



# Cabinet Meeting

## 25 February 2015

<b>Report title</b>	Post Compulsory Education – Discretionary Awards for Further and Higher Education (FE/HE) Student and Pupils in Schools – 2015/16	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Phil Page Schools, Skills and Learning	
<b>Key decision</b>	No	
<b>In forward plan</b>	No	
<b>Wards affected</b>	All	
<b>Accountable director</b>	James McElligott, Education	
<b>Originating service</b>	School Planning and Resources	
<b>Accountable employee(s)</b>	Bill Hague	Service Manager – School Places and Transport
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<b>Report to be/has been considered by</b>	None	

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### Recommendation(s) for action or decision:

The Cabinet is recommended to:

Agree, in respect of the 2015-16 financial year, that the Authority determines not to make any “Post Compulsory Education Awards” to Further Education and Higher Education students in any circumstance and continues its policy of not making any provision for considering such applications.

## 1.0 Purpose

- 1.1 The Local Education Authority (Post Compulsory Education Awards) Regulations 1999 (SI 1999/229) require local authorities (LA) to make an annual determination in respect of their powers to make discretionary awards to students. The determination must be made before the start of the following financial year. The requirement to make an annual determination applies regardless of whether an LA has previously determined that it will not exercise its power to offer awards.

## 2.0 Background

- 2.1 Prior to the 2000/01 financial year Wolverhampton Council operated a “Discretionary Awards” policy in accordance with the 1962 Education Act. (For example a postgraduate student may have asked for tuition fee support. Paragraphs 2.2 and 2.3 offer further information). Irrespective of whether the Council operated such a policy the Act required councils to allow students the right to make an application for support and to have their individual cases considered on the basis of special or exceptional circumstances.
- 2.2 The Education Schools Standards and Framework Act 1998 conferred a revised power on Local Authorities, should they wish to use it, to make post compulsory education awards to –
- new Further Education (FE) (and Higher Education (HE)) students: and
  - 16-19 year olds who are still attending school.
- 2.3 The award would be made in respect of an eligible person for the purpose of enabling him or her to take advantage of any educational facilities available to him or her, e.g. secondary education provided at a school or a course of further or higher education.

## 3.0 Progress, options, discussion, etc.

- 3.1 Under the associated regulations, if the Council determines to use this power, it has the discretion to decide how to use it (e.g. scholarships, exhibitions, bursaries or other allowances) and the level of resources to be committed to it. There are, therefore, three options under these regulations:
- I. to determine **not** to take up the power in any circumstances and **not** make any provision for considering applications.
  - II. to decide to exercise the power only in respect of certain groups or categories of student; or
  - III. to decide to exercise the power generally and consider applications from all students – but still in accordance with its policies on eligibility.
- 3.2 Under these current regulations councils are required to make an annual determination regarding their ability to take up the power to make discretionary awards to FE (and HE) students. The Authority must therefore determine whether it will take up this power in respect of the 2015-16 financial year.

3.3 Since this regulation came into place Cabinet has chosen not to take up the power in any circumstances and not to make any provision for considering applications as to do so would have direct financial implications for the Council. It is recommended therefore that these arrangements be continued for the 2015-16 financial year.

#### **4.0 Financial implications**

4.1 In parallel with the removal of the power to make discretionary awards, funding was withdrawn from the Standard Spending Assessment (SSA) from the 1999/2000 financial year.

4.2 If it is decided to exercise the power to grant Post Compulsory Education Awards the funding of such awards will need to be met from within the Council's designated resources.

4.3 For 2015-16 no budget has been identified for Post Compulsory Education Awards. [OJ/09022015/O]

#### **5.0 Legal implications**

5.1 The Council is required by Regulation 4 of the Local Education Authority (Post Compulsory Education Awards) Regulations 1999 to determine in relation to each year whether the power to make post-compulsory education awards is to apply to the Council in that year. [RB/02022015/Q]

#### **6.0 Equalities implications**

6.1 This is the standard approach taken by the council and as such there are no equality implications as the policy has not changed.

#### **7.0 Environmental implications**

7.1 There are no implications contained within this report.

#### **8.0 Human resources implications**

8.1 There are no implications contained within this report.

#### **9.0 Corporate landlord implications**

9.1 There are no implications contained within this report.

#### **10.0 Schedule of background papers**

10.1 The Local Education Authority (Post Compulsory Education Awards) Regulations 1999 (SI 1999/229)  
Previous Cabinet report – Post Compulsory Education – Discretionary Awards FE (And HE) Students And Pupils In Schools 2013 -14