

SCHEDULE 4

Regulation 26

Content of Financial Schemes

The matters referred to in regulation 26, being matters connected with the financing of schools maintained by a local authority, required to be dealt with in the local authority's scheme are as follows:

1. The carrying forward from one funding period to another of surpluses and deficits arising in relation to schools' budget shares.
2. Amounts which may be charged against schools' budget shares.
3. Amounts received by schools which may be retained by their governing bodies and the purposes for which such amounts may be used.
4. The imposition, by or under the scheme, of conditions which must be complied with by schools in relation to the management of their delegated budgets and of sums made available to governing bodies by the authority which do not form part of delegated budgets, including conditions prescribing financial controls and procedures.
5. Terms on which services and facilities are provided by the authority for schools maintained by them.
6. The payment of interest by or to the authority.
7. The times at which amounts equal in total to the school's budget share are to be made available to governing bodies and the proportion of the budget share to be made available at each such time.
8. The virement between budget heads within the delegated budget.
9. Circumstances in which the authority may delegate to the governing body the power to spend any part of the authority's LEA budget or schools budget in addition to those set out in section 49(4) (a) to (c)(1) of the 1998 Act.
10. The use of delegated budgets and of sums made available to the governing body by the authority which do not form part of delegated budgets.
11. Borrowing by governing bodies.
12. The banking arrangements that may be made by governing bodies.
13. A statement as to the personal liability of governors in respect of schools' budget shares having regard to section 50(7) of the 1998 Act.
14. A statement as to the allowances payable to governors of a school which does not have a delegated budget in accordance with the scheme made by the authority for the purposes of section 519 of the 1996 Act(2).
15. The keeping of a register of any business interests of the governors and the head teacher.
16. The provision of information by and to the governing body.
17. The maintenance of inventories of assets.
18. Plans of a governing body's expenditure.
19. A statement as to the use that a governing body proposes to make of a surplus in the school balance which exceeds 5% of the school budget share or £10,000, whichever is the greater.

(1) Section 49 is amended by paragraph 100(2) of Schedule 21 to the Education Act 2002.

(2) Section 519 was amended by paragraphs 57 and 139 of Schedule 30 to the 1998 Act.

- 20.** A provision under which—
- (a) the authority may direct the governing body as to how to spend a surplus in the school balance for a funding period, if—
 - (i) in the case of a primary school the surplus is £50,000 or more, and
 - (ii) in the case of a secondary school or a special school the surplus is £100,000 or more;
 - (b) the authority may, if the governing body do not comply with such a direction, require the governing body to pay all or part of that surplus to the authority to be applied as part of their schools budget for the funding period in question.
- 21.** A statement as to the taxation of sums paid or received by a governing body.
- 22.** Insurance.
- 23.** The use of delegated budgets by governing bodies so as to satisfy the authority's duties imposed by or under the Health and Safety at Work etc Act 1974⁽³⁾.
- 24.** The provision of legal advice to the governing body.
- 25.** Funding for child protection issues.
- 26.** School meals.
- 27.** To whom in the authority complaints should be made by persons working at the school or by school governors about financial management or financial propriety at the school and how such complaints will be dealt with.
- 28.** Expenditure incurred by a governing body in the exercise of the power conferred by section 27 of the Education Act 2002.
- 29.** Provision by governing bodies of returns and information for teacher pensions' purposes.

(3) 1974 c. 37.