

SCHEDULE 3

Regulation 18

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 the authority consider appropriate as a means of assessing those 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 authority.
6. Where a school has a split site the funding must be in accordance with criteria published by the authority.
7. Such physical facilities, organisational facilities 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 initiative (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, a local 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 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. Where a school is to be discontinued during the financial year or the following financial year.

Status: This is the original version (as it was originally made).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

17. School milk, meals and other refreshment: the authority may not attribute a negative value to any element of this factor.

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 document referred to in an order under section 122 of the 2002 Act (school teachers' pay and conditions).

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

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

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

23. Where schools 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.

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

25. Effect of taxation on schools.

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

27. 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(1).

28. Incidence of qualified teachers(2) who have been qualified for fewer than twelve months ("NQTs").

29. 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.

30. Incidence of nursery classes and places which the authority have reserved for children with special educational needs.

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 any other provisions.

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

35. Payments in respect of gifted and talented pupils.

(1) [S.I. 2002/378](#), amended by [S.I. 2004/444](#) and [2010/190](#).

(2) Qualified teacher has the meaning in regulation 5 of the Education (School Teachers' Qualifications) (England) Regulations 2003 ([S.I. 2003/1662](#), amended by section 74 of the 2005 Act, [S.I. 2007/2782](#) and [2009/3156](#)).

36. Any amount which replicates part of or all of the cash value or formulaic calculation of any sum paid to a school from a specific grant in an earlier funding period, where this specific grant was a mainstreamed grant.

37. Where a school is federated with one or more other schools under section 24 of the 2002 Act.

38. In this Part, any reference to—

- (a) “pupils” includes children receiving early years provision;
- (b) “school” includes a relevant early years provider;
- (c) “school premises” includes premises used by a relevant early years provider, whether or not the early years provider is a school.

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 providers or types of provider.

40. The degree of flexibility in the hours of attendance that a provider makes available.

41. The need to secure or sustain a sufficiency of prescribed early years provision within the authority’s area or any sub-area within that area; and in this paragraph “sub-area” means—

- (a) an electoral division or ward of the authority; or
- (b) such other appropriate geographical division into which the authority have notionally divided their area.