
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the financial arrangements of local authorities in relation to the funding of maintained schools and providers of prescribed early years provision in England, for the financial year 2012-2013.

The School Finance (England) Regulations 2008 and the School Finance (Amendment) (England) Regulations 2010 are revoked. The School Finance (England) Regulations 2011, as amended, remain in force.

These Regulations define the non-schools education budget (regulation 3 and Schedule 1), the schools budget (regulation 5 and Schedule 2), the central expenditure and the individual schools budget (regulation 7 and Schedule 2). They require local authorities to determine budget shares for schools maintained by them and the amounts to be allocated in respect of nursery classes in schools maintained by them and relevant early years providers in their area in accordance with the appropriate formula (regulations 9 and 10), impose a minimum funding guarantee (regulation 19 and Schedule 4) and impose requirements in relation to local authorities' schemes (regulation 26 and Schedule 5).

The most significant changes from the 2011 Regulations are as follows.

Where a pupil in respect of whom a pupil premium is payable is permanently excluded from one school and admitted to another school, provision is made for the budget shares of both schools to be adjusted by an amount which equates to the appropriate portion of that premium.

Provision is made to allow for the remission of boarding fees for pupils registered at Academies to be charged to the schools budget.

There are changes to the calculation of the minimum funding guarantee (regulation 25 and Schedule 4) and to the circumstances in which the guarantee may be varied or disapplied (regulation 25(3)).

An impact assessment has not been prepared for these Regulations because no impact on the private or voluntary sector is foreseen.