

SCHEDULE 1

Regulation 14

ADDITIONAL FACTORS OR CRITERIA WHICH MAY BE TAKEN INTO ACCOUNT IN A LOCAL EDUCATION AUTHORITY'S FORMULA UNDER REGULATION 14

Except where otherwise stated the factors or criteria set out below in this Schedule may not be taken into account by a local education authority in their formula on the basis of actual or estimated cost.

Where a local education authority take new factors or criteria into account in their formula or delete factors from their formula or determine a formula substantially or wholly different from the previous year, they may make such transitional provision as they consider reasonable.

1. Special educational needs of pupils determined in a manner that the authority consider appropriate as a means of assessing such needs.
2. Pupils for whom English is not their first language.
3. Turnover of pupils other than as part of the general admissions process at a school.
4. Admission arrangements at a school.
5. The size, condition and characteristics of a school's buildings and grounds relative to those of other schools maintained by the authority.
6. A school which has a split site: the funding must be in accordance with criteria published by the authority.
7. Such physical facilities, organisational facilities for the education of pupils, or communications facilities, as are found at some schools only.
8. Rates payable in respect of the premises of each school (including actual or estimated cost).
9. Use of energy by schools.
10. Rent payable in respect of school premises or payments in respect of the use by a school of facilities not exclusively occupied by that school (including actual or estimated cost).
11. Transport to and from activities outside the school premises which form part of the school's curriculum or transport between the school and other educational facilities attended by pupils (including actual or estimated cost).
12. Hire of facilities outside school premises (including actual or estimated cost).
13. Insurance: the funding must be equal to the amount which would be spent on insurance for the school in question if amounts were not delegated to the governing body for such insurance or, if the authority do not insure, the appropriate proportion of the amount that would have been spent had they insured, to be determined on a basis decided by the authority.
14. Payments in relation to a private finance transaction as defined in regulation 16 of the Local Authorities (Capital Finance) Regulations 1997(1) (including actual or estimated cost).
15. Amounts payable to a school which is, as the result of the discontinuance of one or more maintained schools, either established or, pursuant to Chapter II of Part II of the 1998 Act, the subject of prescribed alterations, to reflect the extent to which a school which has been discontinued has spent more than or has not spent all of its budget share (within the meaning of the 1996 Act or the 1998 Act) in any financial year. Any such factor or criterion must provide that any amount deducted shall not exceed the amount which the school receives during the financial year as part of its budget share by virtue of being a new school.
16. Whether a school is to be discontinued in the financial year or the following financial year.

(1) S.I.1997/319 as amended.

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17. School milk, meals and other refreshment: the authority may not treat any element of this expenditure as having a negative value.

18. Salaries at a school (including actual or estimated cost): the funding must be in accordance with a scale published by the authority.

19. Safeguarding of salaries in accordance with a School Teachers' Pay and Conditions Document having effect in accordance with an order under section 2 of the School Teachers' Pay and Conditions Act 1991⁽²⁾ or other salaries (including actual or estimated cost).

20. Social priority allowances paid in accordance with a School Teachers' Pay and Conditions Document having effect in accordance with an order under section 2 of the School Teachers' Pay and Conditions Act 1991 (including actual or estimated cost).

21. The differential in recruitment and retention costs in different areas in which schools are located.

22. The need for single payments to be allocated to primary, secondary or special schools, or any combination of such schools, regardless of size.

23. The need for payments to be allocated to schools, of a size and satisfying other conditions, specified by the authority.

24. Schools whose budget shares would otherwise be reduced year-on-year by a percentage figure of 3 per cent. or more, determined by the authority: the authority must publish that percentage figure and an explanation of how any amounts using such a factor or criteria will be determined including, if applicable, the use to be made of any sliding scale. Such a factor may not take account of the extent to which a school has spent more than or has not spent all of its budget share (within the meaning of the 1996 Act or 1998 Act) or its maintenance grant (as a grant-maintained or grant-maintained special school) in any financial year.

25. Contracts to which the governing body of a school are bound by virtue of a provision in the authority's scheme (including actual or estimated cost).

26. Effect of taxation on schools.

27. Housing development or armed forces movements leading to a reduction in numbers on roll at a school of at least 20% within one year.

28. Such items of expenditure in connection with provision for pupils registered at other schools as are prescribed by the School Budget Shares (Prescribed Purposes)(England) Regulations 2002⁽³⁾.

29. Incidence of Newly Qualified Teachers.

30. Incidence of pupils from ethnic minority groups having below average levels of academic achievement in relation to other pupils in the authority's area, to be determined on a basis decided by the authority.

31. Incidence of nursery classes and places recognised by the authority as reserved for children with special educational needs.

32. Prior attainment of pupils entering a school.

33. Advanced Skills Teachers employed at a school.

34. Permanent exclusions from a school (including estimates).

(2) [1991 c. 49](#). As at the date these Regulations are made the relevant document is the School Teachers' Pay and Conditions Document 2003 (ISBN 0 11 271146- 4). That document was given effect in the Education (School Teachers' Pay and Conditions) (No. 2) Order 2003 (S.I. [2003/2169](#)) as amended by [2003/2640](#).

(3) S.I. [2002/378](#).

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