



## **Charging and Lettings Policy**

**Status - Statutory**

<b>Approved By</b>	<b>Date Approved</b>	<b>Review Date</b>	<b>Responsibility</b>
Governors	February 2016	February 2018	Finance Director

## 1. Introduction

1.1. The Governors recognise that the primary purpose of the college is to provide accommodation for the teaching, learning and welfare of its students. As defined in 'Charging for School Activities' (DfE October 2014) this policy will outline The Maltings College's position on charging for curricular activities, non-curricular activities and lettings. The needs of the students are paramount and will always take precedence over external lettings. When not required by the college, the college premises:

- Represent a significant capital investment and should be fully utilised;
- are a valuable community resource;
- are a valuable source of income and may be offered for private or commercial usage.

## 2. Priority Usage

2.1. The Governing Body has adopted the following categories of priority user:

- College users
- Designated users; e.g. registered charities or community activities (see Section 3)
- Private users; e.g. private businesses, profit making ventures, private functions, and commercial fund raising.

## 3. Application for Designated Status

3.1. The Governing Body has delegated its power to determine designated status to the Finance Director who will exercise discretion on their behalf and determine the suitability of applications (the Finance Director may delegate authority to exercise this discretion further as required). The outcome of application decisions shall be reported to the Governing Body if required. The Finance Director will arrange for a list of approved organisations to be maintained. This does not preclude the Finance Director from referring sensitive applications to the Full Governing Body at his discretion.

## 4. Charging for College Activities

4.1. The college, in accordance with its Funding Agreement with the EFA, highlights its conformity to the Education Act 1996 section 449-462 for charging for college activities. The college **can** make a charge for the following:

- Educational trips and residential visits – board and lodging and the charge must not exceed the actual cost.
- Music and vocal tuition – where students undertake peripatetic instrumental or vocal tuition above the national curriculum requirements and at the parents request.
- Examinations – where a student has failed for no good reason or withdraws from an examination without the agreement of the college a charge will be made. The Governors reserve the right to charge for the re-sitting of exams or modules.
- Non-educational trips – as an 'optional extra' that is **not** part of the National Curriculum. The trip may be cancelled if there are insufficient students to make the trip viable.
- Damage or loss to college property – a charge to parents/carers will be made when damage or loss of college property occurs through wilful and negligible behaviour of their child. The charge will not exceed the actual cost to replace or repair.
- Equipment, books, materials and instruments that the parent/carer wishes to have ownership over.

4.2. For the above list the college must ensure the charge does not exceed the actual cost of providing the item or activity. The Finance Director is delegated with the authority to subsidise some of all of the above charges at his/her discretion.

4.3. The college **cannot** make a charge for the following:

- An admission application to any state-funded school – paragraph 1.9 (n) of the 'School Admissions Code 2012' rules out requests for financial contributions during any part of the admissions process.
- Education provided during college hours (including the supply of any materials, books, instruments or other equipment).
- Education provided outside college hours if it is part of the national curriculum; this is not restricted to learning outside the classroom experiences that are specifically subject based (for example Geography or Science fieldwork). This also includes activities designed to

fulfil requirements under the national curriculum 'inclusion statement' or part of a syllabus for a prescribed public examination that the student is being prepared for at the college, or part of religious education.

- Instrumental or vocal tuition, for students learning individually or in groups, unless the tuition is provided at the request of the student's parent.
- Entry for a prescribed public examination, if the student has been prepared for it at the college.
- Examination re-sit(s) if the student is being prepared for the re-sit(s) at the college.
- Transport when:
  - Transporting registered students to or from college premises, where the local education authority has a statutory obligation to provide transport.
  - Transporting registered students to other premises where the Governing Body or local authority has arranged for students to be educated.
  - Transport that enables a student to meet an examination requirement when he/she has been prepared for that examination at the college.
  - Transport provided in connection with an educational visit.

4.4. The Governors delegate authority to the Finance Director to review all new activities that the college engages in. They are responsible in assessing the cost benefit analysis and ensure all overheads will be recovered prior to engagement and that it fits with the college budget and resources available.

## **5. Remissions**

5.1. Under certain circumstances the college will make exceptions to parents/carers that are in the receipt of the following benefits from paying the full cost for an college trip or visit:

- Universal Credit in prescribed circumstances.
- Income Support (IS).
- Income Based Job Seekers Allowance (IBJSA).
- Support under part VI of the Immigration and Asylum Act 1999.
- Child Tax Credit, providing that Working Tax Credit is not also received and the family's income (as assess by HMRC) does not exceed the limit:
  - The guarantee element of State Pension Credit.
  - Any income related employments and support allowance that was introduced in October 2008.
  - More recently the eligibility criteria that entitle families to a certain exemption from paying for the full cost of board and lodging on residential visits have been aligned with free school meals (FSM) eligibility criteria.

5.2. As an indicator of reducing the cost of the trip, the college invites parents/carers to approach the college. Conversations will be discussed in the strictest confidence and informed back to the applying parent/carer. The college will aim to reduce the cost of a curriculum enhancing trip/visit by up to 33% if the parent/carer is in receipt of any of the above benefits or the student classes as a FSM student. The final decision for these reductions is delegated to the Finance Director upon receipt of all the information available for the trip/visit in question.

## **6. Conditions of Hire for Lettings**

6.1. The Governors have adopted the terms and conditions under which the college premises may be hired. These conditions are available.

## **7. Administration of Lettings**

7.1. The Governors recognise that they could not personally vet every applicant or organisation who wish to make use of the college premises. Accordingly they have delegated the authority to accept applications for hire to the College Administrator.

7.2. The college will operate a fair lettings policy that does not discriminate on grounds of race, colour, religion, ethnicity, sexuality, gender, age or disability.

7.3. No member of staff, with the exception of the Finance Director, or the Principal is allowed to vary the terms and conditions under which the college premises are hired to either individuals or organisations or to deviate from the Governors' published charging policy.

7.4. All formal hiring of the college premises, including those for which no charge is made, shall be

properly documented. All hirers **must** complete a Lettings Agreement and are to receive a copy of the conditions of hire (copy available on request). The Lettings Agreement is an enforceable contract.

## **8. Scale of Charges, deposits and payment methods**

- 8.1. In arriving at their scale of charges the Governors have followed the following principles:
- College users will be charged no more than cost.
  - Designated users and private users will be charged on a cost plus an income margin for the college.
  - There will be parity of treatment for similar users.
  - The overall cost plus margin of letting the college facilities will be recovered from users.
- 8.2. For the purpose of charging the Finance Director, or an approved employee by the Finance Director, is empowered to determine to which group any particular individual or organisation belongs. The basis of charging will be determined by the purpose for which a letting is arranged, however the minimum hire period will be one (1) hour.
- 8.3. The Governors reserve the right to require a deposit over and above the hiring charge as security against damage to the premises (including any equipment) or the premises being left in an unacceptable condition which would require additional costs for cleaning, caretaking or other expenses.
- 8.4. The Governors are mindful of their responsibilities in safeguarding the college from bad debt. Therefore, payment in advance or at the time of booking is the normal practice unless otherwise agreed with the Finance Director. Bank transfers (BACS), cheques or cash are all acceptable forms of payment. A receipt will be issued upon request from our accounting package upon allocation to the provided invoice.

## **9. Cancellations and other matters**

- 9.1. Governors will seek to recover any costs incurred by the college which are unavoidable and result directly from the cancellation of a letting. Cancellation Charges:
- There will be no charge if the cancellation details are received one week (5 full working days) prior to the booking.
  - There will be a 50% charge if cancellation details are received between 1 working day and 5 working days before hire.
  - There will be a 100% if cancellation notice is less than 1 working day before hire.
- 9.2. **Extensions of Credit.** The Governors delegate all credit extensions to the Finance Director, who may allow these to bona fide local organisations and individuals which satisfy credit worthiness. In all the cases the Governors, or Finance Director, reserve the right to withdraw credit facilities where prompt payment is not received. In all cases where credit is extended, an official invoice will be issued. The Governors will not normally extend credit for lettings where the invoice value is less than fifty pounds (£50). The Governors have chosen to delegate the approval of credit facilities to the Finance Director who will maintain a list for the guidance of administrative staff. In all cases where credit is advanced the invoice is to be raised at the time of booking.
- 9.3. **Security.** The Governors will not normally insist upon continuous caretaking presence. However they reserve the right, and delegate power to the Finance Director, to insist upon caretaking presence where in his view the nature of the hiring may leave the college vulnerable to theft or damage.
- 9.4. **Fire Evacuation Procedure.** The fire alarm is a continuous bell and, if activated, all users are required to immediately leave the building via the nearest emergency exit. Users should then congregate at the designated fire assembly point, which is located to the left of the main building by the boundary wall.

## **10. Monitoring, Evaluation and Review**

- 10.1. The Governing Body will review this policy every three years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the college.