

**St John's Catholic Primary School,**  
**Bridgnorth**



**Debt Recovery Policy**

*Reviewed: January 2024*

*Reviewed by: Miss C. Derwas*

*Next review date: January 2025*

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## **Statement of intent**

St John's Catholic Primary 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 trips, activities and educational extras. Parents are advised that school trips will only take place if sufficient payment is received in advance, whilst school recognises and makes provision to fund attendance for pupils whose parents are unable to afford payment so debt is unlikely to occur in this circumstance.

### **Dinner Money Debts**

We have also adopted this policy to ensure that there is a consistent and fair approach to debt incurred by parents/carers whose children take school dinners, or when paying for school trips. The school is responsible for the collection and reconciliation of all school dinner money and as a result of non-payment, the school will have to fund any outstanding debts that cannot be recovered. This will negatively impact on the budget for other aspects of the school.

While this is the case, the 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. The 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.

## **1. Legal framework**

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- DfE (2018) 'Charging for school activities'
- DfE (2023) 'Schemes for financing schools'

This policy operates in conjunction with the following school policies:

- Business Continuity Policy
- Data Protection Policy
- Finance Policy
- Reserves and Investments Policy
- Conflicts of Interest Policy
- Anti-fraud and Corruption Policy
- Records Management Policy

## **2. Roles and responsibilities**

The governing board is responsible for:

- Reviewing this policy on an annual basis.
- Regularly reviewing details of its debts and what recovery action is needed.
- Consultations if legal services are required for debt recovery.
- Adhering to the privacy rights of pupils and their guardians in all cases.
- Deciding to leave a case of debt recovery to the decision of the headteacher.

The headteacher is responsible for:

- The overall implementation of this policy and ensuring that all staff, parents and pupils are aware of their responsibilities.
- Recording debt reminders, and ensuring those records are maintained for a period of seven years – this includes dates and times of letters, phone calls, emails, conversations or any other correspondence.
- Ensuring instances of debt are judged on an individual basis, with consideration of the nature of the debt and the circumstances of the family involved.
- Ensuring the privacy of the pupil and their family will be protected by all staff.
- Ensuring the level of outstanding debt owed to the school can be determined at short notice.

## **3. Managing School Meal Debts**

Parents are responsible for providing a dinner for their child(ren); this may be in the form of a paid meal, application of a free meal entitlement or a packed lunch from home.

The Governing Body acknowledge that there must be a way of striking an appropriate balance between protecting the welfare of individual students and that of the wider school community.

The school will continue to operate a 'Zero Tolerance' approach in that non-payment of school meals continues to not be authorised. However, the school will implement measures to prevent excessive levels of arrears building up.

If a child arrives at school without a packed lunch or payment, or if a child's entitlement to free school dinners has ceased, the school will telephone the parent in the first instance to establish if alternative arrangements have been made.

If a child has a school dinner which has not been paid for, the parent will be contacted by text/email requesting payment within 5 days. Prompt action will be taken to address any debt issue at an early stage in order to prevent arrears accumulating.

If the debt is up to the equivalent of two weeks of meals for a child, another text/email reminder will be sent followed by a telephone call.

If the debt remains or increases a formal letter will be sent to the parent/carer informing them to provide their child with a packed lunch to prevent further arrears.

If a child has over two weeks of dinner money arrears and is not provided with the requested packed lunch attempts will be made to contact the parent/carer to determine what, if any, other arrangements had been made. Where the parent/carer cannot be contacted or where there are no alternative arrangements in place, the school will provide an alternative option for lunch for those children. Whilst it will not be as substantial as the paid for meal, it will provide the child with appropriate nourishment. As the cost of this meal will need to be recuperated to reduce the impact on the school budget, there will be a cost of £1 and this will continue to be charged until repaid.

The application of the above measures will be on a case-by-case basis and therefore if there are genuine reasons why dinner money arrears have been incurred then please speak to the school so that we can look at the various options for support.

Where the child continues to require meals, the school will try to establish if the parent/carer is experiencing hardship which affects their ability to pay. If no extenuating circumstances are established and school are having to provide a lunchtime snack for a child on a regular basis school reserves the right to request advice and assistance from Children's Social Care.

The school reserves the right to take legal steps to recover outstanding school dinner debts and inform the local authority that a child is not being provided with a suitable meal at lunch time.

#### **4. Declaring outstanding debt levels**

The headteacher and governing board will review the level of outstanding debts every term 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 the procedure starting from section five of this policy.

#### **5. Verbal and written overdue payment reminders**

Overdue payment reminders are outlined below:

- **Initial verbal reminder on the day payment is due** – informal in-person, telephone or email correspondence notifying the individual of debt with the date and time officially recorded.
- **Gentle Letter** – stating amount owing and last time payment was received

- **First formal written reminder - one week after initial verbal reminder** – an official, dated letter addressed to the debtor which will be written up one week after the first informal reminder and will acknowledge that it took place.
- **Second formal written reminder** – this will arrive one week after the second reminder, citing the details of both previous reminders and stating that concerted efforts have been made to make the person aware that an outstanding debt is overdue.

## 6. Failure to respond

If overdue payment reminders are not responded to, another letter will be sent to the debtor advising them that the case has been to the school's legal advisors and governing board.

It is then for these parties to agree on a timeframe for a repayment or, if necessary, a payment plan for separate instalments.

The school expects that the debt should be repaid as soon as possible, particularly after repeated reminders; however, this can be negotiated at the discretion of the governing board.

If there is a case where the debtor is deemed to be refusing to pay without sufficient reason, the school may consider involving the Local Authority's legal services to resolve the issue and recuperate owed funds.

## 7. Negotiation of debt payment

It is expected that the debt will be repaid as soon as possible, particularly after repeated reminders; however, this will be negotiated at the discretion of the governing board, particularly if the circumstances in section nine of this policy apply.

If there is a case where the debtor is deemed to be refusing to pay without sufficient reason, the school may consider involving LAs and the council's legal services to resolve the issue and recuperate owed funds.

## 8. Exceptional circumstances and remissions

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

- Income Support
- Income-based Jobseeker's Allowance
- Income-related Employment and Support Allowance
- Support under part VI of the Immigration and Asylum Act 1999
- The guaranteed element of State Pension Credit
- 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
- Universal Credit – if they apply on or after 1 April 2018, their household income must be less than £7,400 a year (after tax and not including any benefits that they receive)

In a case where there is, or it is suspected that there is, an overdue debt from a family who may qualify for remissions, details of the different types of bursary available will be sent to the debtor in question.

In a case where there is, or it is suspected that there is, an overdue debt from a family who may qualify for remissions, details of the different types of bursaries available will be sent to the debtor in question.

The governing board is not guaranteed, but may decide, to waive or reduce the outstanding debt in these circumstances.

## **9. Debt recovery costs**

In addition to the remission allowances outlined in the Exceptional circumstances and remissions section of this policy, 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.

The governing board will review any case a debt may be waived, and come to a final decision based on the value of costs versus value of the debt.

## **10. Monitoring and review**

This policy will be reviewed on an annual basis by the headteacher and governing board.

The next scheduled review date for this policy is **January 2025**.