

## SCHEDULES

### SCHEDULE 12

#### FINANCIAL DELEGATION AND NEW SCHOOLS

##### *New county and voluntary schools*

- 2 (1) For the purposes of applying (in accordance with this Schedule) sections 101 to 122 and Part I of Schedule 11 in relation to new schools which will be county or voluntary schools—
- (a) references to a school conducted by a governing body shall be read as including a new school which has a temporary governing body, and
  - (b) other references to the governing body of a school shall be read as including the temporary governing body of a new school.
- (2) For those purposes—
- (b) references to a county or voluntary school maintained by a local education authority, and
  - (b) references, in a context referring to a local education authority, to county and voluntary schools,
- shall be read as including a new school which on implementation of the relevant proposals will be a county or voluntary school maintained by the authority.
- 3 (1) A new school which will be a county or voluntary school is required to be covered by a scheme in any financial year if it has a temporary governing body during the whole or any part of that year.
- (2) In the case of such a school, sections 101 to 122 and Part I of Schedule 11 apply subject to the modifications set out in paragraphs 4 to 7.
- 4 (1) Where a school required to be covered by a scheme in a financial year is a new school during the whole or any part of that year, the provision required by section 106(4)(a) shall not apply in relation to the determination of the school's budget share for the year, so far as that share falls in accordance with the scheme to be treated as referable to planned expenditure by the local education authority for the purposes of the school in respect of any period before the implementation of the relevant proposals.
- (2) Accordingly—
- (a) paragraph 3(1) of Schedule 11 shall apply in relation to the school as if it referred to such part (if any) of the school's budget share for the year as falls to be determined in accordance with the provision required by section 106(4)(a); and
  - (b) the statement under section 122(2) shall include in relation to the school the additional particulars mentioned in sub-paragraph (3).
- (3) Those particulars are the amount of such part (if any) of the school's budget share for the year (as initially determined for the purposes of the scheme) as falls in accordance

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*Status: This is the original version (as it was originally enacted).*

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with the scheme to be treated as referable to planned expenditure such as is mentioned in sub-paragraph (1).

- (4) Sub-paragraph (1) shall not be taken as prejudicing the inclusion in the allocation formula under a scheme, by virtue of section 106(4)(b), of provision taking into account in relation to a new school any forecast made in accordance with the scheme of the number of pupils it will have on implementation of the relevant proposals.

5       The delegation requirement under a scheme shall not apply in relation to a new school (where it is not a school to which section 110 applies) until such date as may be determined by or under the scheme.

6       Section 110 shall have effect, in relation to a new school to which it applies, with the omission of subsection (3)(a).

7       Section 122(7) shall not apply in relation to the temporary governing body of a new school.