

---

STATUTORY INSTRUMENTS

---

**2003 No. 453**

**EDUCATION, ENGLAND**

**The Financing of Maintained  
Schools (England) Regulations 2003**

*Made* - - - - - *27th February 2003*  
*Laid before Parliament* *28th February 2003*  
*Coming into force* *21st March 2003*

**THE FINANCING OF MAINTAINED  
SCHOOLS (ENGLAND) REGULATIONS 2003**

PART 1

INTRODUCTION

1. Citation, commencement, application and interpretation
2. Revocation of the 2001 Regulations and operation of the 2002 Regulations

PART 2

SCHOOLS' BUDGET SHARES : MAIN PROVISIONS

3. Determination of budget shares
4. Allocation of individual schools budget
5. Timing of determination of budget shares
6. Consultation
7. Formula for determination of budget shares
8. Pupil numbers
9. Dates for ascertaining pupil numbers
10. Pupil numbers: Dual registration
11. Places
12. Infant Class Funding
13. Differential funding
14. Additional factors or criteria
15. Sixth form funding
16. (1) A secondary school's budget share for the financial year...
17. Budget share adjustments in relation to the financial year beginning on 1st April 2002: Pupil numbers

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

18. Budget share adjustments in relation to the financial year beginning on 1st April 2002 : Non-pupil number factors
19. New and reorganised schools
20. Transitional funding
21. Re-determination of budget shares
22. Pupils permanently excluded or admitted following a permanent exclusion
23. Additional provisions for redeterminations in relation to financial years beginning on or before 1<sup>st</sup> April 2001: (1) Former grant-maintained or grant-maintained special schools in the period before they became such schools and (2) Schools which were never such schools
24. Additional provisions for redeterminations in relation to the financial years beginning on 1st April 1999, 1st April 2000 or 1<sup>st</sup> April 2001: Former grant-maintained or grant-maintained special schools
25. Additional provisions for redeterminations in relation to financial years beginning on or before 1st April 1998 : Former grant-maintained or grant-maintained special schools
26. Percentage of “pupil-led” funding

#### PART 3

#### CORRECTION OF ERRORS AND ADDITIONAL ARRANGEMENTS APPROVED BY THE SECRETARY OF STATE

27. Correction of errors
28. Additional arrangements approved by the Secretary of State

#### PART 4

#### SCHEMES

29. Required content of schemes
  30. Manner of publication
  31. Additional occasions when schemes require publication
- Signature

---

#### SCHEDULE 1 — ADDITIONAL FACTORS OR CRITERIA WHICH MAY BE TAKEN INTO ACCOUNT IN A LOCAL EDUCATION AUTHORITY'S FORMULA UNDER REGULATION 10

1. Special educational needs of pupils determined in a manner that...
2. Pupils for whom English is not their first language.
3. Turnover of pupils other than as part of the general...
4. Admission arrangements at a school.
5. The size, condition and characteristics of a school's buildings and...
6. A school which has a split site: the funding must...
7. Such physical facilities, or organisational facilities for the education of...
8. Rates payable in respect of the premises of each school...
9. Use of energy by schools.
10. Rent payable in respect of school premises or payments in...
11. Transport to and from activities outside the school premises which...
12. Hire of facilities outside school premises (including actual or estimated...
13. Insurance: the funding must be equal to the amount which...
14. Payments in relation to a private finance transaction as defined...

15. Amounts payable to a school which is, as the result...
16. Whether a school is to be discontinued in the financial...
17. School milk, meals and other refreshment: the authority may not...
18. Salaries at a school (including actual or estimated cost): the...
19. Safeguarding of salaries in accordance with a School Teachers' Pay...
20. Social priority allowances paid in accordance with a School Teachers'...
21. The differential in recruitment and retention costs in different areas...
22. The need for single payments to be allocated to primary,...
23. The need for payments to be allocated to schools, of...
24. Schools whose budget shares would otherwise be reduced year-on-year by...
25. Contracts to which the governing body of a school are...
26. Effect of taxation on schools.
27. Housing development or armed forces movements leading to a reduction...
28. Such items of expenditure in connection with provision for pupils...
29. Incidence of Newly Qualified Teachers.
30. Incidence of pupils from ethnic minority groups having below average...
31. Incidence of nursery classes and places recognised by the authority...
32. Prior attainment of pupils entering a school.

#### SCHEDULE 2 — PROTECTED LEVEL OF FUNDING

1. (1) This Schedule applies for the purpose of determining the...
2. Subject to paragraphs 3, 4 and 5, the protected level...
3. (1) In the case of a special school which has...
4. The protected level of funding for the financial year beginning...
5. Where a school is to close during the financial year,...

#### SCHEDULE 3 — CONTENTS OF SCHEMES

1. The carrying forward from one financial year to another of...
2. The carrying forward from one financial year to another of...
3. Amounts which may be charged against schools' budget shares.
4. Amounts received by schools which may be retained by their...
5. The imposition, by or under the scheme, of conditions which...
6. Terms on which services and facilities are provided by the...
7. The payment of interest by or to the authority.
8. The times at which amounts equal in total to the...
9. The virement between budget heads within the delegated budget.
10. Circumstances in which the authority may delegate to the governing...
11. The use of delegated budgets and of sums made available...
12. Borrowing by governing bodies.
13. The banking arrangements that may be made by governing bodies....
14. A statement as to the personal liability of governors in...
15. A statement as to the allowances payable to governors of...
16. The keeping of a register of any business interests of...
17. The provision of information by and to the governing body....
18. The maintenance of inventories of assets.
19. Plans of a governing body's expenditure.
20. A statement as to the taxation of sums paid or...
21. Insurance.
22. The use of delegated budgets by governing bodies so as...
23. The repayment to the Secretary of State of loans made...
24. The provision of legal advice to the governing body.
25. Funding for child protection issues.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

26. School meals.
27. To whom in the authority complaints should be made by...
28. Expenditure incurred by a governing body in the exercise of...

Explanatory Note