STATUTORY INSTRUMENTS

2000 No. 2332

EDUCATION, ENGLAND

The Education Standards Fund (England) (Amendment) Regulations 2000

Made - - - -	*24th August 2000*
Laid before Parliament	*1st September 2000*
Coming into force	*22nd September 2000*

In exercise of the powers conferred on the Secretary of State by sections 484, 489 and 569(4) of the Education Act 1996**(a)** the Secretary of State for Education and Employment hereby makes the following Regulations:

1. These Regulations may be cited as the Education Standards Fund (England) (Amendment) Regulations 2000 and shall come into force on 22nd September 2000.

2. The Education Standards Fund (England) Regulations 2000**(b)** shall be amended as follows.

3. In regulation 2(1)—

(a) the following definitions shall be inserted at the appropriate places—

""asylum seeker" means a person who has made a claim for asylum which has been recorded by the Secretary of State as having been made and which has not been recorded by the Secretary of State as having been finally determined or abandoned;

"claim for asylum" means a claim that it would be contrary to the United Kingdom's obligations under the Convention relating to the Status of Refugees done at Geneva on 28th July 1951**(c)** and the Protocol to that Convention for him to be removed from, or required to leave, the United Kingdom;

"Excellence in Cities partnership" means a group of bodies participating in Excellence in Cities whose principal members are secondary schools and local authorities;

"fresh start school" means a maintained school which replaces a discontinued school—

(i) which immediately before its discontinuance was a school to which section 15 of the 1998 Act applied, or

(ii) which was a secondary school, less than 15% of whose candidates for the General Certificate of Secondary Education in the academic year ending immediately before its discontinuance obtained at least 5 grades A* to C; and

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(a) 1996 c. 56; amended by the School Standards and Framework Act 1998 (c. 31), Schedule 30, paragraphs 125 and 126. By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) the powers conferred by these provisions are exercisable by the Secretary of State only in relation to England. *See* section 579(1) for the definition of "regulations".

(b) S.I. 2000/703.

(c) UKTS 39 (1954), Cmd 9171.

"key stage 4" means the fourth key stage referred to in section 355(1)(d) of the 1996 Act;"; and

(b) in the definition of "prescribed expenditure", for "7(b)", in both places where it occurs, there shall be substituted "7(c)".

4. In regulation 5(2) the following entries shall be inserted at the end of the table in the left hand and right hand columns respectively—

"47	100
48	100
49	100
50	100
51	100
52	100
53	100".

5. In regulation 6(4)(b) there shall be omitted the words "or, in the case of expenditure in respect of the items referred to in paragraph 26 of the Schedule, section 488 of the 1996 Act".

6. In regulation 11(1) for "and 38 to 42" there shall be substituted ", 38 to 42, 47, 48, 50 and 52".

7. Schedule 1 shall be amended as follows—

(a) for paragraph 21(b) there shall be substituted—

"(b) The education authorities referred to in sub-paragraph (a) above are—

Barking and Dagenham
Barnsley
Birmingham
Bolton
Bradford
Brent
Camden
Cornwall
Coventry
Doncaster
Ealing
Gateshead
Greenwich
Hackney
Halton
Hammersmith and Fulham
Haringey
Hartlepool
Islington
Kingston-upon-Hull
Knowsley
Lambeth
Lancashire
Leeds
Leicester
Lewisham
Liverpool
Luton
Manchester
Middlesbrough
Newham
North East Lincolnshire
North Tyneside

Northumberland
Nottingham City
Oldham
Salford
Sandwell
Sheffield
South Tyneside
Southampton
Southwark
St Helens
Stoke-on-Trent
Suffolk
Sunderland
Tameside
Tower Hamlets
Wakefield
Walsall
Waltham Forest
Wandsworth
Wigan
Wirral
Wolverhampton
Worcestershire.";

(b) after paragraph 46 there shall be inserted the following paragraphs—

"**47.** Support for schools participating in the Department for Education and Employment's pilot programme for improving results at key stage 3 known as "transforming key stage 3".

48. Assisting in providing extra support for the teaching of literacy and numeracy to those key stage 2 pupils who require extra support in order to reach a satisfactory standard at key stage 2.

49. Support for the development of Excellence in Cities plans—

(a) by assisting with administrative costs incurred by local Excellence in Cities partnerships; and

(b) by assisting with costs incurred by schools which participate in local Excellence in Cities partnerships in developing such plans, including the provision of additional staff to assist for the periods during which teachers are engaged in developing such plans.

50. Support for planning and establishing a fresh start school.

51. Measures to improve standards of education of pupils whose parents are asylum seekers.

52. Support for pupils with behavioural difficulties who are admitted other than at the beginning of a school year to a school included in Excellence in Cities.

53. Measures to improve standards at key stage 4 through the development and support of collaborative arrangements between secondary schools."

Estelle Morris
Minister of State,
Department for Education and Employment

24th August 2000

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education Standards Fund (England) Regulations 2000. They add 7 new purposes for or in connection with which grants are payable. The new purposes relate to the transforming key stage 3 pilot programme (paragraph 47), which is designed to raise standards at key stage 3, extra support for teaching of literacy and numeracy to some key stage 2 pupils (paragraph 48), the development of Excellence in Cities plans (paragraph 49), planning and establishing a fresh start school (paragraph 50), improving the standards of education of pupils whose parents are asylum seekers (paragraph 51), support for pupils with behavioural difficulties admitted in-year to schools in the Excellence in Cities project (paragraph 52) and improving standards at key stage 4 through partnership arrangements between schools (paragraph 53). These Regulations also amend paragraph 21(b) of Schedule 1 (by substituting a new list, containing additional education authorities). They also make consequential amendments to regulations 2(1), 5(2) and 11(1) and correct errors in regulations 2(1) and 6(4)(b).

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