



## **Debt Recovery Policy**

**Policy in place:** March 2016

**Reviewed:** March 17, March 18, March 1, March 20, Nov 2020, Nov 2021

**Review date:** November 2022

### **Statement of intent**

Endon Hall Primary & Nursery School is committed to ensuring equal opportunities for all pupils, regardless of financial circumstances, and has established policies and procedures to ensure that no child is discriminated against by our offering of school visits, activities and educational extras.

While this is the case, Endon Hall Primary & Nursery School must have a policy in place to ensure the repayment and recuperation of any outstanding debts incurred by the school on behalf of a pupil. The school will take all reasonable measures to vigorously collect debts as part of its management of public funds. A debt will be written off only after all reasonable measures (commensurate with the size and nature of the debt) have been taken to recover it.

Each case is to be treated individually and the circumstances that have led to the outstanding debt will be taken into account to determine the best course of action and whether it is fair and reasonable to pursue the debt in its entirety, if at all. Endon Hall Primary & Nursery School is committed to adhering to legal requirements regarding charging for school food, activities and materials, and meeting all statutory guidance provided by the DfE.

### **Introduction**

The school's Board of Governors has a responsibility to have a Debt Recovery Policy which ensures that appropriate procedures are in place to enable the school to receive all income to which it is entitled.

As a general rule, to avoid incurring debts, payments for materials and services provided by the school should be collected in advance or at the point of sale.

Any person(s) involved in the monitoring, recording and pursuing of debts owed to the school must formally record any information gathered and actions taken – data which is to be kept by the school for a period of seven years.

### **Legal framework**

This policy will adhere to the relevant legislation and statutory guidance surrounding school payments and debt recovery, including the following:

- DfE (2018) 'Charging for school activities'
- DfE (2020) 'Schemes for financing schools'
- DfE (2017 updated 2020) 'Governance handbook'

### **Aims and Objectives**

- To ensure that the Board of Governors complies with the Staffordshire Scheme for Financing Schools and Financial Regulations;
- To protect the school budgets;
- To apply this policy consistently to ensure debt is dealt with in a timely manner;
- To ensure further goods or services are not supplied to parents/carers or customers who have not paid for items already received or used.

### **Endon Hall Primary & Nursery School's Governing Board's Finance & Premises Sub-committee:**

- Will regularly review details of its debts and what recovery action is needed.
- Must be consulted if legal services are required for debt recovery.
- Will adhere to the privacy rights of pupils and their guardians in all cases.
- May decide to leave a case of debt recovery to the decision of Headteacher.

The Headteacher / School Bursar will ensure that:

- Debt reminders are recorded and those records maintained for a period of seven years – dates and times of letters, phone calls, emails, conversations and any other form of correspondence.
- Instances of debt are judged on an individual basis, with consideration of the nature of the debt and the circumstances of the family involved.
- The privacy of the pupil and their family will be protected by all staff.

### **Acceptable 'credit period'**

In the case of a debt, the Governors' Finance & Premises Sub-committee should agree upon a 'credit period' within which the debtor can pay the outstanding sum before the 'debt recovery procedures' are exercised. This period of time may vary at the discretion of the Finance & Premises Sub-committee, dependent on the nature and size of the debt.

The Headteacher and Finance & Premises Sub-committee will review the level of outstanding debts termly to determine whether current debt levels are acceptable and whether current methods and procedures to recover debts are effective.

Any individual cases of debt that are deemed to require intervention will then be pursued by implementing the Debt Recovery Process.

### **The Debt Recovery Process**

Endon Hall Primary & Nursery School has procedures in place which are used to collect income. However, in the event that payment is not forthcoming then an official invoice will be raised via the County Council's finance system which will lead to the Council's debt recovery procedures as follows:

- Invoice raised with payment terms of 28 days
- A reminder is sent 3 days after the 28 days has expired
- A final notice is issued before the school can request the debt recovery officer to contact the parent/carer/customer at their home/ business address (minimum value £150) or the matter referred onto the courts (minimum value £250).

### **Dinner Money (when applicable)**

Payment for school meals should be paid in advance via ParentPay.

The school office will reconcile the payments received to the meals ordered and any discrepancy will, in the first instance, result in an email or text to the parent/carer to request payment. Any parent/carer that has not made payment by the end of the month will be sent a letter requesting immediate payment. This will be sent with the child.

If payment is still not received within 5 school days, then the parent/carer will be informed that the matter will be referred to the County Council and recovery action will be pursued.

Governors have decided on the following policy regarding unpaid meals:

- A meal will be served irrespective of whether the parent has paid

### **Extended school activities**

Payment for extended school activities should be made in advance. Our preferred method of payment is via ParentPay. Accounts are reviewed on a weekly basis and statements will be sent out to parents/carers every half term. If in the event that payment has not been made by the end of the term, parents/carers will be sent a letter/statement and email requesting payment.

Any non-payment will result in the parent/carer being informed that they can no longer use the facility and the debt will be referred onto the County Council for recovery.

### **Music tuition**

Music lessons are provided by the school (via Staffordshire Performing Arts) at a charge to the parent/carer of a child. Parents/carers are informed of the cost upfront and have a commitment to pay for a term regardless of whether the child continues with the lessons.

A statement is sent to the parent/carer on a termly basis asking for payment. If payment has not been received by the end of the term a further reminder is sent. In the event that no payment is received the debt will be referred onto the County Council for recovery.

### **Board and lodging on residential visits**

The board and lodging element of a residential visit can be charged to parents/carers and they are notified of the cost in advance and are given to opportunity to pay in instalments should they wish. Payment must be made in full before the departure date.

### **Remissions**

In some cases, Governors have agreed that certain categories of pupils are not liable for the fee or are eligible for a reduced fee for some or all of; extended school activities, music tuition or residential visits. This is included within the Charging and Remissions Policy (reviewed annually).

### **Lettings**

Contracts for lettings of the school premises will be drawn up as necessary between the school and the client in line with the Charges and Remissions Policy. Failure to pay on time will result in the debt being referred to the County Council for recovery. The letting agreement will be void and the client will be refused future hires.

### **Exceptional circumstances and remissions**

The school must ensure that parents/carers of pupils are aware of the help the school can extend to those in financial difficulty. Parents/Carers who may be eligible for remissions are those in receipt of any of the following benefits:

- Universal Credit – if they apply after 1<sup>st</sup> April 2018, their household income must be less than £7,400 a year (after tax and not including any benefits that they receive)
- Income Support
- Income Based Jobseekers Allowance
- Support under part VI of the Immigration and Asylum Act 1999
- Child Tax Credit, provided that they are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190
- Working Tax Credit 'run on' – paid for four weeks after they stop qualifying for Working Tax Credit
- The guarantee element of State Pension Credit
- An income related employment and support allowance

In addition to the remission allowances outlined above, it may be advisable to waive or partially waive debts where it is deemed that it does not make financial sense to continue allocating time and resources to pursuing.

### **Writing off debts**

When all practical and cost effective methods of debt recovery have been exhausted by the County Council the school will be notified of the amount of debt that is considered to be irrecoverable. The Finance & Premises Sub-committee is not guaranteed to but may decide to waive or reduce the outstanding debt.

The Board of Governors will take into account the age and size of each debt and any advice from the County Council before making a decision to write off the debt.

### **Monitoring and Review**

Endon Hall Primary & Nursery School's Debt Recovery Policy will be reviewed annually and any changes regarding updated legislation will be made accordingly.