

LETTINGS ADVICE AND GUIDANCE (for premises and sites of Local Authority community schools)

This guidance contains advice about KCC requirements regarding the letting and PTA use of educational premises and aspects of the arrangements that should be agreed and applied at school level.

GENERAL GUIDANCE

Accounting

After charges have been agreed and arrangements made for invoicing, a set procedure should be followed to ensure that the income is collected, receipted, properly banked and applied to the correct CFR income code. Account must be taken of insurance and value added tax requirements. Financial records must be retained in accordance with the Retention Schedule for Schools. [See References \(pages 10-12\) for VAT Manual for Schools on KELSI](#)

Applications

Potential lettings users should be asked to complete an application form or submit a written request detailing their requirements. On receipt you will need to confirm that the accommodation and equipment requested is available when required and agree the caretaking times and availability as necessary. The potential user, who must be over the age of 18 years, must be made aware of the Conditions of Use requirements and be able to meet them to the satisfaction of the school. Before calculating the charge for the letting account should be taken of all the cost to the school of the lettings. [See References \(pages 10-12\) for Template Lettings Application Form and Template Conditions of Use on KELSI](#)

Contracts/Agreements

It is important that a contractual arrangement is established, so that the school and users understand their commitments to each other and are aware of the various rules and regulations that must be applied. It also provides a means for formalising the charging arrangements. A contract is based on the conditions of use that are applied and these should be different for commercial and non-commercial organisations. [See References \(pages 10-12\) for Template Conditions of Use on KELSI](#)

Insurance

Adequate insurance cover is essential for all lettings. Where it is being provided through the KCC hirer's liability policy charges should be made at the time of invoicing for the letting. [See Insurance \(Section 16\) and References \(pages 10-12\) for Insurance Information on KELSI](#)

Health & Safety Aspects

The requirements of the Health and Safety at Work Act 1974 and associated health and safety legislation apply to lettings and this should be drawn to the attention of users. They should be made aware of the content of the school health and safety policy as it applies to them and should be willing to take on the safety and security requirements of the policy and the conditions of use. See **References (pages 10-12)** for **School Health and Safety Policy Guidance and Example Contents and Event Safety on KELSI**

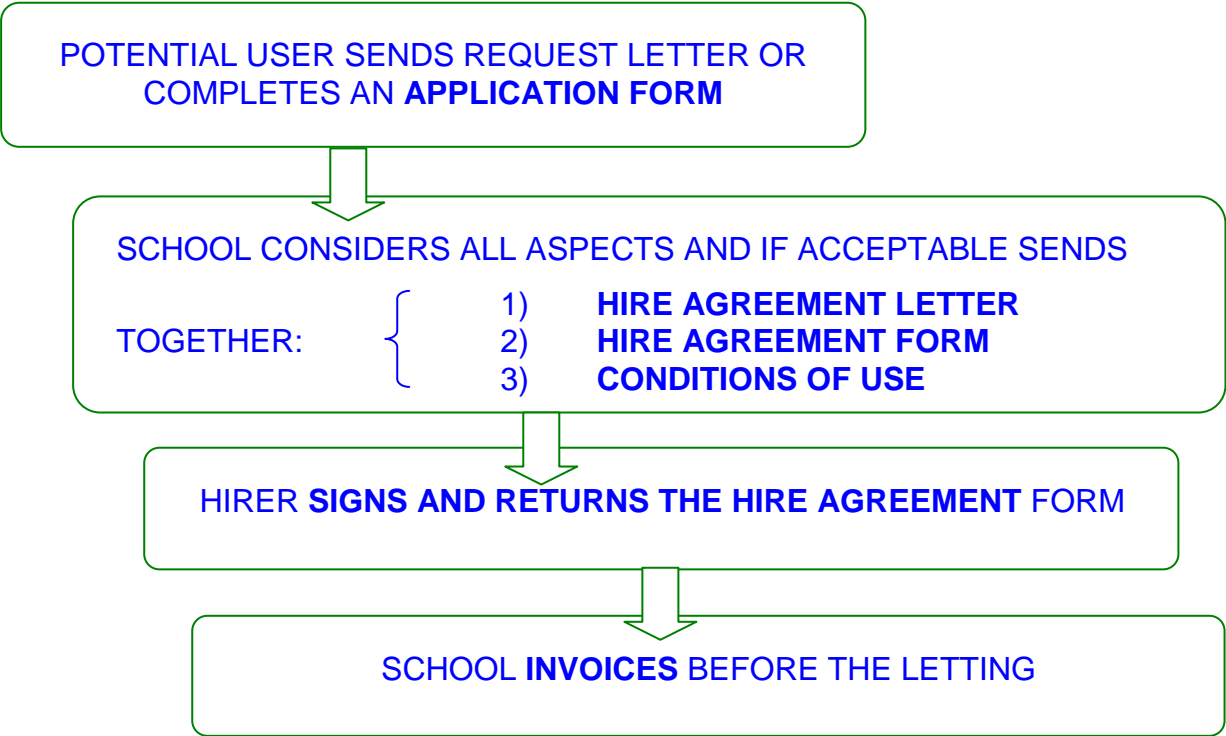
A risk assessment may need to be completed by the user, especially where the activity presents a greater risk than life in general. Schools should consider the risks and proposed controls and be satisfied that the activity does not present an unacceptable level of risk. See **References (pages 10-12)** for **Five Steps to Risk Assessment pro forma and guidance on the Health and Safety Executive Website**

School Lettings Policy

The school should have a Lettings Policy that is approved and reviewed by the Governing Body. The policy should contain the Governors guidelines for lettings. See **References (pages 10-12)** for **Model School Lettings Policy on KELSI**

FLOWCHART OF THE LETTINGS PROCESS

Schools may arrange **LETTINGS** of the school premises and the user (eg. club, organisation) becomes the **HIRER** of the premises.



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REFERENCES (and Useful Contacts, Pages 10-12)

[Elections and Meetings](#)
[Financial Control](#)
[Health and Safety Advice](#)
[Insurance Information](#)
[KCC Lettings and Call Out Claims Form](#)
[KCC Schools' Personnel Service](#)
[Kitchen Lettings](#)
[Lettings Documents](#)
[Occasional Sales - KCC Trading Standards](#)
[PRS and PPL Licences for KCC Schools](#)
[Retention Schedule for Schools](#)
[School Model Finance Policies](#)
[Security Recommendations for Lettings](#)
[Temporary Event Notice](#)
[VAT Manual](#)

1. Adult Education Centres

Where adult education centres wish to use school premises, a lettings rate should be negotiated such that the school does not make a loss.

2. Aided and Controlled Schools

Where the governors of aided and controlled schools operate a lettings scheme they need to consider any different/additional requirements to community schools eg. VAT, insurance, charges, income, banking, diocese requirements and may need to contact their diocesan board of education.

3. Alcohol on School Premises and Temporary Event Notices (TENs)

A user must have the approval of the Headteacher and/or governing body before arranging for alcoholic drinks to be consumed on the premises.

Alcoholic drinks should not be brought on to the premises while the school is in session and pupils are present. All empty containers, crates, etc must be removed at the end of the event, before the school recommences after the letting.

Under the Licensing Act 2003 if alcohol is to be sold (or supplied as part of the ticket cost) or if a regulated entertainment provided (music, singing, dancing) or if late night refreshments consumed a Temporary Event Notice will be required. The event organiser will be responsible for submitting completed Temporary Event Notices (TENs) to the district/borough council licensing department and the appropriate police licensing officer at least 10 clear working days before an event. There is a limit of 12 TENs that can be given for any premises per calendar year. [See References \(pages 10-12\) for Temporary Event Notice from the district/borough council](#)

4. Bad Debts

Schools may require lettings invoices to be paid in advance to help eliminate bad debts. If there are difficulties in obtaining payment after a letting reminders should be sent and should warn that any subsequent lettings will be cancelled and that legal action may follow if the debt is not settled by a given date.

If payment is not received as requested the governors and headteacher will need to decide whether to write off the debt or pursue the matter further. Limits for writing off debts should be specified in the School Finance Policy. Bad debts and other problems with lettings should be notified to the CFE Finance Director so that other schools can be notified if necessary. [See References \(pages 10-12\) for Model School Finance Policy on KELSI](#)

5. Bonfires and Fireworks Displays

These are generally not encouraged. If a governing body and headteacher decides to host such an event the appropriate health and safety, insurance, security, grounds, police and fire brigade advice (for before, during and after an event) should be sought and followed.

Any professional company engaged to run the event must have appropriate public liability Insurance.

The organisers (ie. school, PTA, lettings user) must obtain specific insurance cover in respect of their liabilities for injury to persons and reinstatement of any damage to KCC owned or other property. For those schools in the KCC Safehands Insurance Scheme, the Kent County Council Public Liability Policy provides cover for all sums for which the school/KCC becomes legally liable to pay as damages in respect of accidental death, accidental injury or accidental damage to third parties or their property resulting from negligence and arising out of school/KCC business activities. This would include any Bonfire and Firework displays organised and run by the school. Similarly, any such events organised and run by PTA's and the like may be covered by their Public Liability Policies. There is contingent Public Liability cover through the KCC policy for those PTA's who do not have cover. [See References \(pages 10-12\) for Insurance Information and Health and Safety Advice on KELSI](#)

6. Boot Fairs

As boot fairs became more popular there were a growing number of complaints about noise and disturbance to adjoining residents. These complaints stem mainly from car parking, access, litter and noise. It may be that the School policy will bar such events if they are likely to cause more problems than the value gained.

Written notification of occasional sales (which includes boot fairs) must be sent to the KCC Trading Standards at least 21 days in advance. [See References \(pages 10-12\) for Occasional Sales - KCC Trading Standards](#)

Regular boot fairs could require planning consent and be subject to Sunday trading laws if being held on Sundays. A Street trading licence from the district/borough council may be required unless the public pay an admission charge to attend the sale.

7. Caretaking and Cleaning Charges

Any queries about the caretaker's conditions of service in relation to lettings should be referred to the school's personnel provider. The cost of caretaker's (or other premises support personnel) claims for payment in respect of duties related the use of premises after school hours should be considered when lettings charges are being decided. Lettings and Call Out Claim Forms should be available from the school's personnel/payroll providers.

An all-inclusive charge can be made for lettings with normal caretaking duties (including opening, closing and cleaning of the premises) but if additional duties of caretakers or other school staff are required they may need to be charged for separately and VAT applied. [See References \(pages 10-12\) for VAT Manual on KELSI](#)

8. Children's Entertainment

From a control and safety viewpoint when children are being entertained on school premises as part of a letting, the user is to provide adequate adult supervision to prevent overcrowding and unruly behaviour. Such adults are to be properly briefed on their duties which include arrangements for emergency exit from the area(s) in use and any other reasonable precautions for the safety of the children. [See References \(pages 10-12\) for School Health & Safety and Event Safety on KELSI](#)

9. Community Use

There may be occasions when it is considered worthwhile to allow community use of the premises at a reduced or minimal fee. This is a decision to be made locally and will reflect the value to the school of the arrangement.

10. Diary

A computerised diary of all out-of-teaching time use by the school, PTA and lettings should be kept so that printouts can be passed to all concerned to ensure that everybody involved in the running of the school is aware of use of the premises.

11. Discotheques

If the headteacher and governors decide it is acceptable to hold discotheques on school premises a Temporary Event Notice or Premises Licence may be required. [See References \(pages 10-12\) for Temporary Event Notice from the district/borough council](#)

12. Elections and Election Meetings

The Returning Officer and candidates have special rights under the Representation of the People Act 1983 to use public rooms for the purpose of conducting elections and holding election meetings.

Where a school is the only premises available for a polling station and it is not possible to segregate the voters from the pupils it may be necessary to close the school. Such closures may be regarded as "unavoidable closures" for the purposes of counting school sessions, it is intended that their number should be kept to a minimum through local negotiation and should take place only with the agreement of the governing body. Schools which are regularly closed for polling may consider using these days, when they are known in advance, as non-contact days for teachers.

Schools negotiate direct with returning officers for costs involved with normal insurance and VAT arrangements applying. Schools are not to gain financially from such lettings. Invoices for these lettings should be sent to the Returning Officer no later than 21 days after an election has taken place.

Whilst posters announcing a public political meeting may be exhibited on a detached board near the school entrance (bearing in mind health and safety implications) for not more than three days before the meeting, no other political posters may be fixed to any part of the premises. See [References \(pages 10-12\) for Elections and Meetings information on Kent Trust Web](#)

13. Equipment Use

Where a user requests the use of school equipment, and the school agrees to the use, a specific charge may need to be made and may be subject to VAT. It is also suggested that a returnable deposit, to cover loss or damage, is requested. However, the risk of electrical problems and fires resulting from the user's equipment means that it may be safer to provide school equipment free of charge, as this will have been checked for electrical safety in the last 12 months. See [References \(pages 10-12\) for VAT Manual on KELS](#).

14. Fairs and Fetes

Advice should be sought from the school's grounds consultant regarding the use of the site for attractions such as pony/horse rides, parking and the location of stalls. Insurance requirements should be followed including care to be taken to ensure that any company providing, erecting and/or supervising a bouncy castle, stall or other attraction has public liability cover with a minimum indemnity limit of £5 million each and every claim. Health and Safety issues must be considered. See [Section 16 Insurance and References \(pages 10-12\) for School Health & Safety Policy Guidance & Example Contents](#)

15. Helicopters and Parachute Drops

The promoters must have public liability insurance with a minimum indemnity limit of £5 million each and every claim. Health and Safety must be considered. A first aid presence is essential. The local residents, police and fire brigade should be advised. See [References \(pages 10-12\) for School Health & Safety Policy Guidance & Example Contents and Event Safety information on KELS](#)

16. Insurance

Please note that a Hirer must arrange their own insurance and produce documentary evidence from their insurers or brokers to the effect that a valid Public Liability policy is in place with a minimum indemnity limit of £5million for any one event/each and every claim. Where cover is not confirmed it should not be assumed that it exists. Use of the school should not be permitted until evidence of insurance cover has been seen.

Cover can be provided under the KCC Hirers' Liability (Lettings) Policy in the event that a non-commercial hirer has no cover, or unable to provide cover that meets the above requirements. The school will be required to charge a fee for use of the premises and in addition a contribution towards the cost of the KCC Hirers' Liability Policy (currently 3.15% of hire fee). This policy has an indemnity limit of £5million for any one event. The Hirer is liable to pay a policy excess of £350 for each claim submitted in respect of damage to property.

Commercial hirers and political organisations cannot take advantage of the KCC Hirers' Liability Policy and must arrange their own insurance. A commercial hirer would be regarded as an individual or organisation which may make a personal financial gain or business profit out of the hiring.

There is no need for a KCC insured school to request or vet details of public liability insurance for any other KCC directorate/establishment /unit or another school in the Safehands Insurance Scheme using their premises, as they are all covered by the same KCC corporate insurance arrangements.

With regard to vetting insurance cover for lettings, this rests with the school and not with Risk Management and Insurance, although they would always be happy to offer advice where necessary. Any incident that occurs during a letting which may give rise to a claim either by or against KCC must be reported to Risk Management and Insurance immediately the school becomes aware of the situation. [See References \(pages 10-12\) for Insurance Information on KELSI](#)

17. Invoices, Receipts and Banking

Invoices should be sequentially numbered with any insurance contribution and VAT element being clearly identified. Numbered receipts for payments must be issued as soon as possible and payments should be banked promptly. FMS6 Accounts Receivable module can be used for invoices and receipts. The Budget Book financial controls must be followed. [See References \(pages 10-12\) for Financial Controls regarding Income and Lettings and VAT Manual \(for schools\) on KELSI](#)

There should be a procedure in place to ensure timely receipt of payments and, if required in advance, arrangements made to stop the letting if payment has not been received.

If a refund for a cancelled sports letting is made the possible invalidation of VAT exemption must be considered. If the exemption conditions are broken VAT will be chargeable on the series of lettings. [See References \(pages 10-12\) for VAT Manual on KELSI](#)

18. Kitchen

Schools should consider restrictions on the use of certain equipment and foods referring to the KCC Kitchen Lettings information. [See References \(pages 10-12\) for Kitchen Lettings on Edukent](#)

It is suggested that a returnable deposit is taken from a user when the kitchen is part of a letting. This will cover any additional costs such as cleaning of the kitchen or equipment or the cost of any damage. Schools should refer to the VAT Manual for catering lettings. [See References \(pages 10-12\) for VAT Manual on KELSI](#)

19. Parking

Parking arrangements and volume of traffic should be considered when agreeing lettings.

20. Performing Rights Society and Other Licences

Kent County Council makes the blanket provision for KCC schools for PRS (Performing Rights Society) and PPL (Phonographic Performance Ltd) copyright licenses (but not for films and videos). [See References \(pages 10-12\) for PRS & PPL KCC Licences for Schools on Edukent](#)

Care must be taken when agreeing lettings for public entertainment that any licences required are obtained eg. Temporary Event Notice (for regulated entertainment, late night refreshment and alcohol sale or supply) from the district/borough council. [See References \(pages 10-12\) for Temporary Event Notice on district/borough council websites](#)

21. Security Recommendations for Lettings

The school should consider access, restrictions, key holders, locking up procedures and security alarms. [See References \(pages 10-12\) for the contact details required to obtain Security Recommendations](#)

22. Sports Facilities

Care should be taken in the way pitches and courts are used to ensure the correct footwear and equipment is used. There are special VAT rules that apply to the letting of sports facilities. [See References \(pages 10-12\) for VAT Manual \(for schools\) on KELSI](#)

23. Swimming Pools

The greatest care must be taken to ensure proper arrangements are in place for any letting or PTA use of a pool.

Pool operators cannot delegate responsibility for what happens in their pools, therefore if a school pool is hired to an outside organisation the school will need to ensure that the outside organisation will use the pool in a safe manner. Alternative agreement forms and conditions of use documentation will be needed. Consider insurance, VAT, health and safety including supervision, lifesaving qualifications, pool depth, chemicals, maintenance and security etc. [See References \(pages 10-12\) for School Health and Safety Policy Guidance and Example Contents, KCC Swimming Pool Health and Safety, VAT Manual and Insurance Information on KELSI](#)

24. VAT

The VAT liability should always be considered when a letting is agreed. Many lettings of school premises are exempt from VAT. However there are special rules and VAT liability for the use of sports facilities, specialist equipment and staff provision which are detailed in the Schools VAT Manual on Kent Trust Web. [See References \(pages 10-12\) for VAT Manual on KELSI](#)

REFERENCES

ELECTIONS & MEETINGS

Schools e-bulletin 30 March 2010, Guidance on the Use of Rooms for Election Meetings, http://www.kenttrustweb.org.uk/communication/comms_docs/rooms-for-election-meetings.pdf

FINANCIAL CONTROL (Income and Lettings)

KELSI – School Management – Schools Financial Services - Financial Controls – Section 8: Receipt of income, security and banking

KELSI – School Management – Schools Financial Services - Policies – School Model Lettings Information: The Pricing and Charging Policy for the use of School Facilities and the Control of Income from Lettings

HEALTH AND SAFETY ADVICE

School Health & Safety Policy Guidance and Example Contents

KELSI – School Management – Day to day administration – Health & Safety – Health and safety example policies - Schools example health and safety policy

For queries contact Health & Safety Unit on 03000 418456 or email: healthandsafety@kent.gov.uk

KCC Swimming Pool Health and Safety

KELSI – School Management – Day to day administration – Health & Safety – Swimming - KCC Safe Practice in School Swimming and Water Safety (updated October 2008) and other documents

Event Safety

KELSI – School Management – Day to day administration – Health & Safety – Event Safety

Health and Safety Executive

Website: www.hse.gov.uk

Five steps to risk assessment

(Including pro-forma for risk assessment) <http://www.hse.gov.uk/pubns/indg163.pdf>

INSURANCE INFORMATION

KELSI – School Management – Day to day administration – Insurance

For queries contact Risk Management and Insurance on 03000 416 311 or by email to insurance@kent.gov.uk

KCC SCHOOLS' PERSONNEL SERVICE

For queries contact The Schools' Personnel Service on 03000 411112, Website: www.the-sps.co.uk

KITCHEN LETTINGS

http://www.edukent.co.uk/our_services/service/catering_cleaning_caretaking_and_refuse_collection/page_3/

For kitchen lettings queries contact your local Client Services Manager (Catering)

LETTINGS DOCUMENTS

KELSI – School Management – Schools Financial Services - Policies – School Model Lettings Information

Model School Lettings Policy

Lettings Advice and Guidance

Template PTA Request Form

Template Application Form

Template Hire Agreement Letter

Template Hire Agreement Form

Template Conditions of Use for a letting

The Pricing and Charging Policy for the use of School Facilities and the Control of Income from Lettings

OCCASIONAL SALES - KCC TRADING STANDARDS

http://www.kent.gov.uk/__data/assets/pdf_file/0016/7108/occasional-sales-guidance.pdf

<http://www.kent.gov.uk/business/trading-standards>

(PRS & PPL) PERFORMING RIGHTS SOCIETY & PHONOGRAPHIC PERFORMANCE LTD LICENCES for KCC SCHOOLS

http://www.edukent.co.uk/our_services/service/collective_licences/

Any queries, please contact 03000 412424 or e-mail: edukent@kent.gov.uk

RETENTION SCHEDULE FOR SCHOOLS

KELSI – Day to day administration – Access to Information – Records Management – Information Management Toolkit

Please note that the 'Record Retention Schedule for Schools' is available on page 12 of the Toolkit

SCHOOL MODEL FINANCE POLICIES

KELSI – School Management – Schools Financial Services - Policies – School Model Finance Policy

SECURITY RECOMMENDATIONS FOR LETTINGS

If you require any risk management or security advice about your school please call: 03000 416 440 or e-mail: Darryl.Mattingly@kent.gov.uk

TEMPORARY EVENT NOTICE (for alcohol, regulated entertainment, late night refreshments) PREMISES AND PERSONAL LICENCES – LICENSING ACT 2003

Temporary Event Notices: for alcohol, regulated entertainment, late night refreshments (TENs) forms and information can be obtained from your district/borough council ie. Ashford, Canterbury, Dartford, Dover, Gravesham, Maidstone, Thanet, Tonbridge & Malling, Sevenoaks, Shepway, Swale, Tunbridge Wells:

<http://www.ashford.gov.uk/temporary-event-notice>

<https://www.canterbury.gov.uk/business/licensing/>

<http://www.dartford.gov.uk/by-category/business2/licences-and-street-trading>

<http://www.dover.gov.uk/Business/Licensing/Alcohol,-Entertainment--Late-Night-Food/Temporary-Event-Notices.aspx>

<http://www.gravesham.gov.uk/services/business/business-statutory-and-regulatory/licences-and-street-trading/licensing-act-2003/licence-temporary-event-notice>

<http://www.maidstone.gov.uk/business/licensing-and-permits/entertainment-and-alcohol/4>

<http://thanet.gov.uk/your-services/licensing/alcohol-and-entertainment/licensing/temporary-event-licence/>

<http://www.tmbc.gov.uk/services/business/licences-and-street-trading/licence-temporary-event-notice>

<http://www.sevenoaks.gov.uk/services/business/health-and-safety/alcohol-and-entertainment/temporary-event-notice>

<http://www.shepway.gov.uk/content/view/201256/69>

<http://www.swale.gov.uk/temporary-events-notice/>

<http://www.tunbridgewells.gov.uk/business/licences-and-permits/alcohol-and-entertainment/licences/temporary-event-notices>

VAT MANUAL (for Schools)

KELSI – School Management – Schools Financial Services – VAT and income tax – VAT Manual.

For Lettings see Appendix 4 VAT Liability of Schools Income (CFR code I08) and other appendices eg 6 and 8

For VAT queries contact Bob Lane, Taxation Accountant 03000 416369, or by email bob.lane@kent.gov.uk