
STATUTORY INSTRUMENTS

1981 No. 174

EDUCATION, ENGLAND AND WALES

**The Education (Assisted Places) (Incidental Expenses)
Regulations 1981**

Made - - - - - 9th February 1981

Laid before Parliament 20th February 1981

Coming into Operation 1st April 1981

In exercise of the powers conferred on the Secretary of State by sections 18 and 35(4) of the Education Act 1980(a), 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:—

PART I
GENERAL

Citation and operation

1. These Regulations may be cited as the Education (Assisted Places) (Incidental Expenses) Regulations 1981 and shall come into operation on 1st April 1981.

Interpretation

2.—(1) In these Regulations any reference to the principal Regulations is a reference to the Education (Assisted Places) Regulations 1980(b).

(2) Regulation 2 of the principal Regulations shall apply for the purposes of the interpretation of these Regulations as it applies for the purposes of the interpretation of the principal Regulations.

PART II
GRANTS AND REMISSION OF CHARGES

Uniform grants

3.—(1) In this Regulation clothing expenditure means expenditure on items of uniform and other clothing (including sports clothing) to be worn at school by an assisted pupil which the school are satisfied—

- (a) has been incurred by the pupil's parents, or
- (b) is about to be incurred by them but which they cannot, without financial hardship, incur in advance of the payment of grant.

(2) Subject to and in accordance with this Regulation and Regulation 6, a school shall, in the cases mentioned in paragraphs (4) and (5), pay a uniform grant to the parents of a pupil holding an assisted place thereat in respect of their clothing expenditure.

(3) Uniform grant shall not be payable by a school in the case of a particular pupil thereat more frequently than every other school year and, accordingly, if a uniform grant is paid in a particular school year no such grant shall be paid in the next following school year.

(4) In a pupil's first assisted year, uniform grant shall be payable in the case of an assisted pupil as respects whom the relevant income does not exceed £5,200 and in such case the grant shall be of an amount equal to so much of the clothing expenditure as does not exceed—

- (a) £80, where the relevant income does not exceed £4,600;
- (b) £60, where that income exceeds £4,600 but does not exceed £4,800;
- (c) £40, where that income exceeds £4,800 but does not exceed £5,000;
- (d) £20, where that income exceeds £5,000 but does not exceed £5,200:

Provided that any uniform grant which would fall to be paid in a pupil's first assisted year may be paid during the two months immediately preceding that year but, in such case, paragraph (3) shall have effect as if the grant were paid in the first assisted year.

(5) In any subsequent school year in which uniform grant is payable having regard to paragraph (3), it shall be payable in the case of an assisted pupil as respects whom the relevant income does not exceed £4,800 and in such case the grant shall be of an amount equal to so much of the clothing expenditure (disregarding expenditure in respect of which a previous grant has been paid) as does not exceed—

- (a) £40, where the relevant income does not exceed £4,600;
- (b) £20, where that income exceeds £4,600 but does not exceed £4,800.

School travel grants

4.—(1) In this Regulation school travel expenditure means (subject to paragraph (2)) the aggregate expenses incurred in the case of a pupil holding an assisted place at a school in respect of his journeys between home and the school—

- (a) by public transport, that is to say, by train, bus, boat or hovercraft services available to the public;
- (b) by transport provided in pursuance of arrangements which, at the request of the school, are for the time being approved by the Secretary of State, or
- (c) by transport provided by a local education authority,

where the walking distance between home and school exceeds three miles, each way.

(2) For the purposes hereof—

- (a) where a pupil's expenses are in respect of journeys in excess of 25 miles each way by any such transport, account shall be taken of only so much of the expenses as bears the same proportion to the full amount thereof as 25 miles bears to the length in miles of the journey in question;
- (b) where a pupil's expenses are in respect of journeys by public transport and they are in excess of what they would have been if advantage had been taken of available arrangements for season tickets or reduced or concessionary fares, the excess shall be disregarded.

(3) Subject to and in accordance with this Regulation and Regulation 6, a school—

- (a) shall, in respect of each school year, pay a school travel grant to the parents of a pupil holding an assisted place thereat in respect of their school travel expenditure in that year;
- (b) may, in the course of, or immediately before, a school year, make payments on account of the grant which it appears to them will be payable for that year,

but, where payments on account are made, within three months of the final determination of the amount (if any) of the grant, any overpayment or underpayment of grant for the year in question shall be adjusted by payments between the parents and the school.

(4) The amount, if any, of the school travel grant for a school year payable in the case of an assisted pupil shall be determined as follows by reference to the school travel expenditure for that year and relevant income as respects that pupil—

- (a) where the relevant income does not exceed £4,779, the school travel grant shall be of an amount equal to that of the school travel expenditure;
- (b) in any other case, the school travel grant shall be of the amount, if any, by which the school travel expenditure exceeds an amount (rounded down to the nearest multiple of £3) equal to a twelfth of that part of the relevant income which exceeds £4,600.

Remission of charges for meals

5.—(1) Subject to and in accordance with this Regulation and Regulation 6, in the cases mentioned in paragraphs (2) and (3), a school shall remit part or the whole of any charges they would otherwise make for meals provided for a day pupil while he holds an assisted place thereat.

(2) In the case of an assisted pupil as respects whom the relevant income does not exceed £4,000, the school shall remit (save as provided in paragraph (3)) a half of any charges for meals for the whole of the school year.

(3) Where the parents of an assisted pupil satisfy the school at any time during a school year, or the month preceding the beginning of a school year, that they are in receipt of supplementary benefit or family income supplement, then the school shall remit the whole of any charges for meals—

- (a) for the whole of that school year, where they are satisfied as aforesaid at or before the beginning thereof, or
- (b) for the remainder of the school year, where they are so satisfied in the course thereof,

notwithstanding that the parents may cease to be in receipt of supplementary benefit or family income supplement between the school being so satisfied and the end of the school year in question.

Questions arising under Regulations 3, 4 and 5

6.—(1) The questions whether or not the parents of an assisted pupil are entitled in or for any school year to any—

- (a) uniform grant under Regulation 3;
- (b) school travel grant under Regulation 4, or
- (c) remission of charges for meals under Regulation 5,

and the amount or extent thereof, shall be determined as provided in paragraph (2) in like manner as questions relating to fee remission in that year are determined under the principal Regulations.

(2) Regulations 10, 11, 12(2), (3) and (4), 13(1) and 14 of the principal Regulations and the Schedule thereto shall apply for the purposes of these Regulations as if any reference therein—

- (a) to the remission of fees, were a reference to the grants and the remission of charges for meals mentioned in paragraph (1);

(b) to remission questions were a reference to the questions so mentioned, subject, however, in the case of the said Regulation 13(1), to the provisions of Regulation 3(3) of these Regulations.

Remission of charges for field study courses

7.—(1) In this Regulation a field study course means a course of field study (provided by the school or otherwise) which forms part of a normal course of study at a school for the ordinary or advanced level examinations for the General Certificate of Education or other examinations comparable thereto, being examinations in—

- (a) biology;
- (b) botany;
- (c) geography;
- (d) geology;
- (e) zoology, or
- (f) any other subject approved for the purposes hereof by the Secretary of State;

and a reference to a relevant examination shall be construed accordingly.

(2) A school shall remit the whole of any charges they would otherwise make in respect of the participation in a field study course of a pupil who holds an assisted place thereat if—

- (a) he is a candidate or prospective candidate for a relevant examination, and
- (b) his parents are entitled, under Regulation 15 of the principal Regulations, to remission of fees, in whole or in part, for the school year in which the course is held.

General provisions relating to grants and remission of charges

8.—(1) Where a pupil attended a school before he took up an assisted place thereat then, in pursuance of these Regulations—

- (a) no grants shall be paid to his parents in respect of expenditure incurred before the date he took up his assisted place;
- (b) no charges shall be remitted in respect of a period before that date.

(2) The parents of an assisted pupil shall not be entitled to any grants in respect of expenditure incurred, or relating to a period, after he has left the school or, if he so remains at the school, after the end of the school year in which he attains the age of 20 years nor shall they be entitled to any remission of charges for which they are liable (in lieu of notice or otherwise) in respect of such a period.

PART III

REIMBURSEMENT AND ADMINISTRATIVE ARRANGEMENTS

Reimbursement of schools

9.—(1) The Secretary of State shall reimburse a school the aggregate amount of all grants made and charges remitted in pursuance of these Regulations.

(2) Regulation 17 of the principal Regulations (reimbursement claims) shall apply for the purposes of these Regulations as if any reference therein to fees remitted were a reference to grants made and charges remitted in pursuance of these Regulations.

Time limits and forms

10. The Secretary of State may specify for the purposes hereof the time by which, and the manner and form in which, applications and information requisite for the purposes of these Regulations are to be made or furnished to a school by a parent of an assisted pupil.

9th February 1981.

Mark Carlisle,
Secretary of State for
Education and Science.

9th February 1981.

Nicholas Edwards,
Secretary of State for Wales.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations complement the Education (Assisted Places) Regulations 1980, certain provisions of which are applied (*Regulations 2(2), 6(2) and 9(2)*). They relate to the incidental expenses of pupils holding assisted places at schools in pursuance of the scheme established under section 17 of the Education Act 1980 and provide for grants towards certain expenditure and the remission of certain charges.

Schools are required to pay means tested grants towards school uniform expenditure (*Regulation 3*) and the cost of travel between home and school where the walking distance exceeds three miles (*Regulation 4*). They are required to remit a half of any charges for school meals where the relevant income (as defined in Regulation 2(1) of the Regulations of 1980) does not exceed £4,000 and to remit such charges in full in the case of a pupil whose parents are in receipt of supplementary benefit or family income supplement (*Regulation 5*). Charges made by a school in respect of certain field study courses are to be wholly remitted in the case of a pupil whose fees fall to be remitted, in whole or in part, under Regulation 15 of the Regulations of 1980 (*Regulation 7*).

Schools are to be reimbursed by the Secretary of State the aggregate amount of all grants made and charges remitted in pursuance of the Regulations (*Regulation 9*) and he is empowered to specify the time, manner and form in which parents are to apply for grants or remission of charges (*Regulation 10*).

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