EDUCATION, ENGLAND AND WALES

GRANTS

1952 No. 1331

The Education (Local Education Authorities) Grant Regulations, 1952

Made - - - -	16*th July*, 1952
Laid before Parliament	17*th July*, 1952
Coming into Operation	1*st August*, 1952

The Minister of Education in exercise of the powers conferred upon her by Section 100 of the Education Act, 1944(a), and Section 6 of the Education (Miscellaneous Provisions) Act, 1948(b), hereby makes the following Regulations :—

Short Title

1. These Regulations may be cited as the Education (Local Education Authorities) Grant Regulations, 1952, and shall come into operation on the first day of August, 1952.

Definitions

2. In these Regulations unless the context otherwise requires :—

(*a*) " The Act " means the Education Act, 1944, as amended by any later enactment.

" The Minister " means the Minister of Education.

" Authority " means Local Education Authority.

" Approved " means approved by the Minister for the purposes to which the context relates.

" Assisted school " means school which is assisted by an Authority and is subject to the conditions prescribed by Part III of the Schools Grant Regulations, 1951(c).

" Average number on the registers " means the average number, as ascertained for the specified educational year for the purpose of any return required by the Minister, of full-time pupils on the registers of the maintained and assisted schools in the area of the Authority in question.

" Direct-grant " means grant payable by the Minister under Section 100 (1) (*b*) of the Act.

" Direct-grant Grammar School " has the meaning assigned to that expression by the Schools Grant Regulations, 1951.

" Educational year " has the meaning assigned to that expression by the Regulations referred to in the last preceding definition as amended by any subsequent Regulations.

(a) 7 & 8 Geo. 6. c. 31. (b) 11 & 12 Geo. 6. c. 40. (c) S.I. 1951/1743; 1951 I, p. 529.

"Emergency training" means such training of teachers as is provided under arrangements made or approved by the Minister other than for students recognised under the Training of Teachers Grant Regulations, 1950(a), as amended by the Training of Teachers Grant Amending Regulations No. 1, 1951(b), and any subsequent amending Regulations, or for students recognised for special training courses.

"Special training" means such training of teachers as is provided in special training courses for Uncertificated and other teachers.

"Maintained school" means school maintained by an Authority under the Act.

"Net recognisable expenditure" has the meaning assigned to that expression by Regulation 5 (4).

"Product of a rate" means the product of a rate in the area of an Authority as ascertained for any specified year from the product of a penny rate in each rating area, as determined under the Rating and Valuation Act (Product of Rates and Precepts) Rules, 1938(c), as amended by any subsequent Rules, or in London as certified by the District Auditor.

"Recognised" means recognised by the Minister for the purposes of payment of grant.

"Training College" has the meaning assigned to the expression "College" by the Training of Teachers Grant Regulations, 1950, as amended by the Training of Teachers Grant Amending Regulations No. 1, 1951, and any subsequent amending Regulations.

"Year" means the financial year.

(*b*) Other expressions which have meanings assigned to them by the Act shall have the same respective meanings for the purposes of these Regulations.

INTERPRETATION

3.—(1) The Interpretation Act, 1889(d), applies to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(2) If any question arises as to the interpretation of these Regulations, or as to whether any of the requirements thereof are fulfilled, or as to the amount of any grant payable thereunder, the decision of the Minister shall be final.

GRANTS IN RESPECT OF EXPENDITURE OF AUTHORITIES

4. The grant payable by the Minister to Authorities in respect of expenditure incurred by them in the exercise of their functions relating to education shall be payable for each year and shall be subject to the conditions prescribed by these Regulations and by any Regulations amending these Regulations.

ASCERTAINMENT OF RECOGNISABLE EXPENDITURE

5.—(1) The expenditure and income of each Authority to be taken into account for the purpose of computing grant for any year shall be ascertained from the Education Revenue Account as prescribed by Regulations made under Section 235 of the Local Government Act, 1933(e).

(2) From the expenditure so ascertained there shall be excluded:—

(*a*) expenditure which in the opinion of the Minister is attributable to a service in respect of which payments are made by another Government Department;

(a) S.I. 1950/1203; 1950 I, p. 566. (b) S.I. 1951/1344; 1951 I, p. 551.
(c) S.R. & O. 1938/265; Rev. XIX, p. 712; 1938 II, p. 2929. (d) 52 & 53 Vict. c. 63.
(e) 23 & 24 Geo. 5. c. 51.

(*b*) expenditure of whatever nature in respect of:—

(i) schools or other institutions receiving direct-grant not being expenditure incurred for the removal of any air raid shelter or other works constructed for the purpose of air raid precautions, or for the removal of any temporary defence works as hereinafter defined, or of reinstating premises so far as such reinstatement is rendered necessary by such removal, or taken into account for the purpose of calculating School Milk and Meals Grant; or

(ii) facilities provided by voluntary organisations or by local authorities in respect of which the Minister pays grants under the Physical Training and Recreation Act, 1937(a):

Provided that where expenditure or any part thereof which would, but for this proviso, be excluded in accordance with this sub-paragraph is taken into account by the Minister in assessing grant to the school or institution or to the voluntary organisation or local authority, as the case may be, the Minister may, if she thinks fit, treat that expenditure or part as if it were not so excluded;

(*c*) contributions to another Authority which are calculated by reference to the net cost falling to be met from the rates;

(*d*) expenditure on tuition fees, boarding fees or other boarding charges of students pursuing courses at Training Colleges or courses of emergency training or special training, recognised under the regulations for the time being made by the Minister under Section 100 of the Act relating to such courses, other than expenditure in respect of the holders of Major Awards following fourth year or post-graduate courses or approved courses in the principles and practice of teaching and school management for persons having advanced qualifications in art;

(*e*) any other expenditure not recognised by the Minister as expenditure in aid of which grants should be made to the Authority.

(3) The expenditure thus reduced shall then be classified according to the classification required for calculating such grants as are based on particular classes of expenditure and from each class of expenditure shall be deducted all income relating thereto except grants from the Minister and contributions from other Authorities which are calculated by reference to the net cost falling to be met from rates.

(4) The net expenditure thus ascertained for any class shall be the expenditure eligible for recognition and in these Regulations the expression "net recognisable expenditure" means either the total net expenditure which is recognisable or the net expenditure of any class which is recognisable as the context requires.

Grant for any Year

6. The grant payable for any year shall comprise the following:—

(*a*) Main Grant;
(*b*) Recoupment Grant;
(*c*) School Milk and Meals Grant;
(*d*) Training College Grant;
(*e*) Emergency or Special Training of Teachers Grant;
(*f*) **Advanced Technology Grant;**
(*g*) Air Raid Shelter (Removal) Grant;
(*h*) Temporary Defence Works (Removal) Grant.

(a) 1 Edw. 8 & 1 Geo. 6. c. 46.

Main Grant

7.—(1) The net recognisable expenditure of an Authority for the purpose of calculating Main Grant shall be ascertained by excluding from their total net recognisable expenditure the classes of such expenditure ascertained for the calculation of grant prescribed by paragraphs (*b*) to (*h*) of the last preceding Regulation.

(2) The Main Grant payable to an Authority for any year shall be at the rate of 120 shillings for each unit of the average number of pupils on the registers in the area of that Authority for the appropriate educational year, increased by 60 per cent. of the net recognisable expenditure and reduced by the product of a rate of 30 pence for the year for which the Main Grant is payable.

Recoupment Grant

8.—(1) The Minister shall determine the amount of the cost to an Authority of the provision of primary or secondary education for a pupil who does not belong to the area of any Authority and shall ascertain the net recognisable expenditure referable to that cost: Recoupment Grant shall be payable at the rate of 100 per cent. of such net recognisable expenditure after deducting therefrom the Main Grant payable in respect thereof.

(2) The aggregate amount of the Recoupment Grants shall be apportioned amongst all Authorities, including those to whom such grants are payable, in such manner that each Authority shall be liable for meeting a share of that aggregate amount bearing the same ratio to that aggregate amount as the average number on the registers in the area of that Authority, for the appropriate educational year, bears to the aggregate of the average number on the registers in the areas of all Authorities for that year.

(3) The share of the aggregate amount of the Recoupment Grants for which each Authority is liable as aforesaid shall be recouped to the Minister by way of deduction from the total grant payable to that Authority under these Regulations.

(4) Where Recoupment Grant payable to any Authority comprises any sum payable in respect of the cost of providing premises or equipment for the use of pupils not belonging to the area of any Authority, then, in the event of such premises or equipment ceasing, whether by reason of their sale or letting or otherwise, in any year to be used for such pupils, the total grant payable to that Authority under these Regulations for that year or any subsequent year shall, notwithstanding the provisions of Regulation 5 (1) of these Regulations, be reduced by such amount as the Minister considers just.

(5) The aggregate amount of any sums by which grants have been reduced under the last foregoing paragraph shall be apportioned amongst all Authorities in like manner to that in which the aggregate amount of the Recoupment Grants is apportioned and the share of the aggregate amount of the said sums which is referable to each Authority shall be added to the total grant payable to that Authority under these Regulations.

School Milk and Meals Grant

9. School Milk and Meals Grant shall be payable in respect of net recognisable expenditure incurred by an Authority in providing, in accordance with the provisions of the Schedule to these Regulations, milk, meals or other refreshment for day pupils in attendance at schools.

Training College Grant

10. In respect of any Training College, or hostel for such a College, maintained by an Authority, including any such College or hostel maintained by more than one Authority acting through a Joint Education Committee, Training College Grant shall be payable to any such Authority at the rate of 100 per cent. of the net recognisable expenditure incurred by that Authority in respect of the establishment, equipment or maintenance of any such College or hostel.

11.—(1) Every Authority, including each of the Authorities to whom Training College Grant is payable under the last foregoing Regulation, shall contribute a share of the aggregate amount of the Training College Grants so payable.

(2) The share to be so contributed as aforesaid by any Authority shall be ascertained as follows:—

(*a*) there shall be allocated to that Authority a part of the aggregate amount of the Training College Grants bearing the same ratio to that aggregate amount as the average number on the registers in the area of that Authority, for the appropriate educational year, bears to the aggregate of the average numbers on the registers in the areas of all Authorities for that year;

(*b*) the share to be contributed as aforesaid by that Authority shall be 40 per cent. of the sum so allocated under sub-paragraph (*a*) of this paragraph.

(3) The share so contributed as aforesaid by any Authority shall be recouped to the Minister by way of deduction from the total grant payable to that Authority under these Regulations.

Emergency or Special Training of Teachers Grant

12. Emergency or Special Training of Teachers Grant shall be payable at the rate of 100 per cent. of the net recognisable expenditure of Authorities in respect of arrangements for the emergency training or special training of teachers.

ADVANCED TECHNOLOGY GRANT

13.—(1) Advanced Technology Grant shall be payable at the rate of 75 per cent. of the net recognisable expenditure of Authorities in respect of approved arrangements for the provision and maintenance of facilities for advanced technological study and research in establishments for further education.

(2) In order that the arrangements aforesaid may be approved, they must be such as, in the opinion of the Minister, are best calculated to foster the development of establishments for further education of which a large proportion of the work will consist of advanced work and research in technology including courses in advanced technology at graduate and post-graduate levels.

Air Raid Shelter (Removal) Grant

14. Air Raid Shelter (Removal) Grant shall be payable at the rate of 100 per cent. in respect of any net recognisable expenditure incurred for the removal of any air raid shelter or other works constructed for the purpose of air raid precautions and for the reinstatement of premises so far as such reinstatement is rendered necessary by such removal.

Temporary Defence Works (Removal) Grant

15.—(1) Temporary Defence Works (Removal) Grant shall be payable at the rate of 100 per cent. in respect of any net recognisable expenditure incurred for the removal of any temporary defence works as hereinafter defined and for the reinstatement of premises so far as such reinstatement is rendered necessary by such removal.

(2) For the purpose of this Regulation, the expression " temporary defence works " means works, other than those to which the last foregoing Regulation applies, constructed for defence purposes on the premises of any school or other institution in respect of which the Minister pays grant, being works done by or on behalf of a Service Department, the Home Office or the Ministry of Home Security, whether in pursuance of powers conferred by Regulation 50 or Regulation 51 of the Defence (General) Regulations, 1939, or by agreement with the authorities of the school or other institution.

Average Number on the Registers

16. In ascertaining the average number on the registers for the purpose of these Regulations:—

(*a*) a school maintained or assisted by an Authority in the area of some other Authority shall be deemed to be in the area of the Authority who maintain or assist that school and not in the area of that other Authority;

(*b*) a school maintained or assisted jointly by more than one Authority shall be deemed to be in the area of each such Authority as respects such proportion of the average number of pupils on the register of that school as shall be determined by agreement between the Authorities concerned or, failing such agreement, by the Minister; and

(*c*) any reference in these Regulations to " the appropriate educational year " shall relate to the educational year which is current when the year for which grant is payable to an Authority begins.

Conditions of Grant

17. The payment of grant is conditional upon the Minister being satisfied that the Authority:

(*a*) have complied with the requirements imposed on them by or under the Act; and

(*b*) have supplied punctually such information and returns as the Minister may require.

If the Minister is not satisfied on any of the matters aforesaid she may withhold or make a deduction from the grant.

Provisions as to Payment

18.—(1) A sum estimated to amount to 90 per cent. of the grant payable for the year will, subject to the provision by Parliament of the necessary moneys, be payable by monthly instalments on account during the year.

(2) After the end of the year such further instalments as the Minister may think fit based on returns required by her for the purpose may be paid before final adjustment.

(3) The inclusion by the Minister of expenditure for the purpose of calculating any instalments of the grant will not commit the Minister to the recognition of such expenditure for the purposes of these Regulations.

(4) The balance of the grant shall be paid after the audited accounts for the year and any other returns required by the Minister for the purpose have been received and examined.

(5) The grant shall be calculated to the nearest pound, a fraction of a pound, in the final result, being ignored or reckoned as a pound according as it is, or is not, less than 10s.

Regulations Revoked

19. The Education (Local Education Authorities) Grant Regulations. 1948(**a**), and the Education (Local Education Authorities) Amending Grant Regulations No. 1, 1949(**b**), No. 2, 1949(**c**), No. 4, 1950(**d**), and No. 5, 1950(**e**), are hereby revoked, but such revocation shall not affect the operation of those Regulations in relation to any period before the date on which these Regulations come into operation.

SCHEDULE

(Regulation 9)

Detailed Provisions for School Milk and Meals Grant

Introductory

1.—(1) This Schedule prescribes the conditions for payment and the amount of School Milk and Meals Grant comprising—

(*a*) Milk Grant;

(*b*) Premises Grant; and

(*c*) Dinner Grant.

(2) Grant for meals and refreshments other than dinners shall be payable as part of the Main Grant and not as part of the School Milk and Meals Grant.

(3) In this Schedule, unless the context otherwise requires—

"dinners" means school dinners for day pupils;

"other meals" means meals and refreshment other than dinners;

"running expenditure" means the recognisable expenditure incurred by an Authority ranking for Dinner Grant or Grant for other meals;

"overhead costs" means the costs of providing dinners or other meals exclusive of the cost of providing the food therefor and the cost of establishing or equipping premises and transport facilities.

Milk Grant

2. Milk Grant shall be payable in respect of the net recognisable expenditure incurred by an Authority in providing milk for day pupils attending maintained, assisted and direct-grant schools, other than direct-grant grammar schools, and shall be at the rate of 100 per cent. of such expenditure.

Premises Grant

3.—(1) In the case of maintained, assisted and direct-grant schools other than direct-grant grammar schools, Premises Grant will be at the rate of 100 per cent. of the approved net expenditure of an Authority on—

(*a*) establishing and equipping premises and transport facilities for the provision of meals;

(*b*) establishing for some purpose other than provision of meals alternative premises to replace premises diverted for the provision of meals, exclusive of any net expenditure on payment of rent of premises; and

(*c*) discharging any liability relating to the reinstatement of premises which arises when the Authority cease the temporary use of such premises for the provision of meals.

(a) S.I. 1948/334; Rev. VI, p. 523; 1948 I, p. 715.
(b) S.I. 1949/317; 1949 I, p. 1498.
(c) S.I. 1949/857; 1949 I, p. 1500.
(d) S.I. 1950/788; 1950 I, p. 558.
(e) S.I. 1950/1252; 1950 I, p. 559.

(2) In the case of direct-grant grammar schools, and independent schools, approved net expenditure on transport facilities will rank for Premises Grant but such grant will only be available for the other purposes mentioned in sub-paragraph (1) insofar as the schools share in facilities mainly provided for the benefit of the schools mentioned in sub-paragraph (1).

DINNER GRANT

4.—(1) In the case of maintained schools there shall be ascertained:—

(*a*) the running expenditure on food for dinners; and

(*b*) the running expenditure on overhead costs for dinners.

(2) The running expenditure on food for dinners shall be ascertained by deducting from the total running expenditure on food for all meals and refreshment provided under section 49 of the Act and the Regulations thereunder the sum computed under paragraph 7 (1) of this Schedule as the running expenditure on food for other meals.

(3) The running expenditure on overhead costs for dinners shall be ascertained by deducting from the total running expenditure on overhead costs for all meals and refreshment as aforesaid the sum computed under the said paragraph as the running expenditure on overhead costs for other meals.

(4) Dinner Grant as respects maintained schools shall be equal to the sum of—

(*a*) the running expenditure on food for dinners as ascertained as aforesaid, or the product of the number of dinners served in the year and the unit cost for food fixed by the Minister as hereinafter provided, whichever is the less; and

(*b*) the running expenditure on overhead costs for dinners as ascertained as aforesaid, or the product of the number of dinners served in the year and the unit cost for overhead costs fixed by the Minister as hereinafter provided, whichever is the less:

reduced by the income resulting from parents' payments and any other income relating to dinners.

5. Where an Authority incur running expenditure—

(*a*) under section 78 (2) (*a*) of the Act in securing the provision of dinners for pupils of assisted and direct-grant schools other than direct-grant grammar schools; or

(*b*) under section 81 of the Act and the Regulations thereunder in defraying the expenses for dinners of pupils at the said schools and at direct-grant grammar schools:

the approved net expenditure so incurred will be eligible for Dinner Grant at the rate of 100 per cent.

6. Where an Authority incur approved running expenditure either under section 78 (2) (*a*) of the Act in securing the provision of dinners for pupils of independent schools, or under section 81 of the Act and the Regulations thereunder in defraying the expenses for dinners of such pupils, the approved net expenditure so incurred will be eligible for Dinner Grant at the rate of 100 per cent.: provided that no net expenditure under section 78 (2) (*a*) on the provision of food for such dinners will be eligible for grant.

GRANT FOR OTHER MEALS

7.—(1) In the case of maintained schools, the Minister after consulting the Authority will determine the method of computing—

(*a*) the sum which shall be treated as the running expenditure on food for other meals; and

(*b*) the sum which shall be treated as the running expenditure on overhead costs for other meals.

(2) The sums computed as provided in sub-paragraph (1) of this paragraph shall be reduced by the income resulting from parents' payments and any other income relating to other meals for maintained schools and the resulting sum shall be the net expenditure in respect of such schools.

(3) In the case of assisted and direct-grant schools, including direct-grant grammar schools, the sum which shall be treated as the running expenditure eligible for grant under this paragraph shall be the net expenditure of the Authority on other meals under section 78 (2) (*a*) of the Act or section 81 of the Act and the Regulations thereunder.

(4) In the case of independent schools, the sum which shall be treated as running expenditure eligible for grant under this paragraph shall be the approved net expenditure of the Authority on other meals under section 78 (2) (*a*) of the Act or section 81 of the Act and the Regulations thereunder: provided that no net expenditure under section 78 (2) (*a*) on the provision of food for other meals will be eligible for grant.

(5) The net expenditure ascertained in accordance with sub-paragraphs (2), (3) and (4) of this paragraph shall be treated as part of the net recognisable expenditure for the purpose of calculating Main Grant.

UNIT COSTS

8.—(1) The unit costs for food and overhead costs, as respects both dinners and other meals, will be fixed for each Authority by the Minister on or after 1st November in the year to which they relate.

(2) Before fixing such unit costs the Minister will take into consideration any relevant information submitted by the Authority not later than 31st October in that year.

(3) The Minister shall not vary the unit costs so fixed except insofar as, in her opinion, such variation may be necessitated by contingencies of an exceptional nature outside the control of the Authority and directly affecting the cost of providing school meals.

NUMBER OF MEALS SERVED

9. Whenever it is necessary for the purpose of computing the School Milk and Meals Grant or Main Grant to calculate the number of dinners or other meals, that number shall be calculated in such manner as may be settled in the case of each Authority from time to time by the Minister.

Given under the Official Seal of the Minister of Education this 16th day of July, 1952.

(L.S.)

Florence Horsbrugh,
Minister of Education.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations replace the Education (Local Education Authorities) Grant Regulations, 1948, and the subsequent amendments thereof by a single body of Regulations. The principal change is the introduction of a new Regulation relating to Advanced Technology Grant. Provisions referring to this grant are printed in heavy type.