
STATUTORY INSTRUMENTS

1995 No. 208

**The Education (School Financial Statements)
(Prescribed Particulars etc.) Regulations 1995**

Citation, application, commencement, interpretation and revocation

1.—(1) These Regulations may be cited as the Education (School Financial Statements) (Prescribed Particulars etc.) Regulations 1995 and shall apply only to local education authorities in England.

(2) These Regulations shall come into force on 24th February 1995 and apply in relation to a financial year beginning on or after 1st April 1995.

(3) In these Regulations—

“the 1993 Regulations” means the Education (School Financial Statements) (Prescribed Particulars etc.) Regulations 1993(1);

“the 1994 Regulations” means the Education (School Financial Statements) (Prescribed Particulars etc.) Regulations 1994(2);

“the Act” means the Education Reform Act 1988;

“authority” means a local education authority;

“budget statement” means the statement referred to in section 42(3) of the Act;

“factor” in relation to the allocation formula under an authority’s scheme means any circumstance, fact or matter affecting the needs of individual schools and subject to variation from school to school which is to be taken into account in accordance with the allocation formula under the authority’s scheme;

“outturn statement” means the statement referred to in section 42(6) of the Act;

“relevant” in relation to “age”, “age group” and “year group” means an age, age group or year group separately treated in the allocation formula under an authority’s scheme for the purposes of determining that part of each school’s budget share which is to be determined by reference to numbers of registered pupils;

“school” (except in regulation 8) means a school required by section 42(3) or (6) of the Act to be covered by a budget statement or an outturn statement as the context may require;

“special educational needs” and “special educational provision” have the meanings given to those expressions by section 156 of the Education Act 1993;

“statement” in relation to a pupil with special educational needs means a statement made under section 168 of the Education Act 1993;

references to the number or numbers of registered pupils at one or more schools are references to the number or numbers of such pupils required under the authority’s scheme to be used in applying the allocation formula under the scheme for the initial determination of that school’s budget share or those schools’ budget shares for the year; and

(1) S.I.1993/113; revoked with savings by S.I. 1994/323.

(2) S.I. 1994/323.

references to an authority's aggregated budget as that expression is explained in section 33(4)(b) of the Act.

(4) The following table shows provisions of the Act defining or otherwise explaining expressions used in these Regulations—

allocation formula	section 38(2)
excepted heads or items of expenditure	section 33(4)(b)(i)
excluded expenditure under an authority's scheme	section 33(6)(c)
financial year	section 235(1)
general schools budget scheme	section 33(4)(a)
	section 51(2)(a)
school's budget share	section 51(2)(b).

(5) Any reference in these Regulations to a numbered regulation or Schedule is a reference to the regulation or Schedule in these Regulations so numbered.

(6) The 1994 Regulations are revoked in so far as they apply to local education authorities in England.

(7) Notwithstanding paragraph (6) above and except in so far as they impose any requirements in respect of section 42(4)(f) to (i) of the Act⁽³⁾—

- (a) the Education (School Financial Statements) (Prescribed Particulars etc.) Regulations 1990⁽⁴⁾ continue to apply to local education authorities in England in relation to a financial year beginning on or before 1st April 1992;
- (b) the 1993 Regulations continue to apply to local education authorities in England in relation to the financial year beginning on 1st April 1993; and
- (c) the 1994 Regulations continue to apply to local education authorities in England in relation to the financial year beginning on 1st April 1994.

Prescribed form of and particulars and information for budget statements

2. Where these Regulations require a budget statement to be in a prescribed form, it shall be a sufficient compliance if the statement is in a form substantially to the like effect to that prescribed with such variations as the provisions of the authority's scheme require.

3. A budget statement shall be prepared in four parts, as follows—

- (a) Part 1 shall be in the form prescribed in Schedule 1 and shall contain the particulars of and the information with respect to the authority's planned financial provision for all schools for the financial year to which the statement relates specified in section 42(4)(a) and (b) of the Act and the notes to Part 1 in Schedule 1, which particulars and information (other than those specified in section 42(4)(a) and (b)) are prescribed for the purposes of section 42(4)(c) and (j) of the Act;
- (b) Part 2 shall be in the form prescribed in Schedule 2 and shall contain the particulars of and the information with respect to the authority's planned financial provision for each school for the financial year to which the statement relates specified in section 42(4)(e)

⁽³⁾ Paragraphs (f) to (i) of section 42(4) were repealed by the Education Act 1993 (c. 35), section 275.

⁽⁴⁾ S.I. 1990/353.

of the Act and the notes to Part 2 in Schedule 2, which information is prescribed for the purposes of section 42(4)(j) of the Act;

- (c) Part 3 shall be in the form prescribed in Schedule 3 and shall contain the particulars of and the information with respect to the allocation formula under the authority's scheme specified in the notes to Part 3 in Schedule 3, which particulars and information are prescribed for the purposes of section 42(4)(d) and (j) of the Act; and
- (d) Part 4 shall contain the information with respect to the budget share of each school for the financial year to which the statement relates specified in Schedule 4, which information is prescribed for the purposes of section 42(4)(j) of the Act.

Prescribed form of and information for outturn statements

4. An outturn statement shall be prepared in two parts, as follows—

- (a) Part 1 shall contain the information prescribed in regulation 5(1), the information as to each amount of planned financial provision being placed adjacent to the corresponding item of information as to the amount of expenditure actually incurred by the authority; and
- (b) Part 2 shall contain the information prescribed in regulation 5(2) with respect to—
 - (i) the planned financial provision, and
 - (ii) expenditure actually incurred, or treated by the authority as having been so incurred, for the purposes of each school in the financial year to which the statement relates.

5.—(1) There is prescribed for the purposes of section 42(6)(aa) and (a) of the Act information as to the amount of expenditure actually incurred by the authority for the purposes of all schools in the financial year to which the outturn statement relates, expressed (as cash sums or percentages, as the case may be) by reference to categories corresponding to each of the matters required by these Regulations to be contained in Part 1 of the authority's budget statement for that year, and information as to the amount of planned financial provision that was specified in that budget statement for each such matter.

(2) There is prescribed for the purposes of section 42(6)(aa) and (b) of the Act the following information in respect of each school—

- (a) the amount of the school's budget share for that year included in Part 2 of the authority's budget statement;
- (b) the total amount of expenditure actually incurred in that year for the purposes of the school, net of any amount treated by the authority as income attributed to the school;
- (c) the amount (if any) of excluded expenditure under the authority's scheme in respect of contingencies occurring during the year (including the amount referred to in sub-paragraph (i) below);
- (d) the aggregate of the amounts of expenditure on excepted heads or items of expenditure and excluded expenditure under the authority's scheme, other than the amount referred to in sub-paragraph (c) above or (i) below, being amounts which the governing body of the school were authorised in accordance with the authority's scheme to spend;
- (e) the total amount of any increase or decrease (including the amount referred to in sub-paragraph (h) below) in the course of the financial year in the school's budget share;
- (f) the amount to be carried forward to the following financial year of any surplus or deficit in the school's budget share for that or any previous financial year;
- (g) the amount brought forward from the previous financial year of any surplus or deficit in the school's budget share in any previous financial year;

- (h) the total amount of any reduction in the course of the financial year in the school's budget share pursuant to section 262(4)(a) of the Education Act 1993 (reduction arising from the permanent exclusion of pupils); and
- (i) the total amount allocated in the course of the financial year for the purposes of the school pursuant to section 262(4)(b) of the Education Act 1993 (increased funding for the admission of pupils permanently excluded by other schools).

Prescribed manner and time of publication of budget and outturn statements

6. For the purposes of section 42(7) of the Act, every budget statement and every outturn statement shall be published by—

- (a) supplying a copy to the Secretary of State for Education and to the Funding Agency for Schools⁽⁵⁾; and
- (b) making a copy available for reference by parents and other persons at all reasonable times and without charge at—
 - (i) each education office of the authority, and
 - (ii) each public library in the area of the authority.

7.—(1) A budget statement shall be published before the beginning of the financial year to which it relates.

(2) An outturn statement shall be published before 1st November next following the end of the financial year to which the statement relates.

Furnishing of budget and outturn statements to schools

8.—(1) An authority shall furnish the governing body of each school required to be covered by the authority's scheme in any financial year with a copy of—

- (a) in all cases, Parts 1 to 3 and Part 4, so far as it relates to the school, of the authority's budget statement for that year and its outturn statement for that year; and
- (b) where the governing body request the authority to furnish them, such other parts of Part 4 of the authority's budget statement for that year as the governing body specify.

(2) An authority shall furnish the governing body of each grant-maintained school conducted in the authority's area in any financial year and the governing body of each grant-maintained special school which either is so conducted and was established under section 183 of the Education Act 1993 or is conducted in any financial year and before becoming a grant-maintained special school was a special school maintained by the authority with a copy of—

- (a) in all cases, Parts 1 to 3 of the authority's budget statement for that year and its outturn statement for that year; and
- (b) where the governing body request the authority to furnish them, such parts of Part 4 of the authority's budget statement for that year as the governing body specify.

(5) Established by section 3 of the Education Act 1993.