
STATUTORY INSTRUMENTS

2012 No. 335

EDUCATION, ENGLAND

The School Finance (England) Regulations 2012

Made - - - - 8th February 2012

Laid before Parliament 16th February 2012

Coming into force 15th March 2012

THE SCHOOL FINANCE (ENGLAND) REGULATIONS 2012

PART 1

1. Citation, commencement, application and interpretation
2. Revocation of previous Regulations

PART 2

CHAPTER 1

3. The Non-Schools Education Budget

CHAPTER 2

4. Initial determination of a local authority's schools budget
5. The schools budget
6. Exceptions
7. Determination of the individual schools budget for the funding period and limit on increase in central expenditure
8. Consultation
9. Formulae for determination of budget shares etc
10. Determination of allocation of budget shares etc for the funding period
11. Delegated budgets for new schools

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

CHAPTER 3

12. Redetermination of schools budgets and individual schools budgets

CHAPTER 4

13. Applications to the schools forum and the Secretary of State

PART 3

etc

CHAPTER 1

14. Pupil numbers
15. Places
16. Special arrangements for pupils in maintained nursery schools and nursery classes and for children receiving relevant early years provision
17. Differential funding
18. Additional factors or criteria
19. Minimum funding guarantee
20. Sixth form funding
21. New, reorganised and closing schools
22. Federated schools

CHAPTER 2

23. Pupils permanently excluded from, or leaving, maintained schools
24. Correction of errors and changes in non-domestic rates
25. Additional arrangements approved by Secretary of State or the schools forum

PART 4

26. Required content of schemes
27. Approval by the schools forum or the Secretary of State of proposals to revise schemes
28. Publication of schemes
Signature

SCHEDULE 1 — CLASSES OR DESCRIPTIONS OF PLANNED EXPENDITURE PRESCRIBED FOR THE PURPOSES OF THE NON-SCHOOLS EDUCATION BUDGET OF A LOCAL AUTHORITY

1. Special educational provision
2. Expenditure in connection with the authority's functions under sections 321...
3. Expenditure on monitoring the provision for pupils in schools (whether...
4. Expenditure on collaboration with other statutory and voluntary bodies to...

5. Expenditure in connection with— (a) the provision of parent partnership...
6. Expenditure on carrying out the authority's child protection functions under...
7. Expenditure incurred in entering into, or subsequently incurred pursuant to,...
8. Expenditure on the provision of special medical support for individual...
9. School improvement
10. Access to education
11. Expenditure arising from the authority's functions under Chapter 2 of...
12. Expenditure on the provision of support for students under regulations...
13. Expenditure on discretionary grants paid under section 1(6) or 2...
14. Expenditure on the payment of 16-19 Bursaries.
15. Expenditure on the provision of tuition in music, or on...
16. Expenditure incurred in enabling pupils to enhance their experience of...
17. Expenditure on outdoor education centres, but not including centres wholly...
18. Additional education and training for children, young persons and adults
19. Expenditure on the provision by the local authority under sections...
20. Strategic management
21. Other functions
22. Expenditure on establishing and maintaining those electronic computer systems, including...
23. Expenditure on monitoring National Curriculum assessment arrangements required by orders...
24. Expenditure in connection with the authority's functions in relation to...
25. Expenditure in respect of the dismissal or premature retirement of,...
26. Expenditure in respect of a teacher's emoluments under section 19(9)...
27. Expenditure in respect of the functions of an appropriate body...
28. Expenditure on the appointment of governors, the making of instruments...
29. Expenditure on making pension payments, other than in respect of...
30. Expenditure on insurance, other than for liability arising in connection...
31. Expenditure in connection with powers and duties performed under Part...

**SCHEDULE 2 — CLASSES OR DESCRIPTIONS OF PLANNED EXPENDITURE
PRESCRIBED FOR THE PURPOSES OF THE SCHOOLS
BUDGET OF A LOCAL AUTHORITY WHICH MAY BE
DEDUCTED FROM IT TO DETERMINE THE INDIVIDUAL
SCHOOLS BUDGET**

1. Expenditure to support grants which fall within the definition of the schools budget
2. Threshold and performance pay
3. Special educational provision
4. Where a pupil falls within paragraph 3(a) or (b) and—...
5. Expenditure on making the provision specified in a pupil's statement...
6. Expenditure in respect of pupils with statements of special educational...
7. Expenditure on support services for pupils who have a statement...
8. Expenditure for the purposes of encouraging— (a) collaboration between special...
9. Expenditure incurred in relation to education otherwise than at school...
10. Expenditure (other than expenditure referred to in Schedule 1 or...
11. Expenditure on the payment of fees in respect of pupils...
12. Expenditure on payments to another local authority pursuant to section...
13. Access to education

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

14. Expenditure on milk and meals pursuant to section 512, 512ZA,...
15. Expenditure on the repair and maintenance of a school kitchen...
16. Expenditure on determining the eligibility of a pupil for free...
17. Expenditure pursuant to section 18 of the 1996 Act in...
18. Remission of boarding fees payable in connection with the attendance...
19. Staff
20. Expenditure on making payments to, or in providing a temporary...
21. Expenditure on Advanced Skills Teachers undertaking outreach work in a...
22. Expenditure on making payments to, or in providing a temporary...
23. Expenditure on making payments to, or in providing a temporary...
24. Expenditure, not falling within Schedule 1, in relation to the...
25. Expenditure on pay arrears due to staff employed at maintained...
26. Other expenditure
27. Expenditure on insurance in respect of liability arising in connection...
28. Expenditure on services to schools provided by museums and galleries...
29. (1) Subject to paragraph (2), expenditure on library services for...
30. Expenditure on licence fees or subscriptions paid on behalf of...
31. Expenditure incurred in connection with the authority's functions under section...
32. Expenditure on allocations to the governing body of a school...
33. Expenditure for purposes not falling within any other paragraph of...
34. CERA incurred for purposes not falling within any other paragraph...
35. Expenditure on practical and applied learning not met from maintained...
36. Expenditure on— (a) prudential borrowing; (b) termination of employment costs,...
37. Expenditure on contingencies arising from any adjustment of the formula...
38. Expenditure on the purchase of CRC allowances.
39. Expenditure for the purposes of— (a) improving the performance of...
40. Expenditure on the writing-off of deficits of schools which are...

SCHEDULE 3 — ADDITIONAL FACTORS OR CRITERIA WHICH MAY BE
TAKEN INTO ACCOUNT IN A LOCAL AUTHORITY'S
FORMULA UNDER REGULATION 18

PART 1

1. Special educational needs of pupils determined in a manner that...
2. Pupils for whom English is not their first language.
3. Turnover of pupils other than as part of the general...
4. Admission arrangements at a school.
5. The size, condition and characteristics of a school's buildings and...
6. Where a school has a split site the funding must...
7. Such physical facilities, organisational facilities or communications facilities as are...
8. Non-domestic rates payable in respect of the premises of each...
9. Use of energy by schools.
10. Rent payable in respect of school premises or payments in...
11. Transport to and from activities outside school premises which form...
12. Hire of facilities outside school premises (including actual or estimated...
13. Insurance: the funding must be equal to the amount which...
14. Payments in relation to a private finance initiative (including actual...
15. Where a school has been established or has become the...
16. Where a school is to be discontinued during the financial...
17. School milk, meals and other refreshment: the authority may not...
18. Salaries at a school, the funding of which must be...

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

19. Safeguarding of salaries in accordance with a document referred to...
20. The differential in recruitment and retention costs in different areas...
21. The need for single payments to be allocated to nursery,...
22. The need for payments to be allocated to schools, of...
23. Where schools budget shares would otherwise be reduced year-on-year by...
24. Contracts by which the governing body of a school are...
25. Effect of taxation on schools.
26. Housing development leading to a reduction in numbers on roll...
27. Such items of expenditure in connection with provision for pupils...
28. Incidence of qualified teachers who have been qualified for fewer...
29. Incidence of pupils from ethnic minority groups having below average...
30. Incidence of nursery classes and places which the authority have...
31. Prior attainment of pupils entering a school.
32. Advanced Skills Teachers employed at a school.
33. Infant classes and places in infant classes not funded under...
34. Incidence of any element of teachers' salaries relating to threshold...
35. Payments in respect of gifted and talented pupils.
36. Any amount which replicates part of or all of the...
37. Where a school is federated with one or more other...
38. In this Part, any reference to— (a) “pupils” includes children...
PART 2 — Applicable only to budget shares for, and amounts to be allocated to, providers of prescribed early years provision
39. The need to improve the quality of provision by particular...
40. The degree of flexibility in the hours of attendance that...
41. The need to secure or sustain a sufficiency of prescribed...

SCHEDULE 4 — MINIMUM FUNDING GUARANTEE

1. Primary and secondary schools
2. Subject to paragraphs 3 and 4, the guaranteed funding level...
3. (1) Except where paragraph 4 applies, where the relevant number...
4. Where a school opens during the funding period, and is...
5. Special schools
6. For the purposes of this Schedule, “PFI” means Private Finance...

SCHEDULE 5 — CONTENTS OF SCHEMES

Explanatory Note