music lessons.

Loss and Damage to School Property

- Parents of a pupil who damages or loses any item of school property or equipment, including, for example, windows or computer software, are liable for the cost of repair or replacement.

Charging in respect of requests for access to information

The Governing Body has determined:

- to charge the statutory maximum fee in respect of a request made under the Data Protection Act 1998. In 2019-2020 this is £10.
- to charge a fee not exceeding the cost of supply in respect of a request made under the Education (Pupil Information) (England) Regulations 2000; and
- to charge a fee, in accordance with relevant regulations, in respect of a request made under the Freedom of Information Act 2000.

See Appendix for latest charges.

ARRANGEMENTS FOR MONITORING

The effectiveness of this policy will be monitored by the Resources Committee through analysis and evaluation provided by the Head Teacher and parental feedback. The content of this policy will be reviewed annually by the Governing Body.

This policy should be read in conjunction with the following documents:

Music Policy

Ratified by Chair of Governors & Headteacher: November 2019

Review date: November 2021

APPENDIX

Right of access under the Pupil Information Regulations

[Regulation 5](#) of the Pupil Information Regulations provides that the governing body must make a pupil's educational record available for inspection or provide a copy of the record within **15 school days** of a parent's written request. The time for response includes any time taken to seek third party consent.

The school cannot charge to make the record available for inspection. Charges for copying the educational record are set by the governing body and must not exceed the cost of supply ([regulation 5\(3\)](#)). The same requirements apply to Wales ([regulation 5\(2\), Welsh Regulations](#)).

The right is available to a parent within the meaning of [section 576](#) of the Education Act 1996, that is, any person who has parental responsibility for the child or who has care of them. For more information, see [Practice note, Parental responsibility for education](#).

The rights to access a pupil's personal data are essentially the same under both regulation 5 of the Pupil Information Regulations and [section 7](#) of the DPA 1998, although not all of the pupil's personal data held by a school is contained in their educational record; for example, notes made by teachers for their own use or information provided by the parent of another child fall outside the scope of the definition. The principle difference is that the [Pupil Information Regulations](#) give specific rights to **parents** to access their child's educational record. By comparison, parents accessing their child's personal data under the [DPA 1998](#) are exercising the **child's** right of subject access on the child's behalf. Therefore, the pupil cannot prevent a parent from accessing their educational record under the Pupil Information Regulations, as they could if they objected to their parent exercising this right under section 7 of the DPA 1998, assuming the child in question is sufficiently mature to make such a decision.

The House of Commons Library has published briefing paper on the rights of parents to receive information about their child's education (see [Legal update, House of Commons publishes briefing paper on parental decision making and access to pupil records](#)).

Pupil Information Regulations do not apply to non-maintained schools

The Pupil Information Regulations do not apply to non-maintained schools, such as academies ([regulation 4, Pupil Information Regulations](#)). Parents of children at non-maintained schools wishing to access information must therefore make a subject access request for information under the [DPA 1998](#) (see [Subject access requests under section 7 of the DPA 1998](#)), or refer to:

- Annual written reports from the school (for example, those required by paragraph 24(1)(f) of [Schedule 1](#) to the [Education \(Independent School Standards\) \(England\) Regulations 2010 \(SI 2010/1997\)](#)).
- Information on the school's website (for example, academies' funding agreements require certain information to be published on their websites, including on the school's curriculum provision and performance).

Subject access requests under section 7 of the DPA 1998

The [DPA 1998](#) applies to all personal data held by a school, including academies and independent schools. Under [section 7](#), all **data subjects** are entitled to know what personal data is held about them and to receive a copy of it. The right is available to pupils, parents, staff and anyone else whose personal data is held by a school. For information about responding to a request from a member of school staff, see [Practice note, Data subject access requests: employer's obligations](#).

Anyone with parental responsibility may make a **subject access request** in respect of their child. However, if the child is aged 12 and over, their consent should be obtained before the school

discloses their personal data to a parent, as this is the age at which a child is deemed able to make a subject access request for themselves (see [ICO's Subject Access Code of Practice](#)).

While the right to access information under the [Pupil Information Regulations](#) is limited to the information contained in the educational record, the right under section 7 extends to all personal data held about the data subject. This could include information contained in unfiled correspondence and even informal notes made by teachers. The time limit for providing information pursuant to a subject access request is 40 days. In practice, schools responding to requests under either regime will not distinguish between them and will disclose all the personal data relating to the child that they are able to find and extract.

The maximum fee that may be charged for a print copy of information, provided pursuant to a subject access request, is set out in the [Data Protection \(Subject Access\) \(Fees and Miscellaneous Provisions\) Regulations 2000 \(SI 2000/191\)](#):

Number of pages	Maximum fee		Number of pages	Maximum fee
1-19	£1		100-149	£10
20-29	£2		150-199	£15
30-39	£3		200-249	£20
40-49	£4		250-299	£25
50-59	£5		300-349	£30
60-69	£6		350-399	£35
70-79	£7		400-449	£40
80-89	£8		450-499	£45
90-99	£9		500+	£50

Any charges made for copying information supplied under the Pupil Information Regulations must not exceed the cost of supply ([regulation 5\(3\)](#)).

On 17 September 2012, the Information Commissioner's Office (ICO) issued a report giving schools practical advice on how to comply with the DPA 1998. The report sets out a series of recommendations to help schools meet their obligations under the DPA, each recommendation links to further information on the ICO's website. They cover areas such as:

- Fair processing.
- Security. Subject access requests.
- Data sharing.
- CCTV.
- Photographs.

For more information, see [Legal update, ICO report provides data protection advice to schools](#).

Exempt information

Restrictions on disclosure of information

Under [regulation 5](#) of the Pupil Information Regulations, schools may refuse to disclose information to a parent in two circumstances:

- Where the school would have no right to disclose the information to the pupil under the [DPA 1998](#).
- Where the pupil would not be entitled to see the information under [section 7](#) of the DPA 1998 (see [Practice note, Overview of UK data protection regime: Right of access](#)) or any Order made under [sections 30\(2\)](#) or [38\(1\)](#) of the DPA 1998. This includes correspondence which is legally

privileged (see [Practice note, Privilege: an overview](#)), examination marks before publication, examination scripts and adoption records, to which a separate statutory regime applies.

The Secretary of State has made the Orders permitted under section 30 of the DPA 1998 and restricted access to educational records through the [Data Protection \(Subject Access Modification\) \(Education\) Order 2000 \(SI 2000/414\)](#) (Order).

The Order applies to educational records, as defined in [Schedule 11](#) to the DPA 1998, which mirrors the definition contained in the [Pupil Information Regulations](#). Schedule 11 defines educational record for England, and Wales, Scotland and Northern Ireland.

The Order prevents the disclosure of the following:

- Personal data processed by a court and consisting of information supplied in a report or other evidence given to the court in the course of proceedings to which the [Magistrates' Courts \(Children and Young Persons\) Rules 1992](#), the Magistrates' Courts (Criminal Justice (Children)) Rules (Northern Ireland) 1999, the [Act of Sederunt \(Child Care and Maintenance Rules\) 1997](#), the Children's Hearings (Scotland) Rules 1996 or the Children's Hearings (Scotland) Act 2011 (Rules of Procedure in Children's Hearings) Rules 2013 apply, where, in accordance with a provision of any of those Rules, the information may be withheld by the court in whole or in part from the data subject ([regulation 4](#)).
- Personal data where the disclosure would be likely to cause **serious harm to the physical or mental health or condition** of the data subject or any other person ([regulation 5\(1\)](#)).
- Information as to whether the data subject is or has been the subject of or may be at risk of **child abuse** if disclosure **would not be in the best interests** of that data subject, where the request is made by:
 - someone with parental responsibility for the data subject concerned; or
 - someone who has been appointed by a court to manage the affairs of the data subject because they cannot manage their own affairs ([regulation 5\(2\)](#)).

"Child abuse" includes physical injury (other than accidental injury) to, and physical and emotional neglect, ill-treatment and sexual abuse of, a child ([paragraph 5\(2\), Order](#)).

Challenges to decisions made under the Order can be brought under section 7 of the DPA 1998.