
STATUTORY INSTRUMENTS

2018 No. 148

The Free School Lunches and Milk, and School and Early Years Finance (Amendments Relating to Universal Credit) (England) Regulations 2018

Part 3

Amendment of the School and Early Years Finance (England) Regulations 2018

Amendment of the School and Early Years Finance (England) Regulations 2018

6. In the School and Early Years Finance (England) Regulations 2018⁽¹⁾, in regulation 17 (early years pupil premium)—

(a) in paragraph (3), for sub-paragraph (a) substitute—

“(a) universal credit where the child’s parent has, in the relevant period, earned income not exceeding the applicable amount;”;

(b) after paragraph (8), insert—

“(9) A child who on 1st April 2018 is eligible, or after that date becomes eligible, for early years pupil premium continues to be so eligible notwithstanding any change in circumstances which would otherwise result in paragraph (2)(c)(i) ceasing to be satisfied or, in the case of paragraph (3)(a), the earned income of the child’s parent subsequently exceeding the applicable amount.

(10) In this regulation—

(a) “earned income” means income for the purposes of Chapter 2 of Part 6 of the Universal Credit Regulations 2013;

(b) the relevant assessment period and the applicable amount are those referred to the following sub-paragraphs as applicable—

(i) except where paragraphs (ii) or (iii) apply, where the parent had earned income which did not exceed £616.67 in the universal credit assessment period⁽²⁾ immediately preceding the date of the request for the early years pupil premium (period 1)—

(aa) the relevant assessment period is period 1; and

(bb) the applicable amount is £616.67;

(ii) this paragraph applies where paragraph (i) does not because the applicable amount referred to in that paragraph is exceeded and there is a universal credit assessment period (period 2) immediately preceding period 1 referred to in that paragraph—

⁽¹⁾ S.I. 2018/10.

⁽²⁾ An assessment period is prescribed by regulation 21(1) of the Universal Credit Regulations 2013 as a period of one month beginning with the first day of entitlement and each subsequent period of one month during which entitlement subsists.

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- (aa) the relevant assessment period is the sum of period 1 and period 2 (SAP); and
 - (bb) the applicable amount is £1,233.34;
- (iii) this paragraph applies where paragraph (ii) does not because the applicable amount referred to in that paragraph is exceeded and there is a universal credit assessment period (period 3) immediately preceding period 2 referred to in that paragraph—
 - (aa) the relevant assessment period is the period made up of SAP and period 3; and
 - (bb) the applicable amount is £1,850;
- (c) where the parent referred to in paragraph (3)(a) is—
 - (i) a member of a couple who have jointly made a claim for, and are in receipt of, universal credit; or
 - (ii) a member of a couple but has claimed, and is in receipt of, universal credit as a single person,references to applicable amounts in paragraphs (i) to (iii) of sub-paragraph (b) are to be read as references to the combined income of the couple;
- (d) “parent” has the meaning given by section 2(2) of the Childcare Act 2006(3).”.