



# Letting Policy

Insert name of Academy

Policy reviewed by Academy Transformation Trust on	July 2014
Policy adopted by Local Governing Body on	Insert Date

This policy links to:	<b>Located</b>
<ul style="list-style-type: none"> <li>• Equalities Policy</li> <li>• Health and Safety Policy</li> <li>• Child Protection Policy</li> </ul>	e.g Intranet

**REVIEW DATE: July 2017**

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## 1 Introduction

- 1.1 The Trust regards its buildings and grounds as a community asset and will make every reasonable effort to enable them to be used as much as possible. However, the overriding aim of The Trust is to support academies in providing the best possible education for our pupils. Any lettings of the premises to outside organisations will be considered with this in mind.

## 2 Definition of Letting

- 2.1 A letting may be defined as “any use of the academy buildings or grounds by parties other than The Trust and our partners. This may be a community group (such as local music group or football team) or commercial organisation (such as the local branch of ‘weight watchers’)”.
- 2.2 The following activities fall within the corporate life of the academy. These activities are not considered to be lettings and costs arising from these uses are therefore legitimate charges against the academy’s delegated budget.
- Local Governing Body meetings
  - extra-curricular activities for pupils organised by the academy
  - academy performances
  - family learning
  - parents’ meeting
  - meetings of the PTA
  - PTA organised events
  - services provided by partner organisations.

## 3 Encouragement of Letting

- 3.1 The following lettings are especially encouraged:
- educational activities open to academy pupils and their families
  - recreational activities open to academy pupils and their families
  - activities organised by local community groups for the benefit of the local community
  - letting to parents attached to the academy
  - letting to people living in the academy’s local community
  - letting to voluntary organisations
  - letting to sporting organisations
  - letting to parent support groups
  - letting to children’s group
  - letting to youth groups.
- 3.2 The following activities are not considered to be appropriate for lettings as they are either well provided in the area; not deemed to be compatible with the ethos of The Trust or are not able to be accommodated within the facilities:
- commercial activities with little potential to generate income or support for the academy
  - activities promoting gambling.

## 4 Types of Letting

- 4.1 The legal agreement to be used is affected by the nature of the letting. The academy should determine which of the below is the most appropriate agreement given the circumstances:
- Letting Contract – to be used for the majority of lettings except where conditions for a Licence to Occupy or Lease apply (see below).
  - Licence to Occupy – for agreements where the hiring organisation will be granted sole use of the facility for more than 8 hours per week, on a regular basis, during term time, over a period of 12 months or more and where the academy maintains the right to use the facility when not occupied by the hiring organisation.
  - Lease – for agreements where the hiring organisation will be granted sole use of the facility for the duration of the agreement e.g. renting an ex caretakers house, a private counsellor (not linked to the academy) renting a room in the academy.
- 4.2 Hire Agreements are to be issued by the academy and may be signed by the Local Governing Body or Principal on behalf of The Trust.
- 4.3 Licences to Occupy must be approved by The Trust but may be signed by the Local Governing Body on behalf of The Trust.
- 4.4 Leases must be approved and signed by The Trust.

## 5 Charges

- 5.1 The Trust has agreed to define lettings under the following categories:
- academy lettings – activities for pupils or their parents and carers that provide educational benefit to pupils, which the academy wishes to subsidise
  - community lettings – other community activities which should be made on the basis of full cost recovery
  - commercial lettings – will be charged on a cost plus an income margin for the academy.
- 5.2 The Local Governing Body is responsible for setting charges for the letting of the academy premises. The scale of charges will be reviewed annually for implementation from 1 September each year. Details of current charges will be provided in advance of any letting being arranged. For the purpose of charging, the Principal is empowered to determine to which category any particular individual or organisation group belongs. They are also able to offer any discounts or agree a subsidy for any lettings, as they deem appropriate. The basis of charging will be determined by the purpose for which a letting is arranged.
- 5.3 The minimum hire period will be one hour. The academy reserves the right to require a deposit over and above the hiring charge as security against damage to the premises

(including any equipment) or the premises being left in an unacceptable condition necessitating their incurring additional cost for cleaning, caretaking or other expenses.

- 5.4 The academy will seek to recover any cost incurred by the academy that are unavoidable and result directly from the cancellation of a letting.

## **6 Considering Applications for Letting**

- 6.1 Organisations seeking to hire the academy premises should approach the academy, who will confirm availability and details of charges and conditions.
- 6.2 An Application for Hire Form (appendix 1) should be completed by the organisation and submitted to the academy. A record of all enquiries should be kept on file. The Principal will decide on the application with consideration to:
- the priorities for lettings
  - the availability of facilities and staff
  - the academy's equal opportunities, health and safety, child protection policies
  - the health and safety considerations such as numbers of users, types of activity, qualifications of instructors etc.

## **7 Issuing a Letting Contract**

- 7.1 Once a letting has been approved, two copies of the Letting Contract will be sent to the hirer.
- 7.2 The Letting Contract should then be signed and a copy returned to the academy. The academy shall be in receipt of the signed copy before a letting takes place. The person applying to hire the premises will be invoiced for the cost of the letting, in accordance with the Local Governing Body's current scale of charges. We will seek the payment in advance in order to reduce the risk of bad debts and/or a deposit to cover damage. A guarantee card should support cheques wherever possible.
- 7.3 An official receipt will be issued for all payments received. All letting fees received will be paid into the academy's individual bank account. The income and expenditure relating to lettings should be clearly recorded. The Principal on behalf of the Local Governing Body has the right to refuse an application, and no letting should be regarded as 'booked' until the Letting Contract has been signed and the payment received in full. Where an application is refused the reason for refusals should be recorded on the bottom of the application for lettings form and fully explained to the enquirer.

### Appendix 1: Application for Hire of [Name of Academy] Premises

This form should be returned to [name, position] at [Name of Academy].

<b>Contact Details</b>
Name of Establishment:
Name of Contact:
Address:
Telephone No:

<b>Letting Details</b>
Purpose of Letting:
Date(s)/Days of Use:
Times of Use:
Equipment required (if applicable):

I certify that all adults working with children or vulnerable adults have had the necessary DBS checks as per the certificate numbers provided below:

Name	DBS Certificate Number	DBS Certificate Date

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

<b>For Office Use Only</b>
Application approved: <input type="checkbox"/> Yes <input type="checkbox"/> No
Type of contract: <input type="checkbox"/> Letting Contract <input type="checkbox"/> Licence to Occupy <input type="checkbox"/> Lease
Date contract issued:
Reason if not approved: