
WELSH STATUTORY INSTRUMENTS

2000 No. 911 (W. 40)

EDUCATION, WALES

**The Financing of Maintained Schools
(Amendment) (Wales) Regulations 2000**

Made - - - - 23rd March 2000

Coming into force - - 24th March 2000

In exercise of the powers conferred on the Secretary of State by sections 46 and 47 of the School Standards and Framework Act 1998⁽¹⁾ and now vested in the National Assembly for Wales⁽²⁾, the National Assembly for Wales makes the following Regulations:

Citation, commencement, interpretation and application

1.—(1) These Regulations may be cited as the Financing of Maintained Schools (Amendment) (Wales) Regulations 2000 and shall come into force on 24th March 2000.

(2) In these Regulations, “the principal Regulations” (“*y prif Reoliadau*”) means the Financing of Maintained Schools Regulations 1999⁽³⁾.

(3) These Regulations apply to Wales only.

Amendment of principal Regulations

2.—(1) The principal Regulations shall be amended as follows.

(2) In regulation 9, after paragraph (4) there shall be inserted the following paragraph:

“(4A) In relation to the financial year beginning on 1st April 2000, in respect of proposed changes in a local education authority’s formula relating to funding for meeting estimated increases in teacher salary costs referred to in paragraph 40A of Schedule 2 or changes in that formula resulting in the percentage of the amount referred to in regulation 22 which is allocated in one or more of the manners referred to in that regulation decreasing to below 80 per cent, the requirement to consult in paragraph (2) can be satisfied by consultation which takes place on or after 30th November 1999 and before the coming into force on 24th March 2000 of the Financing of Maintained Schools (Amendment) (Wales) Regulations 2000⁽⁴⁾.”.

(1) 1998 c. 31. For the meaning of “prescribed” and “regulations” see section 142(1)

(2) The functions of the Secretary of State were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).

(3) S.I. 1999/101.

(4) S.I. 2000/911 (W.40)

- (3) In regulation 22, there shall be substituted for “80 per cent”, “75 per cent”.
- (4) In Schedule 2, after paragraph 40 there shall be inserted the following paragraph –
- “**40A** –

(1) In relation to the financial years beginning on 1st April 2000, 1st April 2001 and 1st April 2002, expenditure which the authority estimate they will incur in respect of those financial years in meeting increases in the level of teacher salary costs, as compared with the level of such costs for the financial year beginning on 1st April 1999, being increases arising in consequence of –

- (a) any changes in the pay structure for teachers contained in, or given effect to by, any order made under section 2 of the School Teachers' Pay and Conditions Act 1991⁽⁵⁾ coming into force after the date of these Regulations; or
- (b) the employment of advanced skills teachers.

(2) In sub-paragraph (1) –

- (a) “teacher” does not include a head teacher or deputy head teacher; and
- (b) “advanced skills teacher” means a teacher who has been certified by an assessor appointed by the Secretary of State for Education and Employment as eligible for the appointment to that post and who has been so appointed.”.

Signed on behalf of the Assembly under section 66(1) of the Government of Wales Act 1998.⁽⁶⁾

23rd March 2000

D Elis Thomas
The Presiding Officer of the Assembly

(5) 1991 c. 49. Section 2 was amended by paragraph 161 of Schedule 19 to the Education Act 1993 c. 35 (which amendments are continued in force by paragraph 161 of Schedule 37 to the Education Act 1996, c. 56) and by paragraph 26 of Schedule 30 to the School Standards and Framework Act 1998.

(6) 1998 c. 38.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend The Financing of Maintained Schools Regulations 1999 with effect from 24th March 2000.

They allow local authorities to distribute additional funding arising from teachers' pay restructuring to schools in response to the need in individual schools, for a transitional period of up to three years; or to incorporate a factor relating to it in Local Education Authorities distribution formulae from 2000-01.

There are three amendments, as follows:

1. Regulation 9 is amended so that any consultation with schools on changes to the distribution formula in respect of funding for teachers' pay restructuring or the employment of advanced skills teachers on or after 30 November 1999 will fulfil the consultation requirements set out in that regulation (regulation 2(2)).

2. Regulation 22 is amended to reduce from 80% to 75% the percentage of the budget shares for primary and secondary schools which must be determined by pupil led factors (regulation 2(3)); and

3. A new paragraph is inserted in Schedule 2 to allow local education authorities, for the financial years 2000-01, 2001-02 and 2002-03, to deduct from the local schools budget and retain centrally, provision for the costs of –

- (a) teachers' pay restructuring taking effect after the date of the regulations; and
- (b) the employment of advanced skills teachers.