

# **Tithe Barn Primary School**

## **Debt Recovery Policy 'Stay and Play'**

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## Statement of Intent

**Tithe Barn 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.

However our before and after school club provision (i.e. 'Stay and Play') is no different to any other business and 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.

Signed by:

_____	Headteacher	Date: _____
_____	Chair of Governors	Date: _____

## 1. Roles and responsibilities

The School's Governing Board/Resources 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 Secretary 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'

In the case of a debt, the **Headteacher** should agree upon a 'credit period' 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 **Headteacher**, dependent on the nature and size of the debt. This 'credit period' will be communicated to the parent/guardian in writing (i.e. first formal written reminder, see section five below).

## 3. Declaring outstanding debt levels

The Headteacher will review the level of outstanding debts every **half 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.

## 4. Debt recovery procedures

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.

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

- a) **Initial verbal reminder** – informal in-person/telephone correspondence notifying person of debt (date and time should be officially recorded).
- b) **First formal written reminder** – an official, dated letter addressed to the debtor should be written up one week after the first informal reminder. This letter should state the agreed 'credit period' (as set by the Headteacher).
- c) **Second formal written reminder** – this should come after the acceptable 'credit period' has been surpassed, 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 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 Board/Resources 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

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 **Governing Board/Resources Committee**, particularly if the circumstances in section eight 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 must ensure that parents/guardians of pupils are aware of the help the school can extend to those in financial difficulty. For example,

parents/guardians who may be eligible for remissions are those in receipt of benefits-based Free School Meals. The **Governing Board/Resources Committee** is not guaranteed to 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 section eight 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.

The **Governing Board/Resources 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 **annually**, and changes vis-à-vis any updated legislation will be made accordingly.