



# Education Act 2002

## 2002 CHAPTER 32

### PART 11

#### MISCELLANEOUS AND GENERAL

##### *Allowances in respect of education or training*

#### **182 Learning agreements**

- (1) For the purposes of this section, a “learning agreement” is a document which—
  - (a) specifies conditions which—
    - (i) relate to the attendance or conduct of, or completion of assigned tasks by, a person to whom an allowance is or may become payable (in this section referred to as “the student”), and
    - (ii) are either prescribed by regulations or, if regulations so provide, determined in accordance with any prescribed requirements by the person providing the relevant education or training,
  - (b) contains a declaration by the student relating to compliance with those conditions, and
  - (c) deals with such other matters as may be prescribed.
- (2) Regulations may require a learning agreement—
  - (a) to be in the prescribed form, and
  - (b) to be signed by the student and by or on behalf of such other persons as may be prescribed.
- (3) Without prejudice to the generality of section 181(3)(h), regulations may provide—
  - (a) that a person is not eligible to receive an allowance unless the person providing the relevant education or training holds a learning agreement signed by him, and
  - (b) that payment of an allowance is conditional on the person providing the relevant education or training from time to time determining that the student

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*Changes to legislation: Education Act 2002, Section 182 is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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has complied with the learning agreement or has done so to a prescribed extent or in prescribed respects.

- (4) Regulations may—
- (a) enable or require a learning agreement to specify targets relating to the attendance, conduct or attainments of the student, and
  - (b) enable or require the Secretary of State or the National Assembly for Wales, in any case where the person providing the relevant education or training determines that targets have been met, to make additional payments of allowance to or in respect of the student.
- (5) Without prejudice to the generality of section 181(3)(k), regulations may impose obligations relating to learning agreements on—
- (a) the governing body of a maintained school, or
  - (b) the governing body of an institution within the further education sector.
- (6) Regulations may contain provision for determining the person by whom any relevant education or training is to be treated for the purposes of this section as being provided.
- (7) A learning agreement shall not be capable of creating any obligation in respect of whose breach any liability arises in contract or in tort.
- (8) In this section—
- “allowance” means an allowance under section 181;
  - “relevant education or training” means the education or training referred to in that section.

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**Commencement Information**

- 11** S. 182 in force at 1.9.2003 for W. by [S.I. 2003/1718](#), art. 5, **Sch. Pt. II**
- 12** S. 182 in force at 1.9.2003 except in relation to W. by [S.I. 2003/1667](#), art. 4

**Changes to legislation:**

Education Act 2002, Section 182 is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2003/1667 Sch. para. 1 by [S.I. 2004/571 Sch.](#)
- specified provision(s) amendment to earlier commencing SI 2003/1667 Sch. para. 1A and 2 by [S.I. 2005/2570 art. 2](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 27(1A) inserted by [2010 c. 26 s. 4\(1\)](#)
- s. 29(2A)-(2D) inserted by [2009 c. 22 s. 260\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 250 omitted (1.9.2012) by virtue of 2011 c. 21, s. 29(9)(d); S.I. 2012/1087, art. 3)
- s. 29B inserted by [2008 c. 25 s. 157](#)
- s. 8585A substituted for s. 85 by [2006 c. 40 s. 74\(1\)](#)
- s. 85A amendment to earlier affecting provision 2006 c. 40 s. 74(1) by [2011 c. 21 s. 31\(2\)](#)
- s. 85A(5) words substituted by [2009 c. 22 Sch. 12 para. 34](#)
- s. 86(1) s. 86 renumbered as s. 86(1) by [2006 c. 40 s. 74\(2\)\(c\)](#)
- s. 86(2) inserted by [2006 c. 40 s. 74\(2\)\(c\)](#)
- s. 88(2)-(7) inserted by [2006 c. 40 s. 74\(3\)](#)
- s. 88(7) repealed by [S.I. 2010/1080 Sch. 1 para. 45Sch. 2 Pt. 1](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 88(2)-(7) by 2006 c. 40, s 74(3) was repealed without ever being brought into force.)
- s. 142(9)(b) words substituted by [S.I. 2010/1158 Sch. 2 para. 11\(10\)\(b\)](#)
- s. 210A inserted by [2008 c. 25 Sch. 1 para. 79](#)