

Pathways School

Fee Income and Payment Policy

Policy Monitoring

Date of last review: April 2024

Reviewed by: Saima Ali Majid, Chair of Governors¹

Neil Jones, Headteacher

Date of next review: April 2025

This policy will be reviewed at least annually and following any concerns and/or updates to national/local guidance or procedure.

¹ The Governors of Pathways School are the trustees of Positive Behaviour Support for Learning (registered charity no.1186125)

1. Introduction

The purpose of this policy is to clarify the rules and the procedures around all aspects of fee income requested and received by Pathways School.

2. Links to other school policies and practices

- Admissions Policy

3. Responsibilities

The School Office Administrator has a responsibility for raising invoices. The Administrator is also responsible for ensuring that funds are received on time and chasing payment where this is not the case.

The Headteacher and Chair of Governors are responsible for reviewing the fees to be charged. They are also responsible for following up any disputes around any payment issues that need to be resolved with commissioners.

4. Determining of Fee Levels and Fee Review process

Fees charged by Pathways School are reviewed annually. When approved by the Governors, placing authorities are informed of the fee levels via letter and where appropriate, negotiations take place with those authorities.

Pathways School will engage with the Commissioning Alliance, who represent a range of London Boroughs, as well as Local Authorities themselves, when reviewing fees. <https://commissioningalliance.co.uk/>

For other local authorities not represented by the Commissioning Alliance, we will liaise directly with their own commissioning managers in a timely fashion.

When approved by the Governors, the Commissioning Alliance (or Commissioning Manager) and placing authorities are informed of the fee levels via letter and where appropriate, negotiations take place with the Commissioning Alliance and Authorities.

Rebates

Rebates can be applied to fees charged to local authorities if it is felt this is required as part of the negotiation process. Rebates should only be negotiated with authorities by the Headteacher as delegated by the Governors.

Placement Agreement and Contracts

Pathways uses the National Schools Contract for placements made by Local Authorities. Where the placing authority wishes to vary the contract, this can be done if agreed by both parties, and detailed in Schedule 6 of the National Contract. Where this has not taken place, and no agreement is in place once a placement has started, the standard terms and conditions of the National Schools and Colleges Contract as issued by Pathways School will apply until such time as further agreement is

reached, and the agreed fees will apply. This policy will be confirmed with the Local Authority in writing. A variation to contract can only be approved by the Headteacher, as delegated by the Governors.

For each placement, a Schedule 2 Individual Placement Agreement (IPA) will be signed by both parties and the contract should be in place before the placement commences. Where a placement is funded from a private source then a Private Placement Contract is used (subject to any relevant legal advice being obtained) and the Pathways School Policy for a Privately Funded Placement will be followed.

Timing of invoices and payments

Invoices are issued for each school term (Autumn, Spring and Summer) and unless otherwise agreed, the due date for fees to be paid is the first day of the student starting and the first day of each subsequent term. Invoices for fee income therefore need to be raised and issued 30 days before the start of the following term.

Where payments are delayed, we reserve the right to apply overdue payment fees.

Invoice amounts

Invoice amounts are calculated using up to two elements:

- Placement fees
- Enhanced support

The standard placement fees are agreed annually by the Headteacher and Governors so that fee letters can be issued to Local Authorities by the end of March.

Enhanced support: Due to changes in needs and circumstances, and / or to ensure the safety of our staff and students, occasionally we may re-assess the needs of a student during their placement. The placing authority will be informed by the Headteacher, and the assessment will be conducted in conjunction with Local Authority staff wherever possible. This can result in more or less staffing and other support being required by students. Pathways School will never take such a decision for financial reasons.

Wherever possible, such changes will be agreed prior to their implementation, unless it is determined that for safety reasons they should be implemented sooner. Where the assessment determines that a greater level of support is needed, the placing authority will be informed of the rationale and any resulting changes to the cost of the placement. Due to the fact that additional staffing would only be put in place to ensure student and staff safety, an emergency annual review will take place should the placing authority not agree to the change, which could result in the temporary suspension of the placement until such time as agreement is reached. The terms of the National Schools and Colleges contract would continue to apply during this period.

Enhanced Support Costs: Comprising the additional staff costs incurred for a student requiring higher than the fixed level of support. The costs charged will include on-costs, including an overhead management charge. Enhanced fees are charged where a student requires more than the standard level of service and are agreed

with a Local Authority as part of the admissions process, annual review, or emergency review.

The school must inform the Local Authority with at least three months notice of a change of fees (Clause 3.2.5.2 of the National Contract) and the Local Authority shall acknowledge notification of any proposed fee increase within 30 days of receipt of such notification (Clause 3.2.5.3). Where an agreement cannot be reached as to the variation of the fees, Section 12 (Resolution of Disputes between Parties) will be applied. Section 12 states:

- Parties will use best endeavours to settle the dispute by negotiation. Discussions will take place between the representatives of The Authority and the Provider.
- If there is no resolution, either Party may request the other to participate in a meeting of their respective senior managers, to discuss the dispute and to agree a strategy to resolve it.
- If not resolved by negotiations within 20 Working Days the Parties shall, before resorting to arbitration proceedings, attempt to resolve the dispute by mediation in accordance with the Centre for Dispute Resolution (CEDR) Model Mediation Procedure.
- If the Parties fail to resolve their dispute by mediation, then either Party may serve notice on the other to require the dispute to be referred to arbitration in accordance with the Arbitration Acts 1950 and 1996. Clause and Section references detailed above are to the National Schools and Colleges Contract 2013.

5. Pupil Premium

The Department for Education (DfE) provides additional funding, known as the Pupil Premium, to address the gap in educational attainment and long-term progress and economic well-being between socially disadvantaged students compared to their peers.

The students that are eligible for this funding are.

- Students who are adopted;
- Students who are Looked After Children (LAC);
- Students who are or have been entitled to Free School Meals at any point over the last six years.

Pathways School is an independent, non-associated special needs school. There is no requirement for Local Authorities to pass on the pupil premium funding which they receive from the DfE to students in this category of school. The funding can be allocated to the school, or it can be held by the local authority to spend specifically on additional educational support for that student. If the funding is held by the local authority, the local authority must consult the school about how to use the amount held by them, to best support the student. **Can we discuss this please?**

Local Authorities are obliged to complete an 'Alternative Provision Census' and should be aware of which students are eligible for pupil premium funding. To Assist

Local Authorities, we tell them which students we believe to be eligible and ask that they consult us on spending plans, as required.