

SCHEDULE

Regulation 13

ADDITIONAL FACTORS OR CRITERIA WHICH MAY BE TAKEN INTO ACCOUNT IN A LOCAL EDUCATION AUTHORITY'S FORMULA UNDER REGULATION 13

Except where otherwise stated the factors or criteria set out below in this Schedule may be taken into account by a local education authority in their formula on the basis of actual or estimated cost.

Where in a financial year a local education authority take factors or criteria into account in their formula which are additional to or different from factors or criteria taken into account in the preceding financial year, they may make such transitional provision as they consider reasonable.

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 or Welsh is not their first language.

3. Turnover of pupils other than as part of the general admissions process at a school.

4. The extent to which the authority meet the cost of admission arrangements at a school other than from the school's delegated budget.

5. The size and condition of a school's buildings and grounds relative to those of other schools maintained by the authority: the funding must be in accordance with scales published by the authority which reflect (so far as appropriate) the statutory duties of governing bodies in relation to school premises and their eligibility for grant from the National Assembly or any government department.

6. A school which has a split site: the funding must be in accordance with criteria published by the authority.

7. Facilities, for the education of pupils, found at some schools only.

8. Rates payable in respect of the premises of each school (including actual or estimated cost).

9. Charges for water and sewerage (including actual or estimated cost).

10. Use of energy by schools.

11. 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).

12. Cleaning of school premises.

13. Transport to and from activities outside the school premises which form part of the school's curriculum (including actual or estimated cost).

14. Hire of facilities outside school premises (including actual or estimated cost).

15. In cases where an amount in respect of insurance is to be included in the school's budget shares —

(a) where the authority insure, the appropriate proportion of the authority's planned expenditure on insurance; or,

(b) where the authority do not insure, the appropriate proportion of the amount that the authority would have spent had they insured,

to be determined on a basis decided by the authority which must have regard to the number of registered pupils at the school.

16. Payments in relation to a private finance transaction as defined in regulation 16 of the Local Authorities (Capital Finance) Regulations 1997(1) (including actual or estimated cost).

(1) S.I. 1997/319; amended by S.I. 1998/371 and S.I. 1999/1852.

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

17. Amounts payable to a school which is, as the result of the discontinuance of one or more maintained schools, either established or, pursuant to Chapter II of Part II of the 1998 Act, the subject of prescribed alterations, to reflect the extent to which a school which has been discontinued has spent more than or has not spent all of its budget share (within the meaning of the 1996 or the 1998 Act) in any financial year. Any such factor or criteria must provide that any amount deducted must not exceed the amount which the school receives during the financial year as part of its budget share by virtue of being a new school.

18. Whether the school is to be discontinued in the financial year in question.

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

20. Salaries at a school (including actual or estimated cost): the funding must be in accordance with a scale published by the authority.

21. Safeguarding of salaries in accordance with orders made from time to time under section 122 of the 2002 Act⁽²⁾ or safeguarding other salaries.

22. Social priority allowances in accordance with a School Teachers' Pay and Conditions Document having effect in accordance with an order under section 122 of the 2002 Act⁽³⁾ (including actual or estimated cost).

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

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

25. Schools whose budget shares would otherwise be reduced year-on-year by more than 5 per cent: the funding must be in accordance with a scale published by the authority.

26. 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).

27. Payroll administration costs: the funding must be based on the number of staff at the school, unless factors permitted elsewhere in these Regulations are used.

28. Any other factors or criteria not otherwise falling within this Schedule provided that the total amount allocated in accordance with the authority's formula, having regard to such factors or criteria, does not exceed 1 per cent of the authority's schools budget.

29. Effect of taxation on schools.

30. Incidence of pupils from ethnic minorities 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. Incidence of Newly Qualified Teachers.

33. Housing development or armed forces' movements leading to an increase or reduction in numbers on roll at a school of at least 20% within the financial year in question.

34. Prior attainment of pupils entering a school.

(2) As at the date these Regulations are made the relevant order is [S.I. 2002/2169](#).

(3) As at the date these Regulations are made the relevant document is the School Teachers' Pay and Conditions Document 2003 (ISBN 0 11 271146-4). That document was given effect in the Education (School Teachers' Pay and Conditions) No 2 Order 2003 (S.I. [2003/2169](#)) and amendments to it were given effect in S.I. [2003/2640](#) and [2004/658](#).

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35. Infant class sizes limited by Regulations made under section 1 of the 1998 Ac(4): the authority may include a sum which reflects any increase in expenditure incurred as a direct result of those Regulations.

36. Junior class sizes limited to a maximum of 30 pupils: the authority may include a sum which reflects any increase in expenditure incurred as a direct result of conditions contained in any special grant made in accordance with section 88A of the Local Government Finance Act 1988(5) or any arrangements for financial assistance provided in accordance with section 14 of the 2002 Act which requires an improvement of school standards by reducing class sizes.

(4) The relevant Regulations as at the date these Regulations are made are the Education (Infant Class Size Reduction) (Wales) Regulations 1998 (S.I. 1998/1943).

(5) 1988 c. 41.