
STATUTORY INSTRUMENTS

2006 No. 468

The School Finance (England) Regulations 2006

PART 3

FORMULAE FOR DETERMINATION OF BUDGET SHARES

CHAPTER 1

factors and criteria taken into account

Pupil numbers

14.—(1) Subject to paragraphs (2) and (5), in determining and redetermining budget shares for maintained nursery schools, other primary schools and secondary schools, a local education authority must take into account in their formulae for funding periods 1 and 2 the number of registered pupils at those schools on the dates specified in paragraph (6), weighted, if the authority consider it appropriate, in accordance with paragraph (4).

(2) For the purposes of paragraph (1), the number of registered pupils does not include pupils—

(a) in places—

(i) in maintained nursery schools,

(ii) in other primary or secondary schools which the authority recognise as reserved for children with special educational needs,

(iii) in nursery classes, and

(iv) in boarding accommodation at boarding schools other than special schools where the authority exercise their discretion to take these places into account under regulation 15(1)(b);

(b) in respect of whom grant is payable to the authority by the LSC; or

(c) in infant classes where the authority choose to take the class into account as an additional factor under paragraph 35 of Schedule 4.

(3) Where a local education authority exercise their discretion under regulation 15(1) to take into account places, they may also take into account in their formula the number of registered pupils at the schools, or in the reserved places at primary or secondary schools, referred to in that paragraph, on the dates specified in paragraph (6).

(4) A local education authority may weight pupil numbers according to any or all of the following factors—

(a) age, including weighting according to key stage or year group;

(b) whether the pupil is provided with nursery education by a school;

(c) in the case of pupils aged under five, their exact age when admitted to the school;

(d) in the case of pupils aged under five, whether they have been admitted to the school in excess of the admission number agreed with the authority;

- (e) in the case of pupils aged under five, hours of attendance;
- (f) special educational needs;
- (g) whether the pupil is attending a middle school;
- (h) whether the pupil is at key stage 4, and spends more than half of his time in full time education accessing vocational education either at school or elsewhere;
- (i) whether a pupil at a school is also attending a college of further education or a course delivered by any training provider; and
- (j) whether the pupil is in an infant class (in cases where an infant class is not taken into account as an additional factor under paragraph 35 of Schedule 4).

(5) Subject to paragraph (7), for the purposes of determining budget shares for funding period 2 under regulation 10, a local education authority must estimate the number of pupils they will take into account under paragraph (1) for that funding period.

(6) The dates for ascertaining pupil numbers are—

- (a) 19th January 2006 in respect of funding period 1, and
- (b) 18th January 2007 in respect of funding period 2.

(7) Subject to paragraph (8), where—

- (a) a primary school operates a policy of admitting children into nursery or reception classes in the summer term, and
- (b) will admit pupils into such classes in the summer term immediately after either of the dates specified in paragraph (6)

a local education authority may determine a number representing the number of pupils who will be admitted in that summer term, and take such number into account in their formulae for funding period 1 or 2.

(8) In determining the number of pupils they will take into account under paragraph (7), a local education authority—

- (a) must not determine any number which exceeds the number of pupils admitted in the summer term immediately prior to either of the dates specified in paragraph (6), and
- (b) must make any such determination before the beginning of the funding period during which the pupils will be admitted.

(9) A local education authority may adjust the number of registered pupils used to determine or redetermine a school's budget share where it is appropriate to do so in order to take into account, wholly or partly, the permanent exclusion of a pupil from the school or the admission of a pupil following his permanent exclusion from another school maintained by a local education authority.