



# Education Act 1996

## 1996 CHAPTER 56

### PART VI

#### SCHOOL ADMISSIONS, ATTENDANCE AND CHARGES

#### CHAPTER III

#### CHARGES IN CONNECTION WITH EDUCATION AT LEA OR GRANT-MAINTAINED SCHOOLS

#### *Permitted charges*

#### **458 Charges for board and lodging at boarding schools**

- (1) Subject to subsections (2) to (5), where a registered pupil at a maintained school is provided at the school with board and lodging, there shall be payable in respect of the board and lodging by the parent of the pupil concerned—
- (a) to the local education authority, in the case of a school maintained by such an authority, or
  - (b) to the governing body, in the case of a grant-maintained school,
- charges not exceeding the cost to the authority or governing body of providing the board and lodging.
- (2) Where—
- (a) the board and lodging are provided for the pupil at a school maintained by a local education authority, and
  - (b) the local education authority for his area are of the opinion that education suitable to his age, ability and aptitude and to any special educational needs he may have cannot otherwise be provided for him,

then, where the school is maintained by the local education authority for his area, that authority shall remit the whole of the charges payable under this section and, in any other case, that authority shall pay the whole of the charges payable under this section to the authority which maintain the school.

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*Status: This is the original version (as it was originally enacted).*

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- (3) Where—
- (a) the board and lodging are provided for the pupil at a grant-maintained school, and
  - (b) the local education authority for his area are of the opinion that education suitable to his age, ability and aptitude and to any special educational needs he may have cannot otherwise be provided for him,
- the whole of the charges payable under this section shall be payable by the authority instead of by the pupil's parent.
- (4) Where the local education authority for the pupil's area are satisfied that payment of the full charges payable under this section would involve financial hardship to the parent of the pupil concerned, the authority—
- (a) in the case of charges payable to the authority, shall remit so much of those charges as falls in accordance with subsection (5) to be so remitted, and
  - (b) in the case of charges payable to another local education authority or to the governing body of a grant-maintained school in respect of board and lodging, shall pay so much of those charges as falls in accordance with subsection (5) to be so paid.
- (5) The amount that falls to be remitted or paid by a local education authority by virtue of subsection (4)(a) or (b) is—
- (a) such part of the charges in question as the authority consider ought not to be paid by the pupil's parent in order to avoid such hardship as is mentioned in subsection (4), or
  - (b) the whole of those charges if, in their opinion, such hardship cannot otherwise be avoided.