

---

STATUTORY INSTRUMENTS

---

**2008 No. 228**

**The School Finance (England) Regulations 2008**

**PART 2**

**ACTION TO BE TAKEN BY A LOCAL EDUCATION AUTHORITY**

**CHAPTER 3**

**REDETERMINATION OF SCHOOLS BUDGETS, INDIVIDUAL SCHOOLS BUDGETS  
AND SCHOOLS' BUDGET SHARES FOR FUNDING PERIODS 1, 2 AND 3**

**Redetermination of schools budgets and individual schools budgets**

**12.**—(1) A local education authority may make a redetermination of their schools budgets and individual schools budgets for funding period 1, 2 or 3 at any time before or during the funding period to which those budgets relate.

(2) In making any such redetermination, a local education authority—

- (a) may only reduce the amount of their schools budgets where they receive an amount of Dedicated Schools Grant which is lower than the amount on which they based their determinations under regulation 7;
- (b) may not reduce their individual schools budget for funding period 1, 2 or 3 by making further deductions of central expenditure from their schools budgets unless they have obtained authorisation to do so from their schools forum or the Secretary of State under regulation 14(2) or (4); and
- (c) must comply with the limits imposed by paragraph 36 of Schedule 2 and regulation 7(2) unless their schools forum or the Secretary of State authorise the variation those limits under regulation 14(2) or (4).

(3) Before the beginning of funding period 1, a local education authority must advise schools of any circumstances they are aware of which will make it likely that a redetermination will be made in respect of funding periods 1, 2 and 3, and the nature of any redetermination likely to be made in particular circumstances.

(4) Where a local education authority makes a redetermination under paragraph (1), they must give notice of that redetermination to the governing bodies of the schools which they maintain within 28 days of making the redetermination.

**Redetermination of allocation of budget shares for funding periods 2 and 3**

**13.** Not later than 31st March 2009 for funding period 2 or 31st March 2010 for funding period 3, a local education authority must redetermine any allocation of schools' budget shares which they have made under regulation 10(a), in accordance with Part 3 of these Regulations.