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STATUTORY INSTRUMENTS

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**2003 No. 424**

**The Education and Libraries (Northern Ireland) Order 2003**

**PART II**

**FUNDING OF GRANT-AIDED SCHOOLS**

**Contents of the common funding scheme**

- 4.—(1) The common funding scheme shall include—
- (a) provision requiring the budget share of each relevant school for a financial year to be determined by the application of a formula (“the common funding formula”) set out in the scheme;
  - (b) provision requiring the delegation by the board to the Board of Governors of each relevant controlled or maintained school of the management of the school’s budget share for each financial year; and
  - (c) such other provisions as are required by this Part or Part VII of the 1998 Order to be included in the scheme.
- (2) The common funding scheme may include such other provisions—
- (a) as are authorised by this Part or Part VII of the 1998 Order to be included in the scheme; or
  - (b) as appear to the Department to be necessary or expedient in connection with the funding of relevant schools.
- (3) For the purposes of this Part and Part VII of the 1998 Order a school’s budget share in respect of a financial year is—
- (a) in relation to a controlled or maintained school, the amount management of which falls to be delegated to the Board of Governors of the school under the common funding scheme in respect of that year;
  - (b) in relation to a voluntary grammar school, the amount of the grant to be made to that school under Article 60(3)(a) of the 1989 Order or Article 61(2)(a) of the 1998 Order in respect of that year; and
  - (c) in relation to a grant-maintained integrated school, the amount of the grant to be made to that school under Article 77(2)(a) of the 1989 Order or Article 63(2)(a) of the 1998 Order in respect of that year.
- (4) In this Article “formula” includes methods, principles and rules of any description, however expressed.
- (5) The common funding formula—
- (a) shall include provision for taking into account, in the case of each relevant school, the number and ages of pupils who—
    - (i) are, or are expected to be, registered at the school on such date or dates (whether before or during that year) as may be determined by or under the scheme; and

- (ii) are not of a class or description excluded by the scheme from being taken into account for the purposes of any such provision;
  - (b) may include provision for taking into account factors affecting the particular needs of any class or description of school;
  - (c) may include provision for taking into account factors affecting the needs of individual schools which are subject to variation from school to school.
- (6) The common funding formula may, in relation to a grammar school having a preparatory department, make special provision for the determination of the budget share of that school in so far as it relates to the preparatory department.
- (7) The special provision made by virtue of paragraph (6) may include provision the effect of which is that the budget share of the school, in so far as it relates to the preparatory department—
- (a) is substantially less than it would have been but for that provision; or
  - (b) is nil.
- (8) In paragraphs (6) and (7) “preparatory department”, in relation to a grammar school, means that part of the school in which primary education is provided.
- (9) The common funding scheme—
- (a) shall provide for a school’s budget share for a financial year to be determined initially before the beginning of that year; but
  - (b) may provide for that budget share to be revised from time to time.
- (10) The common funding scheme may provide for amounts determined by or in accordance with the common funding scheme to be allocated to relevant schools (in addition to their budget share).
- (11) The common funding scheme may provide for it to apply with such modifications as may be specified therein in relation to a school which becomes a relevant school at any time during the course of a financial year (whether by virtue of being newly established as such a school or by virtue of becoming such a school where it was previously an independent school).