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STATUTORY INSTRUMENTS

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**1998 No. 1222**

**EDUCATION, ENGLAND AND WALES**

**The Education (Partnership Grant) Regulations 1998**

<i>Made</i>	- - - -	<i>12th May 1998</i>
<i>Laid before Parliament</i>		<i>15th May 1998</i>
<i>Coming into force</i>	- -	<i>5th June 1998</i>

In exercise of the powers conferred upon the Secretary of State by sections 484, 485, 489 and 569(4) of the Education Act 1996<sup>(1)</sup>, the Secretary of State for Education and Employment hereby makes the following Regulations:—

**PART I**  
**GENERAL**

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Education (Partnership Grant) Regulations 1998, and shall come into force on 5th June 1998.

(2) These Regulations apply only in relation to schools and LEAs in England.

**Interpretation**

2. In these Regulations—

“the 1996 Act” means the Education Act 1996;

“approved expenditure”—

(a) in relation to partnership grant, means expenditure approved by the Secretary of State under regulation 3(2); and

(b) in relation to research grant, means expenditure approved by him under regulation 5(2);

“independent school” means a registered school (as defined in section 465 of the 1996 Act);

“LEA” means a local education authority;

“maintained school” means—

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(1) 1996 c. 56; see section 579(1) for the definition of “regulations”.

- (a) a school maintained by an LEA,
- (b) a special school not so maintained, or
- (c) a grant-maintained school.

“partnership grant” means grant payable under regulation 3;

“partnership project” has the meaning specified in regulation 3(1);

“project organiser” means any person (including an LEA or the proprietor of an independent school but not the governing body of a maintained school) who the Secretary of State is satisfied is organising or intends to organise a partnership project;

“research grant” means grant payable under regulation 5; and

references to a “school” include (except where the context otherwise requires) references to the proprietor thereof and persons acting with the proprietor’s authority.

## PART II

### PAYMENT OF GRANTS

#### **Partnership grant**

**3.—(1)** In these Regulations “partnership project” means a scheme in which a group of schools, which must include at least one independent and one maintained school, agree to co-operate with each other and, where the schools in the group so agree, with other persons (who may include an LEA) for the purpose of taking measures designed—

- (a) to widen the educational opportunities of pupils attending one or more of the schools in that group, and
- (b) to contribute towards the raising of standards of education provided for such pupils.

(2) Subject to paragraph (4), the Secretary of State may pay grants (“partnership grant”) to a project organiser in respect of expenditure incurred or to be incurred by that person in connection with the organisation and operation of a partnership project, but only to the extent to which that expenditure is approved by the Secretary of State for the purposes of this regulation.

(3) Without prejudice to the generality of paragraph (2), the Secretary of State may in particular pay partnership grant in respect of approved expenditure incurred or to be incurred in connection with—

- (a) the release from their normal duties of teachers and other school staff to work on a partnership project;
- (b) the remuneration of persons engaged to work on a partnership project (but not remuneration which would be payable whether or not they were so engaged);
- (c) the support, training, or professional development of governors, teachers and other school staff engaged on a project;
- (d) the provision of transport for pupils and staff to and from premises used in relation to a project;
- (e) equipment, books, computer hardware and software, and other materials used in relation to a project;
- (f) the costs associated with entering a pupil for any examination (but only where he would not have been so entered apart from his school’s participation in a project);
- (g) auditing, monitoring or other evaluation of a project.

(4) Where the project organiser is an LEA, partnership grant shall be payable only in respect of expenditure referred to in paragraph (2) incurred or to be incurred by that authority in a financial year to the extent to which that expenditure is approved for that year by the Secretary of State.

#### **Partnership grant in respect of payments to third parties**

4. Where—

- (a) a project organiser incurs expenditure in making payments to any other person (including the proprietor or the governing body of a school participating in a project) who incurs expenditure in connection with a partnership project, and
- (b) that expenditure of the person to whom the payments are made would be approved expenditure if it were expenditure of the project organiser,

such payments shall to that extent be treated as approved expenditure for the purposes of regulation 3.

#### **Grant for research into partnership projects**

5.—(1) Subject to paragraph (2), the Secretary of State may also pay grants to a person (other than an LEA) in respect of expenditure incurred or to be incurred by that person for the purposes of carrying out research into partnership projects, including the evaluation of—

- (a) particular aspects of individual projects, or
- (b) the effectiveness of projects.

(2) Research grant may be paid only in respect of expenditure which is approved by the Secretary of State.

#### **Rate of grant**

6.—(1) Subject to paragraph (2), grant paid under these Regulations may be of an amount constituting reimbursement of the approved expenditure to which it relates, or of a lesser sum determined by the Secretary of State.

(2) In relation to a partnership project where the project organiser is an LEA, partnership grant shall be payable at the rate of 100 per cent. of approved expenditure.

#### **Payment of grant**

7. Payments of grant under these Regulations shall be made at such times and in such instalments as the Secretary of State thinks appropriate.

## **PART III SUPPLEMENTAL**

#### **Conditions of payment**

8. The making of payments of grant under these Regulations shall be dependent upon the fulfilment of such conditions as may be specified by the Secretary of State.

### **Requirements to be observed**

9.—(1) Any person to whom grant is paid under these Regulations shall comply with such requirements as may be determined by the Secretary of State in the case in question.

(2) Without prejudice to the generality of paragraph (1), requirements determined under this regulation may include requirements as to—

- (a) the repayment of grant;
- (b) the payment to the Secretary of State of other sums related to the value of assets acquired, provided or improved—
  - (i) with the aid of grant, or
  - (ii) (in relation to partnership grant) by any other person referred to in regulation 4 with the aid of payments made by the project organiser in respect of which grant has been paid;
- (c) the payment of interest on sums due to the Secretary of State;
- (d) the keeping of such records and accounts, and the provision to the Secretary of State of such information, documents, returns and accounts as the Secretary of State may from time to time require.

(3) The Secretary of State may determine to withdraw a requirement imposed under this regulation or, after consulting the person upon whom it is imposed, vary such a requirement.

12th May 1998

*Stephen Byers*  
Minister of State,  
Department for Education and Employment

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which are made under sections 484, 485 and 489 of the Education Act 1996, authorise the Secretary of State to pay grants in connection with expenditure approved by the Secretary of State in relation to—

- (a) projects (“partnership projects”) in which a group of schools, which must include at least one independent school and one maintained school, co-operate with each other (and other persons or organisations) with a view to expanding educational opportunities and improving educational standards for the pupils attending such schools (*regulation 3*); or
- (b) research into partnership projects (*regulation 5*).

Partnership grant is payable to the organiser of the project who may be a local education authority or another person (although not the governing body of a maintained school). The organiser may disburse grants to third parties who incur approved expenditure in relation to a project, in particular schools participating in a project (*regulation 4*).

In relation to partnership grant, the rate of grant will be 100% of approved expenditure where the project organiser is an LEA, otherwise grant may be such proportion of the approved expenditure as is determined by the Secretary of State; and grant is payable at such times and in such instalments as he may determine (*regulations 6 and 7*).

The payment of grant may be made dependent upon such conditions as may be specified by the Secretary of State, and he may also require the person to whom it is paid to comply with certain requirements (*regulations 8 and 9*).