

SCHEDULE 3

Regulation 19

ADDITIONAL FACTORS OR CRITERIA WHICH MAY BE TAKEN INTO ACCOUNT IN A LOCAL EDUCATION AUTHORITY'S FORMULA UNDER REGULATION 19

1. Special educational needs of pupils determined in a manner that the authority consider appropriate as a means of assessing such needs.
2. Pupils for whom English is not their first language.
3. Turnover of pupils other than as part of the general admissions process at a school.
4. Admission arrangements at a school.
5. The size, condition and characteristics of a school's buildings and grounds relative to those of other schools maintained by the local education authority.
6. A school which has a split site: the funding must be in accordance with criteria published by the authority.
7. Such physical facilities, organisational facilities for the education of pupils, or communications facilities as are found at some schools only.
8. Non-domestic rates payable in respect of the premises of each school (including actual or estimated cost).
9. Use of energy by schools.
10. Rent payable in respect of school premises or payments in respect of the use by a school of facilities not exclusively occupied by that school (including actual or estimated cost).
11. Transport to and from activities outside school premises which form part of the school's curriculum, or transport between the school and other educational facilities attended by pupils (including actual or estimated cost).
12. Hire of facilities outside school premises (including actual or estimated cost).
13. Insurance: the funding must be equal to the amount which would be spent on insurance for the school in question if amounts were not delegated to the governing body for such insurance or, if the authority do not insure, the appropriate proportion of the amount that would have been spent had they insured, to be determined on a basis decided by the authority.
14. Payments in relation to a private finance transaction (including actual or estimated cost).
15. Where a school has been established or has become the subject of a prescribed alteration within the meaning of regulations made under section 18 of the 2006 Act as a result of the closure of one or more schools⁽¹⁾, a local education authority may include a factor in their formula which provides that—
 - (a) an amount may be added to the budget share of the school to reflect all or part of the unspent budget share of the closing school for the funding period in which it closes; or
 - (b) an amount may be deducted from the budget share of the school to reflect all or part of any deficit in the budget share of the closing school, provided the amount deducted does not exceed any amount determined by the local education authority under regulation 11(6) as the delegated budget of the new school for the period from the opening date to the appropriate date.
16. Whether a school is to be discontinued in the financial year or the following financial year.

(1) Provisions relating to establishment, closure of, and prescribed alterations to, maintained schools are in Part 2 of the 2006 Act.

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17. School milk, meals and other refreshment: the authority may not, however, treat any element of this expenditure as having a negative value.

18. Salaries at a school, the funding of which must be in accordance with a scale published by the authority (including actual or estimated cost), and which include pay arrears due to staff (also including actual or estimated cost).

19. Safeguarding of salaries in accordance with a School Teachers' Pay and Conditions Document having effect in accordance with an order under section 122 of the 2002 Act.

20. Social priority allowances paid in accordance with a School Teachers' Pay and Conditions Document having effect in accordance with an order under section 122 under the 2002 Act (including actual or estimated cost).

21. The differential in recruitment and retention costs in different areas in which schools are located.

22. The need for single payments to be allocated to nursery, primary, secondary or special schools, or any combination of such schools, regardless of size.

23. The need for payments to be allocated to schools, of a size and satisfying other conditions, specified by the authority.

24. Schools whose budget shares would otherwise be reduced year-on-year by a percentage figure of 3% or more, determined by the authority: the authority must publish that percentage figure and an explanation of how any amounts using such a factor or criteria will be determined including, if applicable, the use to be made of any sliding scale. Such a factor may not take account of the extent to which a school has spent more than or has not spent all of its budget share in any financial year.

25. Contracts to which the governing body of a school are bound by virtue of a provision in the authority's scheme (including actual or estimated cost).

26. Effect of taxation on schools.

27. Housing development or armed forces movements leading to a reduction in numbers on roll at a school of at least 20% within one year.

28. Such items of expenditure in connection with provision for pupils registered at other schools as are prescribed by the School Budget Shares (Prescribed Purposes)(England) Regulations 2002(2).

29. Incidence of Newly Qualified Teachers(3).

30. Incidence of pupils from ethnic minority groups having below average levels of academic achievement in relation to other pupils in the authority's area, to be determined on a basis decided by the authority.

31. Incidence of nursery classes and places recognised by the authority as reserved for children with special educational needs.

32. Prior attainment of pupils entering a school.

33. Advanced Skills Teachers employed at a school.

34. Permanent exclusions from a school (including estimates), and incidence of pupils whose names have been deleted from the admissions register of a maintained school as referred to in regulation 24 of these Regulations.

35. Infant classes and places in infant classes not funded under any other provisions.

(2) [S.I. 2002/378](#) amended by [S.I. 2004/444](#).

(3) A "newly qualified teacher" is a teacher in a maintained school who has been a qualified teacher for less than twelve months. Qualified teacher has the meaning in regulation 5 of The Education (School Teachers' Qualifications) (England) Regulations 2003 ([S.I. 2003/1662](#) as amended by [S.I. 2007/2782](#)).

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36. Incidence of any element of teachers' salaries relating to threshold and performance pay (including actual or estimated cost).

37. Payments in respect of gifted and talented pupils.