

CONFIDENTIAL

P 02994

3
///

PRIME MINISTER

CHARGING FOR SCHOOL ACTIVITIES

E(EP)(88)1

DECISIONS

Mr Baker seeks agreement to a new proposal on charging for school activities. The main elements are:

i. schools should be able to charge for activities which take place outside school hours (unless required for an external examination or by the national curriculum);

ii. schools should not charge for activities undertaken within normal school hours, except for individual music tuition (unrelated to an examination) and board and lodging for field trips;

iii. schools should have an explicit power to seek voluntary contributions from parents for any purpose;

iv. schools should be required to establish 'remission arrangements' (ie concessions for parents who cannot afford charges).

Mr Baker also proposes a small change in the balance of responsibility between governors and the LEA: discretion to charge would rest with the governors, except where the LEA itself provides a service (e.g. a peripatetic music teacher). The exception is to avoid double-funding.

2. These proposals are a major change from those agreed last Summer and put out to consultation, and they might stop, at least at the margin, some charging that now takes place. But they offer

CONFIDENTIAL

Book pupils take a music exam provided

nm

CONFIDENTIAL

a simple and readily understandable solution to the problems of the earlier approach, and Mr Baker says they have widespread support.

BACKGROUND

3. Recent legal challenges have called in doubt the existing practice on charging for "extra" school activities. E(EP) agreed in the Summer to include in the Education Reform Bill provisions designed to allow present practice to continue (E(EP)(87)3rd Meeting, Item 3). Mr Baker proposed to do this by taking two powers:

- i. power to specify the central elements of school education for which no charges would be allowed; and
- ii. power to specify activities for which charges would be permitted.

You saw substantial problems with this approach, in particular because of the "grey area" between the two extremes. But following consultation with the Law Officers, Mr Baker's proposals were agreed.

4. E(EP) had a second discussion on 28 September (E(EP)(87)6th Meeting, Item 2). You were concerned that school governors rather than the LEA should be responsible for the charging policy adopted in their schools. This was agreed, and reflected in the consultation paper issued in early October.

MAIN ISSUES

5. The main advantages of Mr Baker's new proposal are that:

- i. it is simpler and more readily understood than the earlier proposal. It avoids the problem of a "grey area";
- ii. it avoids the need for complex regulations detailing all the activities for which charges can be levied;

CONFIDENTIAL

CONFIDENTIAL

iii. it appears to have general support from schools, parents and LEAs.

6. The main disadvantage is that it would appear to prohibit, at least at the margin, some charging that now takes place, for example:

a. Some schools now charge in kind by requiring pupils to supply materials or equipment for certain classes. This practice will be stopped and Mr Baker admits that this will lead to 'some small additional expenditure', although 'largely' offset by the ability of the schools to seek voluntary contributions.

b. Charging will not be permitted for activities like theatre or museum visiting, or visiting performing artists if they take place within school hours (see Annex A). You might ask how far it has been the practice for schools to arrange such visits during school hours, and charge for them.

c. Charges will be permitted for individual music tuition, even during normal school hours, except that tuition required for public examination in music will be free. This qualification may be acceptable but you might ask about its effects. Would it prohibit charging for tuition in a musical instrument - which, for an unusual instrument, might be individual tuition - because the pupil was taking a music examination? Would this be a departure from present practice?

7. The main purpose of the discussion might be to establish how important in practice these possible departures from existing practice will be. The Treasury at official level are inclined to think they will not matter much in practice, since the two main items of expenditure - music tuition and field trips - can still be charged for (although charging for music tuition is subject to the

CONFIDENTIAL

*Transport?
i.e. do museums*

CONFIDENTIAL

qualification in 6(c) above). Mr Baker says the local authorities have confirmed that they could operate within existing provision with the change he proposes.

Responsibilities of LEAs and Governors

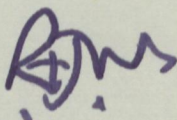
8. Mr Baker proposes a small change in the light of consultation. This would give the LEA the final say on charging for services which they provide directly, e.g. peripatetic music teachers. This should not seriously undermine governors' power to determine charging policy at their schools, within their delegated budgets. It should avoid a situation where parents pay the school for a service it itself has received free.

VIEWES OF OTHER MINISTERS

9. The Chancellor and Chief Secretary will not be able to attend the meeting, and the Paymaster General will come instead. The Paymaster General will be concerned to ensure that the revised proposals will not lead to calls for additional resources (Mr Baker says they will not). He is however likely to agree that they represent an improvement on the previous approach. The Secretaries of State for the Environment and for Wales are both likely to support Mr Baker.

HANDLING

10. You will want to ask the Education Secretary to introduce his proposals. The Secretaries of State for the Environment, Wales and Scotland and the Paymaster General will also wish to comment.



R T J WILSON
Cabinet Office
29 January 1988

CONFIDENTIAL