

## 1984 No. 1098

## EDUCATION, ENGLAND AND WALES

## The Education Support Grants Regulations 1984

*Laid before Parliament in draft*

<i>Made</i>	- - -	17th July 1984
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<i>Coming into Operation</i>		1st September 1984
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In exercise of the powers conferred upon the Secretary of State by sections 1, 2 and 3(4) of the Education (Grants and Awards) Act 1984 (a), and after consulting, in accordance with section 3(5) of that Act, such bodies representing local education authorities as appear to them to be appropriate, the Secretary of State for Education and Science, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Regulations, a draft of which has been laid before Parliament and has been approved by resolution of each House of Parliament:—

*Citation and commencement*

1. These Regulations may be cited as the Education Support Grants Regulations 1984 and shall come into operation on 1st September 1984.

*Interpretation*

2.—(1) In these Regulations—

“the Act” means the Education (Grants and Awards) Act 1984;

“children” includes any person who has not attained the age of 19 years;

“education authority” means a local education authority;

“further education establishment” means an establishment maintained or assisted by an education authority which is not a school and which provides education to persons over compulsory school age;

“grant” means a grant in pursuance of these Regulations;

“prescribed expenditure” means expenditure by an education authority for or in connection with any of the purposes specified in the Schedule hereto;

“primary education” has the meaning assigned to it by section 8 of the Education Act 1944 (b), and “school” and “secondary school” have the meanings assigned to them by section 114 of that Act;

“racial group” has the meaning assigned to it by section 3(1) of the Race Relations Act 1976 (c);

“special educational needs” has the meaning assigned to it by section 1 of the Education Act 1981 (d);

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(a) 1984 c.11.

(b) 1944 c.31; the definition of “primary education” was amended by the Education (Miscellaneous Provisions) Act 1948 (c.40), section 3, and the definition of “school” was amended by the Education Act 1980 (c.20), section 34(1).

(c) 1976 c.74.

(d) 1981 c.60.

(2) In these Regulations a reference to a Regulation is a reference to a Regulation contained therein and a reference in a Regulation to a paragraph is a reference to a paragraph of that Regulation.

*Expenditure in respect of which grants are payable*

3. Grants shall only be payable in respect of prescribed expenditure incurred or to be incurred in a financial year to the extent to which that expenditure is approved for that year by the Secretary of State for the purposes of these Regulations.

*Rate of Grant*

4. Grants in respect of any expenditure which is approved as provided in Regulation 3 shall be payable at the rate of 70 per cent. of the expenditure so approved.

*Payment of Grant*

5.—(1) No payment of grant shall be made except in response to an application in writing from an education authority to the Secretary of State, authenticated by the officer of the authority responsible for the administration of their financial affairs or his deputy.

(2) Applications for the payment of grant shall relate to expenditure over one or more quarters.

(3) Applications which relate to approved expenditure during the quarters commencing on 1st April, 1st July and 1st October in any year shall specify the approved expenditure in respect of which grant is applied for which it is estimated has been or will be incurred by the education authority during that quarter.

(4) Each education authority that has received or seeks to receive a payment of grant in respect of expenditure incurred during the year ending on 31st March shall, during the quarter commencing on 1st April or as soon as practicable thereafter—

(a) submit to the Secretary of State an application which shall specify the approved expenditure in respect of which grant has been or is being applied for which has been incurred by the education authority during that year; and

(b) secure the submission to the Secretary of State of a certificate, signed by the auditor appointed by the Audit Commission to audit the accounts of the authority or any auditor qualified for such appointment by virtue of section 13(5) and (6) of the Local Government Finance Act 1982 (a), certifying that in his opinion the particulars stated in the application submitted by the authority pursuant to this paragraph are fairly stated and that the expenditure incurred was approved expenditure for the purposes of section 1 of the Act.

(5) No payment of grant shall be made in respect of expenditure by an education authority incurred in the quarter beginning on 1st October in any year or any subsequent quarter, if grant was paid to the authority in respect of expenditure in the year ending on the preceding 31st March but the Secretary of State has not received the auditor's certificate referred to in paragraph (4) for that year.

(6) Any under-payment or over-payment of grant which remains outstanding following receipt of the auditor's certificate referred to in paragraph (4) shall, without prejudice to the recovery of any over-payment from any subsequent payment of grant to the education authority, be adjusted by payment between the authority and the Secretary of State.

(7) In this regulation, a "quarter" means a period of three calendar months commencing on 1st January, 1st April, 1st July or 1st October in any year.

*Grants in respect of payments to third parties*

6. Where—

- (a) an education authority incurs expenditure in making payments, whether by way of maintenance, assistance or otherwise, to any other body or persons (including another education authority) who incur expenditure for or in connection with educational purposes, and
- (b) that expenditure of the recipient of the payments or any part thereof would be prescribed expenditure if it were expenditure of the authority,

such payments shall to that extent be treated as prescribed expenditure for the purposes of these Regulations.

*Limit on expenditure approved*

7. In any year after the financial year 1984–85, the amount by reference to which the limit on expenditure of education authorities in England and Wales approved for a particular financial year is calculated under section 2(1) of the Act shall be the sum of the amounts specified in respect of planned current expenditure on education in the Rate Support Grant Report made for England and the Rate Support Grant Report made for Wales for the year in question under section 60 of the Local Government, Planning and Land Act 1980 (a).

Regulation 2(1)

SCHEDULE

PURPOSES FOR OR IN CONNECTION WITH WHICH GRANTS ARE PAYABLE

1. The management and appraisal of school teachers.
  2. The teaching of mathematics in schools.
  3. The teaching of science as part of primary education.
  4. The provision of micro-electronic equipment designed or adapted for use by children with special educational needs.
  5. A pilot project devised with one of the following objectives:
    - (a) to provide records of achievement for pupils in secondary schools or students at further education establishments;
    - (b) to improve the quality of education provided in primary schools in urban areas;
    - (c) to improve the quality or the range of the curriculum provided in primary schools in rural areas;
- (a) 1980 c.65; in the Report made for England the relevant amount appears in the table headed "Expenditure totals", and in the Report made for Wales it appears in the table headed "Relevant expenditure".

- (d) to meet the educational needs of persons from ethnic minorities, to promote harmony between different racial groups or in other ways to prepare persons for life in a multi-ethnic society.
6. The provision of retraining and updating courses directed towards the needs of industry and commerce.
7. The development of the use of information technology at further education establishments, by providing equipment, preparing or providing course material and computer software, or training teachers employed at such establishments.
8. The planning, development and co-ordination of provision to meet the educational needs of persons who are unemployed (excluding those currently receiving full-time education).
9. The provision of data processing equipment, and accessories and software for such equipment, for use in the management of further education establishments.
10. Developing the knowledge and appreciation, among pupils in schools in Wales, of the heritage and culture of Wales.

17th July 1984.

*Keith Joseph,*  
Secretary of State for Education and  
Science.

17th July 1984.

*Nicholas Edwards,*  
Secretary of State for Wales.

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#### EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations make provision for the Secretary of State to pay grants to local education authorities in England and Wales in respect of expenditure incurred or to be incurred by them for or in connection with particular educational purposes, specified in the Schedule to the Regulations.

Grants are payable to cover 70 per cent. of an education authority's expenditure, where the expenditure has been approved by the Secretary of State (*Regulations 3 and 4*). The expenditure may relate directly to one of the specified purposes, or it may be by way of payments to a third party which is itself incurring expenditure for or in connection with one of these purposes (*Regulation 6*).

The aggregate amount of expenditure which may be approved for a particular financial year by the Secretary of State so as to attract grants is limited by section 2 of the Education (Grants and Awards) Act 1984 to 0.5 per cent. of the aggregate amount of expenditure on education which it would in his opinion be appropriate for local education authorities to incur in that year. Pursuant to section 2, this latter amount is determined by reference to sums specified in the Rate Support Grant Reports for the year in question (*Regulation 7*).



SI 1984/1098  
ISBN 0-11-047098-2



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