



# School Standards and Framework Act 1998

## 1998 CHAPTER 31

### PART II

#### NEW FRAMEWORK FOR MAINTAINED SCHOOLS

#### CHAPTER IV

#### FINANCING OF MAINTAINED SCHOOLS

#### *[<sup>F1</sup>Local authority] schemes*

#### Textual Amendments

- F1** Words in Act substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 10(2)** (with Sch. 2 para. 10(4))

#### **48** [<sup>F2</sup>Local authorities]' financial schemes.

- (1) Each [<sup>F1</sup>local authority] shall [<sup>F3</sup>maintain] a scheme dealing with such matters connected with the financing of the schools maintained by the authority [<sup>F4</sup>or the exercise by the governing bodies of those schools of the power conferred by section 27 of the Education Act 2002 (power of governing body to provide community facilities etc.)] as are required to be dealt with in the scheme by or by virtue of—
- (a) regulations made by the Secretary of State; or
  - (b) any provision of this Part.
- (2) Regulations under subsection (1) may, in particular, require a scheme to deal with—

*Status: Point in time view as at 01/10/2013.*

*Changes to legislation: School Standards and Framework Act 1998, Cross Heading: Local authority schemes is up to date with all changes known to be in force on or before 16 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (a) the carrying forward from one [<sup>F5</sup>funding period] to another of surpluses and deficits arising in relation to schools' budget shares;
  - (b) amounts which may be charged against schools' budget shares;
  - (c) amounts received by schools which may be retained by their governing bodies and the purposes for which such amounts may be used;
  - (d) the imposition, by or under the scheme, of conditions which must be complied with by schools in relation to the management of their delegated budgets, including conditions prescribing financial controls and procedures;
  - [<sup>F6</sup>(dd) the imposition, by or under the scheme, of conditions which must be complied with by schools in relation to the exercise of the power mentioned in subsection (1), including conditions prescribing financial controls and procedures;]
  - (e) terms on which services and facilities are provided by the authority for schools maintained by them.
- (3) Where there is any inconsistency between a scheme [<sup>F7</sup>maintained] by a [<sup>F1</sup>local authority] under subsection (1) and any other rules or regulations made by the authority which relate to the funding or financial management of schools which they maintain, the terms of the scheme shall prevail.
- (4) Schedule 14 (which provides for <sup>F8</sup>... the revision of schemes) shall have effect.
- (5) In this Part any reference to “the scheme”, in relation to a maintained school, is a reference to [<sup>F9</sup>the scheme for the time being maintained under this section].

#### Textual Amendments

- F2** Words in Act substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 10(3)** (with Sch. 2 para. 10(4))
- F3** Word in s. 48(1) substituted (8.2.2007 for E., 15.3.2010 for W. for specified purposes, 2.4.2010 for W. in so far as not already in force) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 5 para. 3(2)**; S.I. 2006/3400, **art. 4(c)**; S.I. 2010/736, arts. 2(b), **3(c)** (with art. 4)
- F4** Words in s. 48(1) inserted (2.9.2002 for E., 1.9.2003 for W.) by Education Act 2002 (c. 32), s. 216(4), **Sch. 3 para. 2(2)** (with ss. 210(8), 214(4)); S.I. 2002/2002, art. 4; S.I. 2003/1718, art. 5, Sch. Pt. II
- F5** Words in s. 48(2)(a) substituted (1.11.2005 for E., 1.4.2010 for W.) by Education Act 2005 (c. 18), s. 125(4), **Sch. 18 para. 7** (with s. 119); S.I. 2005/2034, art. 8; S.I. 2010/735, art. 2(e)
- F6** S. 48(2)(dd) inserted (2.9.2002 for E., 1.9.2003 for W.) by Education Act 2002 (c. 32), s. 216(4), **Sch. 3 para. 2(3)** (with ss. 210(8), 214(4)); S.I. 2002/2002, art. 4; S.I. 2003/1718, art. 5, Sch. Pt. II
- F7** Word in s. 48(3) substituted (8.2.2007 for E., 15.3.2010 for W. for specified purposes, 2.4.2010 for W. in so far as not already in force) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 5 para. 3(3)**; S.I. 2006/3400, art. 4(c); S.I. 2010/736, arts. 2(b), **3(c)** (with art. 4)
- F8** Words in s. 48(4) repealed (8.2.2007 for E., 15.3.2010 for W. for specified purposes, 2.4.2010 for W. in so far as not already in force) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 5 para. 3(4)**, **Sch. 18 Pt. 6**; S.I. 2006/3400, **art. 4(c)(d)**; S.I. 2010/736, arts. 2(b), **3(c)(d)** (with art. 4)
- F9** Words in s. 48(5) substituted (8.2.2007 for E., 15.3.2010 for W. for specified purposes, 2.4.2010 for W. in so far as not already in force) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 5 para. 3(5)**; S.I. 2006/3400, **art. 4(c)**; S.I. 2010/736, arts. 2(b), **3(c)** (with art. 4)

#### Modifications etc. (not altering text)

- C1** S. 48 excluded (10.3.1999) by S.I. 1999/362, **reg. 6(5)**.

**Status:**

Point in time view as at 01/10/2013.

**Changes to legislation:**

School Standards and Framework Act 1998, Cross Heading: Local authority schemes is up to date with all changes known to be in force on or before 16 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.