
WELSH STATUTORY INSTRUMENTS

2010 No. 824

The School Funding (Wales) Regulations 2010

PART 2 —

LEA Budget, Schools Budget, Individual Schools Budget

LEA Budget

4.—(1) The classes or descriptions of local authority expenditure specified in Schedule 1 are prescribed for the purposes of section 45A(1) of the 1998 Act and the determination of a local authority's LEA budget, except in so far as such expenditure is excepted expenditure or falls within paragraph (2).

(2) Expenditure falls within this paragraph if it is expenditure which—

- (a) by virtue of the authority's scheme (within the meaning of section 48(5) of the 1998 Act) or any enactment, falls to be met from a school's budget share; or
- (b) falls within sub-paragraph (1) of paragraph 1 of Schedule 2.

Initial determination of schools budget

5.—(1) Before 14 February immediately preceding the beginning of a funding period a local authority must—

- (a) make an initial determination of their schools budget for that funding period; and
- (b) give notice of their determination to the Welsh Ministers, to the governing body of every school maintained by them.

(2) Where a local authority makes a redetermination of their schools budget, they must give notice of that redetermination to the Welsh Ministers and to the governing bodies of every school maintained by them within 28 days of making the redetermination.

Schools budget

6.—(1) The classes or descriptions of local authority expenditure specified in paragraph (2) are prescribed for the purposes of section 45A(2) of the 1998 Act and the determination of a local authority's schools budget.

(2) The classes or descriptions of local authority expenditure are—

- (a) expenditure on the provision and maintenance of maintained schools and on the education of pupils registered at those schools;
- (b) expenditure on the education of pupils at independent schools, non-maintained special schools, pupil referral units, at home and hospital, and on any other arrangements for the provision of primary and secondary education for pupils otherwise than at schools maintained by a local authority; and

- (c) all other expenditure incurred in connection with the authority's functions in relation to the provision of primary and secondary education, in so far as such expenditure does not fall within paragraph (a) or (b),

but only in so far as such expenditure—

- (a) does not fall within a class or description of expenditure prescribed by regulation 4 for the purposes of section 45A(1) of the 1998 Act and the determination of a local authority's LEA budget, and
- (b) is not excepted expenditure.

Individual schools budget

7. Before 14 February immediately preceding the beginning of a funding period, a local authority must deduct from their schools budget any or all of the classes or descriptions of planned expenditure set out in Schedule 2, in whole or in part, in order to arrive at their individual schools budget for that funding period.