

## SCHEDULE 2

Regulation 6

### CONDITIONS OF PAYMENT OF GRANT

#### **Total number of aided places**

1.—(1) The Secretary of State may specify the total number of pupils who may hold aided places at a particular school.

(2) The Secretary of State may specify in the case of a school different total numbers for boarding pupils and for day pupils.

(3) In this paragraph “the specified number” means a number for the time being specified by her pursuant to sub-paragraph (1) or (2).

(4) If and so long as the total number of pupils holding aided places at a school or, as the case may be, the total number of boarding pupils or of day pupils holding such places, is not less than the specified number then no further aided places or, as the case may require, no further boarding or day aided places, shall be granted at the school.

#### **Number of aided places granted each year**

2. If the Secretary of State specifies the number of aided places which may be granted at a particular school to be taken up in a particular school year, then the school shall not grant a greater number of aided places in that year.

#### **Selection of aided pupils**

3. Aided places shall only be granted in the case of children who will be provided—

- (a) at a school other than the Royal Ballet School, with education in music (otherwise than wholly or mainly in connection with singing in a choir); or
- (b) at the Royal Ballet School, with education in ballet dancing.

#### **Fees**

4.—(1) Subject to sub-paragraph (2) a school may charge only such tuition or other fees and charges in respect of an aided pupil attending that school as are approved from time to time by the Secretary of State.

(2) The Secretary of State may waive the requirement in sub-paragraph (1) in the case of a school either generally or in relation to particular fees or charges but she may—

- (a) revoke any such waiver, and
- (b) require the school to fulfil such other conditions relating to fees and charges as she may specify from time to time including, in particular, conditions requiring that the school give notice to her of proposals to increase fees or charges.

(3) Only such fees or other charges as are designated by the Secretary of State shall be eligible for remission in accordance with paragraph 13 or 14 of Schedule 1.

#### **Publication of information**

5.—(1) Each school shall publish—

- (a) particulars of the Scheme;
- (b) for each school year, annual particulars of the number of aided places likely to be offered in that year, information concerning the procedures for making of applications for aided

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places and details of the arrangements for selection, admission and the remission of fees and charges; and

- (c) such other information as may be specified for the purposes of this paragraph by the Secretary of State.

(2) Subject to any direction given by the Secretary of State for the purposes of this paragraph, either in the case of a named school or all the schools, anything required to be published under subparagraph (1) shall be published in such manner, and at such time or times, as appears to the school appropriate for the purpose of bringing the matter to the attention of parents likely to be interested therein.

### **Returns etc. required by the Secretary of State**

6. A school shall furnish the Secretary of State with such periodic returns and information as she may require relating to the school or aided pupils attending there including, in particular, information relevant to an intended increase in fees or charges for aided pupils.

### **School accounts**

7.—(1) The accounts of a school shall—

- (a) if the Secretary of State so requires, be kept in a form specified by her; and
- (b) be audited by an independent person who is eligible under section 25 of the Companies Act 1989(1) for appointment as a company auditor.

(2) At the request of the Secretary of State, a school shall furnish her with copies of their accounts for such periods as she may specify together with copies of the auditor's certificate relating thereto.

### **Teachers**

8. No person who is barred from employment as a teacher at a school maintained by a local education authority by directions, given and not withdrawn, of the Secretary of State under regulations(2) for the time being in force under section 216(6) of the Education Reform Act 1988(3) shall be employed as a teacher at a school.

### **School governing body**

9.—(1) If, after consultation with a particular school, the Secretary of State so directs, as from a date specified by her whichever of the following conditions as is specified in her direction shall apply in the case of that school, namely—

- (a) the governing body shall include one or two members, as she may specify, appointed by her, or
- (b) one or two persons representing her, as she may specify, shall be entitled to attend, and take part in any discussions at, meetings of the governing body notwithstanding that they are not members thereof and have no say in any decision taken.

(2) This paragraph shall apply in relation to a committee or sub-committee of the governing body of a school and the meetings thereof as it applies in relation to the governing body and that body's meetings.

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(1) 1989 c. 28.

(2) The regulations in force at the date when these Regulations were made were the Education (Teachers) Regulations 1993 (S.I.1993/543), amended by S.I. 1994/222.

(3) 1988 c. 40; section 218(6) was amended by section 290(3) of the Education Act 1993 (c. 35).

### **Proposals relating to premises**

**10.**—(1) Any proposals by a school—

- (a) to acquire new premises, or
- (b) to make alterations to existing premises,

shall be notified to the Secretary of State.

(2) If in the case of any such proposals the Secretary of State so requires, the proposals shall not be implemented without her approval which may be given either unconditionally or subject to conditions specified by her being fulfilled.

### **Proposals relating to boarding arrangements**

**11.**—(1) Any proposals by a school—

- (a) to make arrangements for pupils to board at the school, or
- (b) to discontinue or vary existing arrangements under which pupils board at the school,

shall, if the Secretary of State so requires, be notified to her.

(2) If in the case of any such proposals the Secretary of State so requires, the proposals shall not be implemented without her approval which may be given either unconditionally or subject to conditions specified by her being fulfilled.

### **Corporal punishment**

**12.** No person shall be debarred from receiving education under the Scheme (whether by refusing to select him, suspending his attendance or otherwise) by reason of the fact that section 47 of the Education (No. 2) Act 1986<sup>(4)</sup> applies in relation to him or, if he were selected, might so apply.

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(4) 1986 c. 61; section 47 was amended by the Education Reform Act 1988 (c. 40), Schedule 12, Part I, paragraph 35 and Schedule 13, Part II, and by the Education Act 1993 (c. 35), section 293 and Schedule 19, paragraph 101.