

---

STATUTORY INSTRUMENTS

---

**2006 No. 468**

**The School Finance (England) Regulations 2006**

**PART 3**

**FORMULAE FOR DETERMINATION OF BUDGET SHARES**

**CHAPTER 1**

factors and criteria taken into account

**New, reorganised and closing schools**

**20.**—(1) A local education authority must include factors or criteria in their formulae which enable them to determine a school's budget share for funding periods 1 and 2 so as to take into account the particular needs of that school in the following cases—

- (a) a proposed school;
- (b) a school, proposals for the establishment of which have not been fully implemented<sup>(1)</sup>;
- (c) a school which is the subject of a prescribed alteration<sup>(2)</sup>;
- (d) a school which is to be discontinued;
- (e) a school which is to be the subject of a significant change, as determined by the authority.

(2) In the case of schools falling within sub-paragraph (1)(a), the authority must, in any funding period preceding the funding period in which the school first admits pupils, determine the amount of the budget as an amount which is sufficient to fund the appointment of staff, and purchase any services and goods necessary to enable the school to admit pupils.

(3) In the case of schools falling within sub-paragraph (1)(c), such factors or criteria may only be used within seven years of the date of implementation of the relevant change to the school.

(4) For the purposes of these Regulations, proposals for the establishment of a school have been fully implemented when the number of pupils admitted to the school in each age group has, in the opinion of the local education authority, reached—

- (a) the number of pupils indicated, when proposals for the establishment of the school were published, as the number of pupils to be admitted to each age group when the proposals were fully implemented; or
- (b) if no such number was indicated, such number as the authority may determine.

---

(1) Proposals for the establishment of a school may be published under section 28 or 31 of, paragraph 5 of Schedule 7 to, the 1998 Act, section 113A of and Schedule 7A to the 2000 Act or section 70 of the 2002 Act. Section 113A and Schedule 7A were inserted by section 72 of, and Schedule 9 to, the 2002 Act. Section 70 of the 2002 Act is prospectively repealed by section 123 of, and Schedule 19 to, the 2005 Act.

(2) A prescribed alteration is an alteration prescribed by regulations made under section 28(1)(b) or (2)(b) of the 1998 Act.