2005 No. 1386

EDUCATION, ENGLAND

The Education (Outturn Statements) (England) Regulations 2005

Made	21st May 2005
Laid before Parliament	3rd June 2005
Coming into force	1st July 2005

In exercise of the powers conferred upon the Secretary of State by sections 52(2), (3) and (4) and 138(7) of the School Standards and Framework Act 1998(1), the Secretary of State for Education and Skills hereby makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Education (Outturn Statements) (England) Regulations 2005 and come into force on 1st July 2005.

(2) These Regulations apply only in relation to England and only in relation to the financial year beginning on 1st April 2004.

Interpretation

2.—(1) In these Regulations—

"the 1996 Act" means the Education Act 1996(2);

"the 1998 Act" means the School Standards and Framework Act 1998;

"the 2000 Act" means the Learning and Skills Act 2000(3);

"the 2002 Act" means the Education Act 2002(4);

"the 2003 (No. 2) Regulations" means the Financing of Maintained Schools (England) (No. 2) Regulations 2003(5);

^{(1) 1998} c. 31. By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672) the powers conferred by these provisions are exercisable by the Secretary of State only in relation to England. For the meaning of "prescribed" and "regulations" see section 142(1). Paragraph (d) of subsection (2) of section 52 was inserted by the Education Act 2002 (c. 32).

⁽²⁾ 1996 c. 56.

^{(3) 2000} c. 21. (4) 2002 c. 32.

⁽⁵⁾ S.I. 2003/3247.

"the 2004 Outturn Regulations" means the Education (Outturn Statements) (England) Regulations 2004(6);

"Academy" means an independent school funded by the Secretary of State under section 482 of the 1996 Act(7);

"AEF" means aggregate external finance;

"allocation formula" means the LEA's formula under regulation 7 of the 2003 (No. 2) Regulations used to determine schools' budget shares;

"budget statement" means the statement referred to in section 52(1) of the 1998 Act;

"capital expenditure" means expenditure which the LEA propose to capitalise in their accounts in accordance with proper practices being those accounting practices—

- (i) which the LEA are required to follow by virtue of any enactment, or
- (ii) which so far as they are consistent with any such enactment are generally regarded whether by reference to any generally recognised public code or otherwise, as proper accounting practices to be followed in the keeping of the accounts of local authorities, either generally or of the description concerned(8);

"CERA" means capital expenditure which the LEA expect to charge to a revenue account of the LEA as defined in section 22 of the Local Government Act 2003(9);

"community facilities" means any facility or service provided by the governing body of a maintained school under section 27 of the 2002 Act;

"factor" means one of the factors or criteria taken into account in the allocation formula;

"FE" means further education;

"HE" means higher education;

"ICT" means information and communication technology;

"LEA" means a local education authority;

"maintained school" means a community, foundation or voluntary school, a community or foundation special school, or a maintained nursery school(10);

"NMSS" means non-maintained special school;

"nursery school" has the meaning given to this expression in section 6(1) of the 1996 Act(11);

"outturn statement" means the statement referred to in section 52(2) of the 1998 Act;

"PRC" means premature retirement costs;

"primary school" has the meaning given to this expression in section 5(1) of the 1996 Act; "school" means a maintained school;

"secondary school" has the meaning given to this expression in section 5(2) of the 1996 Act;

"SEN" means special educational needs;

"special educational needs" and "special educational provision" have the meanings given to those expressions by section 312 of the 1996 Act;

⁽⁶⁾ S.I. 2004/1279.

⁽⁷⁾ Section 482 of the 1996 Act was substituted by section 65 of the 2002 Act.

^{(8) &}quot;capital expenditure" is defined by section 16 of the Local Government Act 2003 (c. 26) and regulations 25 and 26 of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 (S.I. 2003/3146). "Proper practices" are defined in section 2 of that Act and regulation 61 of those Regulations.

^{(9) 2003} c. 26.

⁽¹⁰⁾ This definition reflects subsection (1A) of section 45 of the 1998 Act which was inserted by paragraph 99 of Schedule 21 to the 2002 Act.

⁽¹¹⁾ Subsection (1) was amended by Schedule 7 paragraph 11 of the Education Act 1997 (1997 c. 44) and section 156(1) of the 2002 Act.

"special school" has the meaning given to this expression in section 6(2) of the 1996 Act;

"SSG" means the grant known as the School Standards Grant, and is the sum of money paid under that name to the LEA by the Secretary of State under section 14 of the 2002 Act;

"Standards Fund balance" means any balance from a Standards Fund grant paid under section 14 of the 2002 Act;

"Standards Fund Grant" means the sum of money paid under that name to the LEA by the Secretary of State under section 14 of the 2002 Act;

"statement" in relation to a pupil with special educational needs means a statement made under section 324 of the 1996 Act; and

"youth service" means services provided pursuant to the exercise of the LEA's functions under section 15B(12) or section 508 of the 1996 Act or section 114 of the 2000 Act.

(2) In these Regulations, unless the context otherwise requires, references to primary or secondary schools do not include special schools.

Revocation and saving

3.—(1) The 2004 Outturn Regulations are revoked.

(2) Notwithstanding paragraph (1) above, the 2004 Outturn Regulations continue to apply in relation to the financial year beginning on 1st April 2003.

Prescribed form of, and information to be contained in, outturn statements

4. An outturn statement is prepared in two parts—

- (a) Part 1 is in the form prescribed in Schedule 1 and contains information as to how the planned expenditure specified in the LEA's budget statement for the LEA as a whole for the financial year beginning on 1st April 2004 was actually incurred, or treated by the LEA as having been incurred, both by the schools maintained by the LEA and by the LEA, including expenditure on Academies;
- (b) Part 2 is in the form prescribed in Schedule 2 and contains information about the LEA's planned expenditure, the expenditure actually incurred, or treated by the LEA as having been incurred, and other resources allocated by the LEA, for each school for the financial year beginning on 1st April 2004.

Prescribed manner and time of publication of outturn statements

5.—(1) For the purposes of section 52(3)(b) of the 1998 Act, every outturn statement is published by—

- (a) supplying a copy to the Secretary of State for Education and Skills; and
- (b) making a copy available for inspection at all reasonable times and free of charge-
 - (i) at education offices of the LEA; and
 - (ii) on a website maintained by the LEA and accessible to the public.
- (2) An outturn statement must be published before 10th October 2005.
- (3) An outturn statement must be revised if the LEA discover any errors.
- (4) A revised outturn statement is subject to regulations 4, 5(1) and 5(3).

⁽¹²⁾ Section 15B was inserted by paragraph 55 of Schedule 9 to the 2000 Act.

21st May 2005

Jacqui Smith Minister of State Department for Education and Skills **Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 1

Regulation 4(a)

FORM OF PART 1 OF AN OUTTURN STATEMENT

Part 1 of an outturn statement is in the following form.

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1	82	82	- ine 77 + ine 82	- ine 77 + ine 82	= line 77 + line 62	- line 17 + line 82	= col (k) - col (l)		* line 77 + line 82	ine 82 col (a)	ines 73 to 75 lin	en 73 to 75	turn of lines 5 to 59, 61 to				
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S52 EDUCATION OU	TTURN STATEMENT	LEA				LEA No			
Year 2004-2005		Contact		Email					
Annex to Table A: You	th Service	Tel No		Version	Completion date				
YOUTH SERVICE (NET)	LEA Direct Spend	Contracted with Voluntary Organisations	Contracted with Other Organisations	Voluntary Organisations Grant Aid	TOTAL]			
Management		and the second second							
Full Time]			
Part Time]			
Youth Workers									
Full Time]			
Part Time				and the second second]			
Support Staff									
Full Time									
Part Time									
Staff Training									
Non-Staff Costs									
Total Running Costs (Table A line 80 Net)									
Capital (Table A Youth Service line 88 Net amount)									
YOUTH SERVICE TOTAL			·			1			

SCHEDULE 2

Regulation 4(b)

FORM OF PART 2 OF AN OUTTURN STATEMENT

Part 2 of an outturn statement is in the following form.

S52 EDUCATION OUTTURN STAT	CALENIT			LEA									
Year 2004-2005	ENENI			Contact	And the second s			Email				LEA No	
										-			
TABLE B		1		Tel No				Version		Completion d	ate		
School Name	DfES Reference Number	Balance Brought Forward	Planned Budget Share	Delegated Funds (Including SSG and LSC funding) [I01/ I02]	SEN Funding (including some Standards Fund) [103] and Minority Ethnic Pupils [104]	Standards Fund residue (not included in (6)) [105]	Other Government Grants [106]	Income generated by schools [107 to 113]	Total resources available to school (sum of	School Expenditure [E01 to E29] Does not include income	CERA Expenditure [E30]	Committed Revenue Balance (B01).	Uncommitted Revenue Balance (B02)
									3 + (5 to 9))	or CERA			
		£	£	£	£	£	£	E	£	£	£	£	£
(1) NURSERY SCHOOLS	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
Name													
Name													
Name													
Name	-												
Name													
Name													
Total Nursery Schools (15)													
PRIMARY SCHOOLS													
Name													
Name													
Name													
Middle Deemed													
Name													
Name													
Name													
Total Primary Schools (16)	1												
SECONDARY SCHOOLS													
Name													
Name									-				
Name													
Middle Deemed							100 at 10.00						
Name													
Total Secondary Schools (17)													
SPECIAL SCHOOLS Name													
Name													
Name													
Total Special (18)													
come opposite (rol)													
TOTALS FOR ALL SCHOOLS (19)		1						······					
1017E31 017 ALL 30100E3 (19)	1				J	l							

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the form and contents of the outturn statement of a local education authority in England under section 52(2) of the School Standards and Framework Act 1998, for the financial year beginning on 1st April 2004. The statement gives details of expenditure by the local education authority, and of other resources allocated by them to schools which they maintain, during the financial year to which it relates.