



Education Act 1996

1996 CHAPTER 56

PART VI

SCHOOL ADMISSIONS, ATTENDANCE AND CHARGES

[^{F1}CHAPTER III

CHARGES IN CONNECTION WITH EDUCATION AT MAINTAINED SCHOOLS]

Permitted charges

457 Charges and remissions policies.

- (1) Every governing body of a maintained school and every [^{F1}local authority] shall determine and keep under review a policy with respect to—
 - (a) the provision of, and
 - (b) the classes or descriptions of case in which they propose to make charges for, any optional extra or board and lodging in respect of which charges are permitted by section 455.

^{F2} . . .
- (2) No such body or authority shall make such a charge unless they have both—
 - (a) determined a policy under subsection (1)(b) (their “charging policy”), and
 - (b) determined a policy (their “remissions policy”) setting out any circumstances in which they propose to remit (in whole or in part) any charge which would otherwise be payable to them in accordance with their charging policy.
- (3) A remissions policy determined by the governing body of a school ^{F3} . . . shall set out any circumstances in which the governing body propose to meet (in whole or in part) any charge payable to the [^{F1}local authority], in accordance with the authority’s charging policy, for an optional extra or board and lodging provided for a registered pupil at the school.

Changes to legislation: Education Act 1996, Section 457 is up to date with all changes known to be in force on or before 07 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (4) A remissions policy shall provide for complete remission of any charges otherwise payable in respect of board and lodging provided for a pupil on a residential trip if—
- (a) the education provided on the trip is education in respect of which, by virtue of section 451, no charge may be made, and
 - [^{F4}(b) the pupil’s parent is—
 - [^{F5}(ai) in receipt of universal credit in such circumstances as may be prescribed for the purposes of this paragraph,]
 - (i) in receipt of income support,
 - (ii) in receipt of an income-based jobseeker’s allowance (payable under the Jobseekers Act 1995), or
 - [^{F6}(iia) in receipt of an income-related employment and support allowance,]
 - (iii) in receipt of any other benefit or allowance, or entitled to any tax credit under the Tax Credits Act 2002 or element of such a tax credit, prescribed for the purposes of this paragraph, in such circumstances as may be so prescribed,
 in respect of any period wholly or partly comprised in the time spent on the trip.]
- (5) A remissions policy shall be kept under review by the governing body or [^{F1}local authority] by whom it was determined.

Textual Amendments

- F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 7(2)** (with Sch. 2 para. 7(4)(5))
- F2** Words in s. 457(1) repealed (1.9.1999) by [1998 c. 31, s. 140\(1\)\(3\)](#), Sch. 30 para. 122(a), **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**.
- F3** Words in s. 457(3) repealed (1.9.1999) by [1998 c. 31, s. 140\(1\)\(3\)](#), Sch. 30 para. 122(b), **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**.
- F4** S. 457(4)(b) substituted (31.3.2003 for W., 6.4.2003 for E.) by [Education Act 2002 \(c. 32\)](#), **ss. 200, 216(4)** (with ss. 210(8), 214(4)); S.I. 2002/3185, art. 5, Sch. Pt. II; S.I. 2003/124, art. 5
- F5** S. 457(4)(b)(ai) inserted (29.4.2013) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), **Sch. 2 para. 38**; S.I. 2013/983, art. 3(1)(b)(i)
- F6** S. 457(4)(b)(iia) inserted (27.10.2008) by [Welfare Reform Act 2007 \(c. 5\)](#), s. 70(2), **Sch. 3 para. 16(2)**; S.I. 2008/787, art. 2(4)(f)

Modifications etc. (not altering text)

- C1** Pt. 6 Ch. 3 modified (1.9.2013) by [The Operation of the Local Curriculum \(Wales\) Regulations 2013 \(S.I. 2013/1793\)](#), regs. 1(1), **6(3)**
- C2** S. 457(3) modified (1.9.2013) by [The Operation of the Local Curriculum \(Wales\) Regulations 2013 \(S.I. 2013/1793\)](#), regs. 1(1), **6(1)(a)**
- C3** S. 457(4) modified (1.9.2013) by [The Operation of the Local Curriculum \(Wales\) Regulations 2013 \(S.I. 2013/1793\)](#), regs. 1(1), **6(2)**

Changes to legislation:

Education Act 1996, Section 457 is up to date with all changes known to be in force on or before 07 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- s. 457(4)(b)(i) repealed by [2009 c. 24 Sch. 7 Pt. 1](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(2)(ba) substituted for s. 13(2)(aa)(b) by [2022 asc 1 Sch. 4 para. 8\(2\)](#)
- s. 15A(3A) inserted by [2022 asc 1 Sch. 4 para. 8\(3\)](#)
- s. 15B(3)(c) inserted by [2022 asc 1 Sch. 4 para. 8\(4\)](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/1012 art. 12\(1\)Sch. 2 para. 3](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/863 Sch. 2 para. 4](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/865 Sch. 2 para. 3](#)
- s. 17A functions made exercisable concurrently by [S.I. 2016/653 Sch. 3 para. 3](#)
- s. 17A-17D inserted by [2009 c. 22 s. 45](#)
- s. 17B-17D applied by [2009 c. 22 s. 86\(8\)](#)
- s. 457(4)(i)-(iia) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 457(4)(iii) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 508(4) inserted by [2022 asc 1 Sch. 4 para. 8\(7\)](#)
- s. 537AA inserted by [2008 c. 25 Sch. 1 para. 8](#)
- s. 548(7A)(7B) inserted by [2008 c. 25 Sch. 1 para. 9\(5\)](#)
- s. 578(1) words repealed by [2005 c. 18 Sch. 19 Pt. 1](#)