

## SCHEDULE 1

### CLASSES OR DESCRIPTIONS OF PLANNED EXPENDITURE PRESCRIBED FOR THE PURPOSES OF THE LEA BUDGET OF A LOCAL EDUCATION AUTHORITY

#### Strategic management

19. Expenditure in their capacity as a local education authority in relation to —
- (a) the Chief Education Officer and his or her personal staff;
  - (b) planning for the education service as a whole including responding to policy statements and consultation papers;
  - (c) functions of the authority under Part I of the Local Government Act 1999<sup>(1)</sup> (Best Value) and the provision of advice to assist governing bodies in procuring goods and services with a view to securing continuous improvement in the way the functions of those governing bodies are exercised, having regard to a combination of economy, efficiency and effectiveness;
  - (d) revenue budget preparation; the preparation of information on income and expenditure relating to education, for incorporation into the authority's annual statement of accounts; the external audit of grant claims and returns relating to education and functions of the authority under section 44 of the 2002 Act<sup>(2)</sup>;
  - (e) administration of grants to the authority (including preparation of applications), functions imposed by or under Chapter IV of Part II of the 1998 Act and, where it is the authority's duty to do so, ensuring payments are made in respect of taxation, national insurance and superannuation contributions;
  - (f) authorisation and monitoring of —
    - (i) expenditure which is not met from schools' budget shares; and
    - (ii) expenditure in respect of schools which do not have delegated budgets, and all related financial administration;
  - (g) the authority's functions under section 28 of the 2002 Act (provision of community facilities by governing bodies);
  - (h) tasks necessary for the discharge of the authority's chief finance officer's responsibilities under section 151 of the Local Government Act 1972<sup>(3)</sup>;
  - (i) recruitment, training, continuing professional development, performance management and personnel management of staff who are funded by expenditure not met from schools' budget shares and who are paid for services carried out in relation to those of the authority's functions and services which are referred to in this Schedule;
  - (j) investigations which the authority carry out of employees or potential employees of the authority or of governing bodies of schools, or of persons otherwise engaged or to be engaged (with or without remuneration) to work at or for schools;
  - (k) functions of the authority in relation to superannuation, including the administration of teachers' pensions, other than functions which have been delegated to the governing bodies of schools;
  - (l) retrospective membership of pension schemes and retrospective elections made in respect of pensions where it would not be appropriate to expect the governing body of a school to meet the cost from the school's budget share;

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(1) 1999 c. 27.

(2) Section 44 will be brought into force on a day to be appointed.

(3) 1972 c. 70.

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- (m) advice, in accordance with the authority's statutory functions, to governing bodies in relation to staff paid, or to be paid, to work at a school, and advice in relation to the management of all such staff collectively at any individual school ("the school workforce"), including in particular advice with reference to alterations in remuneration, conditions of service and the collective composition and organisation of such school workforce;
- (n) determination of conditions of service for non-teaching staff and advice to schools on the grading of such staff;
- (o) the authority's functions relating to the appointment or dismissal of employees;
- (p) consultation and functions preparatory to consultation with or by governing bodies, pupils and persons employed at schools or their representatives, or with other interested bodies;
- (q) compliance with the authority's duties under the Health and Safety at Work etc. Act 1974<sup>(4)</sup> and the relevant statutory provisions as defined in section 53(1) of that Act in so far as compliance cannot reasonably be achieved through tasks delegated to the governing bodies of schools; but including expenditure incurred by the authority in monitoring the performance of such tasks by governing bodies and where necessary the giving of advice to them;
- (r) the investigation and resolution of complaints including action taken to assist a governing body in handling a complaint;
- (s) legal services relating to the statutory functions of the authority;
- (t) the preparation and review of plans involving collaboration with other local authority services or with public or voluntary bodies;
- (u) the preparation, modification and revision of an early years and childcare development plan for their area under sections 120 and 121 of the 1998 Act<sup>(5)</sup> and the provision of (but not the expenditure authorised by) an early years development and childcare partnership under section 119 of the 1998 Act<sup>(6)</sup>;
- (v) provision of information to or at the request of the National Assembly, a government department or any body exercising functions on behalf of the Crown and the provision of other information which the authority are under a duty to make available;
- (w) the authority's duties under Article 4(2) and (5) of the Race Relations Act 1976 (Statutory Duties) Order 2001<sup>(7)</sup>;
- (x) the remittance of fees payable to the General Teaching Council for Wales by virtue of sections 4(4) and 9(1) of the Teaching and Higher Education Act 1998 and the provision of information required by the Council pursuant to regulations<sup>(8)</sup> made under section 12 of that Act;
- (y) expenditure incurred in connection with the authority's functions pursuant to regulations made under section 12 of the 2002 Act (supervising by authorities of companies formed by governing bodies); and
- (z) expenditure incurred in connection with the authority's functions under the Disability Discrimination Act 1995<sup>(9)</sup> in so far as compliance cannot reasonably be achieved through tasks delegated to the governing bodies of schools; but including expenditure incurred by

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(4) 1974 c. 37.

(5) Sections 120 and 121 were amended by section 150 of the 2002 Act.

(6) Section 119 was amended by section 150 of the 2002 Act.

(7) S.I.2001/3458.

(8) The regulations currently in force under this provision are the General Teaching Council for Wales (Fees) Regulations 2002 (S.I. 2002/326 (W.39)).

(9) 1995 c. 50.

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the authority in monitoring the performance of such tasks by governing bodies and where necessary the giving of advice to them.