St Martin and St Mary C of E Primary School

Debt Recovery Policy

Approved by	
Name	Reverend James Richards
Position	Chair of Staffing and Finance Committee
Signed	
Date	17th October 2024
Review date	October 2026 (2 years)

REVIEW SHEET

The information in the table below details earlier versions of this document with a brief description of each review and how to distinguish amendments made since the previous version date (if any).

Version Number	Version Description	Date of Revision
1	Original	2018
2	Updated in line with Code of Conduct, Safeguarding Policy etc.	September 2021
3	Annual review and update	October 2022
4	Annual review and update	October 2023

If you require this document in another format; i.e. easy read, large text, audio, Braille or a community language, please contact the school office.

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Our School Vision and Values

As a Christian school, St Martin and St Mary is an inclusive and happy community; nurturing confidence, a thirst for learning and resilience in a safe loving environment. Our priority is developing the whole child spiritually, emotionally, physically and academically to live the most rewarding life.

'Life in all its fullness' John 10.10

Our school values are at the core of everything we do. They underpin our teaching and learning, and provide an environment which prepares our pupils as confident, happy citizens. The aim of this school is to provide a rich, broad and balanced education within a caring and stimulating Christian environment, serving the whole school community. To create an environment in which learners are encouraged to fulfil their potential and make a positive contribution to their society.

At St Martin and St Mary these are the Christian values that are the most important for our school. These values help make our school a great place to be.

Friendship **Love** **Forgiveness** **Trust** **Honesty** **Faith**

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Statement of intent

St Martin and St Mary C of E 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.

While this is the case, St Martin and St Mary C of E Primary 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. St Martin and St Mary C of E Primary 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.

Legal framework

11.1. 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) 'Governance handbook'

1. Roles and responsibilities

1.1. 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.

1.2. 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.

1.3. The school's staffing and finance 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.

1.4. The headteacher/senior administrators will ensure:

- Debt reminders are recorded and those records maintained for a period of seven years – dates and times of letters, phone calls, emails, conversations or any other 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.
- The level of outstanding debt owed to the school can be determined at short notice.

2. Acceptable 'credit period'

2.1. In the case of a debt, the staffing and finance committee agreed upon a 'credit period' of two weeks for school trips and one month for all other monies due, within which the debtor can pay the outstanding sum before debt recovery procedures are exercised. This period of time may vary, at the discretion of the governing body/finance committee, dependent on the nature and size of the debt.

3. Declaring outstanding debt levels

3.1. The headteacher and staffing and finance committee 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.

3.2. 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.

4. Debt recovery procedures

4.1. Where there is an outstanding payment yet to be received and the acceptable credit period has been surpassed, an official invoice should be created outlining the value and reason for the debt, as well as the debtor's identity.

4.2. Upon creating the invoice and stipulating a date on which it must be paid by, there is acknowledgement from the school that the debt has been set up.

5. Verbal and written overdue payment reminders

5.1. **Initial verbal reminder –** informal in-person/telephone/email correspondence notifying person of debt (date and time should be officially recorded).

5.2. **First formal written reminder –** an official, dated letter addressed to the debtor should be written up two weeks after the first informal reminder and should acknowledge that it took place.

5.3. **Second formal written reminder –** this should come two weeks 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

6.1. If these 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 body/staffing and finance committee. It is then for these parties to agree on a time-frame for a repayment or, if necessary, a payment plan for separate instalments.

7. Negotiation of debt repayment

7.1. It is expected that the debt should be repaid as soon as possible, particularly after repeated reminders; however, this can be negotiated at the discretion of the finance committee, particularly if the circumstances in section nine of this policy apply.

7.2. 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

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

- Universal Credit
- Income Support
- Income Based Jobseekers Allowance
- Support under part VI of the Immigration and Asylum Act 1999
- Child Tax Credit, provided that Working Tax Credit is not also received and the family's income (as assessed by Her Majesty's Revenue and Customs) did not exceed £16,190 in the previous financial year
- The guarantee element of State Pension Credit
- An income related employment and support allowance

8.2. 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 should be sent to the debtor in question.

8.3. The staffing and finance committee is not guaranteed to, but may decide to waive or reduce the outstanding debt in these circumstances.

9. Debt recovery costs

9.1. In addition to the remission allowances outlined in section nine, 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.

9.2. The staffing and finance committee 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

The school's Debt Recovery Policy will come under review bi-annually, and changes vis-à-vis any updated legislation will be made accordingly.