STATUTORY INSTRUMENTS

1984 No. 446

EDUCATION, ENGLAND AND WALES

The Education (Grants for Teacher Training) Regulations 1984

Made - - - -	*28th March* 1984
Laid before Parliament	*6th April* 1984
Coming into Operation	*30th April* 1984

In exercise of the powers conferred on the Secretary of State by sections 3*(a)* and 4 of the Education Act 1962(**a**) and of all other powers enabling him in that behalf, the Secretary of State for Education and Science and (in respect of persons ordinarily resident in Wales) (**b**) the Secretary of State for Wales hereby make the following Regulations:—

Citation and operation

1. These Regulations may be cited as the Education (Grants for Teacher Training) Regulations 1984 and shall come into operation on 30th April 1984.

Revocation

2. The Education (Grants for Teacher Training) Regulations 1983 (**c**) are hereby revoked.

Interpretation

3.—(1) In these Regulations—

"further education teacher" means a teacher employed in further education, whether or not on the staff of a particular establishment of further education;

"grant" means a grant in pursuance of these Regulations;

"education authority" means a local education authority;

"maintained school" means a school maintained by an education authority (including a special school so maintained);

"normal working day", in relation to a teacher, means that part of a day on which he would normally work for which he would normally be required to attend his school or establishment of further education or, in the case of a teacher employed otherwise than at a particular school or establishment of further education, to be available to attend a school or such an establishment.

(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.

(**a**) 1962 c.12; the relevant provisions are set out, as amended, in Schedule 5 to the Education Act 1980 (c.20).
(**b**) *See* S.I. 1978/274, Article 2(7).
(**c**) S.I. 1983/431.

Grants by the Secretary of State

4. The Secretary of State is hereby authorised, subject to and in accordance with these Regulations, to make grants to education authorities in respect of school teachers undergoing further training as such, and further education teachers undergoing training as such, whose remuneration is paid by them.

Teachers in respect of whom grants may be paid

5.—(1) A grant shall be paid only in respect of a teacher—

(a) who is currently in such employment as is mentioned in paragraph (2), and

(b) whose aggregate period of such employment, in the case of a school teacher, is not less than 5 years.

(2) The employment referred to in paragraph (1) is full-time teaching employment in a maintained school (including, in the case of employment by an education authority, such employment otherwise than as a teacher at a particular school) or full-time or part-time employment as a further education teacher, but does not include, in the case of a school teacher, temporary employment, that is to say—

(a) employment in pursuance of an appointment for a specified period, or

(b) employment in pursuance of an appointment for an unspecified period which is expressed to be temporary.

Training in respect of which grants may be paid

6.—(1) A grant shall be paid only in respect of a teacher attending a course which satisfies the criteria mentioned in both paragraphs (2) and (3).

(2) The subject matter of the course shall be—

(a) in the case of a school teacher—

(i) organisation and management in the context of the responsibilities of head teachers and other senior teachers;

(ii) the teaching of mathematics;

(iii) the teaching of science;

(iv) education as a preparation for vocational training;

(v) the meeting of special educational needs (within the meaning of the Education Act 1981(**a**)) otherwise than in special schools, or

(vi) in the case only of a teacher in employment in Wales, the teaching of the Welsh language or the teaching in that language of other subjects; and

(b) in the case of a further education teacher, education as a preparation for or contribution to vocational training.

(3) The course—

(a) shall not involve attendances over a period exceeding 12 months, but

(b) shall involve

(**a**) 1981 c.60.

(i) in the case of a school teacher, attendances on days which are normal working days in the case of the teacher concerned which aggregate not less than 20 such days, any attendance for less than a full working day being disregarded; and

(ii) in the case of a further education teacher, attendances which aggregate not less than 60 hours.

Amount of grants — school teachers

7.—(1) A grant in respect of a school teacher for any period shall be of an amount calculated—

(a) by reference to the aggregate number of his normal working days falling within that period for which he attended (or, but for sickness, would have attended) his course, any attendance for less than a full working day being disregarded, and

(b) at a daily rate which is 90% of the average annual cost of employing a teacher at a maintained school, as estimated by the Secretary of State in accordance with paragraph (2) and Regulation 9, divided by 190.

(2) In making the estimate required by paragraph (1)*(b)* the Secretary of State shall take account—

(a) in the case of a grant in respect of an assistant teacher, of the cost of employing assistant teachers who have attained the age of 30 but not that of 50 years, or

(b) in the case of a grant in respect of a head teacher, of the cost of employing head teachers at schools other than special schools which, for the purposes of determining the remuneration of head teachers, are classed as group 9 schools in accordance with the document for the time being in force under the Remuneration of Teachers Act 1965 (**a**),

to the exclusion of the cost of employing other teachers.

Amount of grants — further education teachers

8. A grant in respect of a further education teacher for any period shall be of an amount calculated—

(a) by reference to the aggregate number of hours falling both within the period of his normal working day and within that period for which he attended (or, but for sickness, would have attended) his course, and

(b) at an hourly rate which is 90% of the average annual cost of employing a Lecturer Grade 1 at an establishment of further education, as estimated by the Secretary of State having regard to the document for the time being in force under the Remuneration of Teachers Act 1965 and the provisions of Regulation 9, divided by 1080.

Cost of employing a teacher

9. For the purposes of Regulations 7 and 8, the cost of employing a teacher shall be taken to be the aggregate of—

(a) his salary for superannuation purposes;

(b) the employer's superannuation contributions payable thereon, and

(c) the secondary Class 1 contributions payable in respect of him under the Social Security Act 1975(**b**).

(**a**) 1965 c.3. (**b**) 1975 c.14.

Payments of grants

10.—(1) Except as provided in paragraph (4), no payment by way of a grant shall be made except in respect of a period of four months beginning on 1st January, 1st May or 1st September in any year, and shall be made only when—

(a) that period has expired, and

(b) the education authority have, in respect of that period, submitted to the Secretary of State a certificate, authenticated by the officer of the authority responsible for the administration of their financial affairs or his deputy, which conforms with the requirements of Regulation 11.

(2) Subject to paragraph (3), no payment by way of a grant shall be made to an education authority after 31st December in any year until the Secretary of State has received from 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)** a certificate certifying that in his opinion the particulars stated in the certificates submitted by the authority in respect of the period of twelve months which ended on the previous 31st August (or as regards the year ending on 31st August 1984, the period of four months which ended on that date) were fairly stated and that the grants applied for were properly payable in pursuance of these Regulations.

(3) Paragraph (2) shall not apply in any case where no application has been made by the authority for a grant in respect of the period to which the auditor's certificate would relate.

(4) Notwithstanding the requirements of paragraph (1), a provisional payment may be made in respect of any period pending the final calculation of the payment due in respect thereof by way of a grant.

(5) Where a provisional payment has been made in pursuance of this Regulation or Regulation 7 of the Education (Grants for Teacher Training) Regulations 1983, then without prejudice to the recovery of an overpayment from a subsequent payment (whether or not in respect of the same teacher) any overpayment or underpayment shall be adjusted by payment between the education authority and the Secretary of State.

Certificates from education authorities

11. Each certificate submitted by an education authority pursuant to Regulation 10(1) shall, in respect of the period to which it relates—

(a) specify the name of each teacher in respect of whom a grant is applied for and whether he is a head teacher or assistant teacher in a school or a further education teacher;

(b) certify that he is a teacher in respect of whom a grant may properly be paid to the authority in pursuance of Regulations 4 and 5 of these Regulations;

(c) specify the subject matter of the course and certify that it satisfies the criteria mentioned in Regulation 6(2) and (3);

(d) specify in the case of a school teacher the number of normal working days on which he attended the course (attendance for less than a full working day being disregarded) and in the case of a further education teacher the number of hours falling within his normal working day on which he attended the course; and

(a) 1982 c.32.

(e) certify that neither the authority nor any teacher in respect of whom a grant is applied for has received or will receive any grant from the Manpower Services Commission or any government department or other body in respect of attendance of the teacher at the course.

28th March 1984.

Keith Joseph,
Secretary of State for
Education and Science.

28th March 1984.

Nicholas Edwards,
Secretary of State for Wales.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations replace, with amendments, the Education (Grants for Teacher Training) Regulations 1983, which are revoked *(Regulation 2)*. They authorise the Secretary of State to pay grants in respect of teachers in maintained schools who undergo further training (as did the 1983 Regulations), and also grants in respect of further education teachers who undergo training *(Regulation 4)*. In each case the course attended must satisfy specified criteria *(Regulation 6)*. The grant is payable to the local education authority responsible for the teacher's remuneration.

No material change is made in the requirements relating to school teachers in respect of whom grants may be paid; further education teachers must currently be employed, full-time or part-time, in further education *(Regulation 5)*.

The courses in respect of which grant may be paid are extended to include, for school teachers, the teaching of science. In the case of a further education teacher, the course must relate to education as a preparation for or contribution to vocational training, and involve attendance for not less than 60 hours within a period of 12 months *(Regulation 6)*.

The rules governing the amount of grant payable in respect of school teachers are unchanged *(Regulations 7 and 9)*. For further education teachers the amount of grant is determined by reference to the number of hours (falling within his normal working day) for which he attended the course and the average cost of employing a Lecturer Grade 1 at an establishment of further education *(Regulations 8 and 9)*.

Local education authorities claiming grant are required to submit certificates to the Secretary of State, the contents of which are specified *(Regulations 10(1) and 11)*. An auditor's certificate is required at the end of each year *(Regulation 10(2))*. The Department of Education and Science and the Welsh Office will be issuing Circulars recommending forms of certificate for use by local education authorities in complying with these obligations. Provision is made for payments on account *(Regulation 10(4))*.

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