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STATUTORY INSTRUMENTS

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**1997 No. 996**

**EDUCATION, ENGLAND AND WALES**

**The Education (Grant-maintained and Grant-maintained Special Schools) (Finance) Regulations 1997**

*Made* - - - - - *20th March 1997*  
*Laid before Parliament* *21st March 1997*  
*Coming into force* *1st April 1997*

**THE EDUCATION (GRANT-MAINTAINED  
AND GRANT-MAINTAINED SPECIAL  
SCHOOLS) (FINANCE) REGULATIONS 1997**

PART 1

GENERAL

1. Citation, commencement and application
2. Interpretation
3. Revocation and transitional provisions

PART 2

MAINTENANCE GRANT SCHEME REPLICATION

4. Application of Part 2
5. Determination of amount of maintenance grant
6. Determination of Direct AMG for a complete financial year by reference to a comparable maintained school's budget share
7. Alternative method of determining Direct AMG for a complete financial year by reference to historic data
8. Determination of Central AMG
9. Section 11 funding
10. Cash protection for Central AMG and Section 11 funding
11. Calculation of an amount in respect of the provision of school meals
12. Determination of Direct AMG for part of a financial year
13. Determination of Central AMG — apportionment for schools becoming grant-maintained part way through a financial year

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14. Apportionment in respect of the provision of school meals for schools becoming grant-maintained part way through a financial year
15. Alternative method of determination of maintenance grant by reference to historic data for schools which become grant-maintained in the financial year in question
16. (1) The funding authority shall determine an amount which is...
17. The funding authority shall determine— (a) an amount equal to...
18. Apportionment of maintenance grant determined by reference to historic data for schools which become grant-maintained after 1st April in the financial year in question
19. Determination of Direct AMG for a school which becomes grant-maintained in the financial year in question pursuant to proposals published under section 212 of the 1996 Act
20. Determination of an amount in respect of the provision of school meals for a school which becomes grant-maintained in the financial year in question pursuant to proposals published under section 212 of the 1996 Act
21. Apportionment of maintenance grant determined under regulation 5(1) (a) for a school which becomes grant-maintained pursuant to proposals published under section 212 of the 1996 Act
22. Contingencies
23. Nursery Education
24. Determination of an amount representing the unspent sum of a previous financial year's budget share
25. Determination of an amount in respect of a budget deficit in previous financial years
26. Determination of an amount in respect of sums deducted from a school's budget share
27. Excessive surpluses
28. Excessive severance payments
29. Relevant date
30. Adjustments
31. Schools with wide age ranges
32. Schools situated in the area of a local education authority which is not the area of the former maintaining authority
33. Redetermination to take into account local education authority capital expenditure from the revenue account
34. Notice of revisions to the governing body and the local education authority
35. Further revisions
36. Transfer of site
37. Applications of relevant date provisions to a redetermination of the amount of maintenance grant
38. Requirements which may be attached to payment of maintenance grant

### PART 3

#### MAINTENANCE GRANT—COMMON FUNDING FORMULA

39. Application and interpretation of Part 3
40. Secondary schools total and primary schools total
41. Determination of amount of maintenance grant
42. Determination of a school's CFF share
43. Link to budgets
44. Sums to be added to the CFF share

45. Sums to be deducted from the CFF share : deficits incurred in respect of budget share in previous financial years
46. Sums to be deducted from the CFF share: excessive surpluses
47. Sums to be deducted from the CFF share: excessive severance payments
48. CFF floor
49. Relevant date
50. Adjustments
51. Further revisions
52. Deemed primary schools and deemed secondary schools
53. Error contingency amount for primary schools
54. Transfer of site
55. Application of relevant date provisions to a redetermination of the amount of maintenance grant
56. Requirements which may be attached to payment of maintenance grant
57. Pupil number contingencies in the London Borough of Brent

#### PART 4

#### CAPITAL AND SPECIAL PURPOSE GRANTS

58. Capital grants
59. Special purpose grants
60. Requirements which may be attached to payment of capital or special purpose grants

#### PART 5

#### RECOVERY OF AMOUNTS IN RESPECT OF MAINTENANCE GRANT FROM A LOCAL EDUCATION AUTHORITY

61. Determination of amount to be recovered

#### PART 6

#### AMENDMENT

62. Recovery from local funds in respect of maintenance grant paid to a grant-maintained special school outside the local education authority's area.

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#### SCHEDULE 1 — DETERMINATION OF THE RELEVANT PERCENTAGE

1. This Schedule applies for the purposes of determining the relevant...
2. For the purposes of regulation 8(1), the relevant percentage in...
3. For the purposes of regulation 16(4), the relevant percentage in...
4. For the purposes of regulation 43(2)(c), the relevant percentage is...
5. For the purposes of this paragraph, the percentage is that...
6. (1) For the purposes of this paragraph, the funding authority...
7. (1) For the purposes of this paragraph, the funding authority...
8. (1) The amounts referred to in paragraphs 6 and 7...

#### SCHEDULE 2 — RELEVANT EXPENDITURE

1. Subject to paragraph 2, the following heads or items of...
2. The amount of relevant expenditure incurred by the maintaining local...

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SCHEDULE 3 — REQUIREMENTS WHICH MAY BE ATTACHED TO PAYMENT OF MAINTENANCE, CAPITAL AND SPECIAL PURPOSE GRANTS

1. A requirement that the governing body shall secure, so far...
2. Requirements with respect to the maintenance of proper accounts including,...
3. Requirements as to audit and inspection of the governing body's...
4. Such further requirements relating to the conduct of the school's...

SCHEDULE 4 — SPECIAL PROVISIONS FOR FORMER INDEPENDENT SCHOOLS

1. The amount determined by the Secretary of State under regulation...
2. The amount of maintenance grant payable for the financial year...
3. (1) The funding authority shall determine in respect of each...
4. Regulations 41, 42 and 48 shall not apply.
5. Regulations 43, 44(3) to (5) and 50 shall apply as...
6. The amounts referred to in paragraph 2 in respect of...

SCHEDULE 5 — DIVISION OF THE SECONDARY AND PRIMARY SCHOOLS TOTALS

PART I — SECONDARY RELEVANT AUTHORITIES

1. London Borough of Barnet  
Bournemouth Borough Council  
London Borough of Brent  
London Borough of Bromley  
Calderdale Metropolitan Borough Council  
Cambridgeshire County Council  
London Borough of Croydon  
Cumbria County Council  
Derby City Council  
Derbyshire County Council  
London Borough of Ealing  
London Borough of Enfield  
Essex County Council  
Gloucestershire County Council  
Hertfordshire County Council  
London Borough of Hillingdon  
Kent County Council  
Royal Borough of Kingston upon Thames  
London Borough of Lambeth  
Lincolnshire County Council  
Luton Borough Council  
Milton Keynes Council  
Poole Borough Council  
Rutland County Council (District Council)  
Surrey County Council  
London Borough of Sutton  
Swindon Borough Council  
Trafford Metropolitan Borough Council  
Walsall Metropolitan Borough Council  
London Borough of Wandsworth  
Wiltshire County Council

PART II — PRIMARY RELEVANT AUTHORITIES

2. Essex County Council  
Gloucestershire County Council  
London Borough of Hillingdon  
PART III — PUPIL NUMBERS  
Secondary relevant authorities, with no middle schools deemed secondary schools, which use estimates of pupil numbers
- 3A ***(Barnet, Bournemouth, Bromley, Calderdale, Croydon, Cumbria, Derby, Derbyshire, Enfield, Gloucestershire, Hillingdon, Luton, Milton Keynes, Rutland, Surrey, Trafford, Walsall and Wandsworth)***  
Secondary relevant authorities, with no middle schools deemed secondary schools, which do not use estimates of pupil numbers
- B ***(Brent, Ealing, Essex, Kingston, Lambeth, Lincolnshire, Sutton and Swindon)***  
Secondary relevant authorities, with middle schools deemed secondary schools, which use estimates of pupil numbers
- C ***(Cambridgeshire, Hertfordshire and Poole)***  
Secondary relevant authorities, with middle schools deemed secondary schools, which do not use estimates of pupil numbers
- D ***(Kent and Wiltshire)***
- E Essex as a primary relevant authority
- F Gloucestershire as a primary relevant authority
- G Hillingdon as a primary relevant authority
- H New schools in Milton Keynes, Surrey, Sutton and Essex as a primary relevant authority  
PART IV — OTHER FACTORS  
Fixed Costs
4. ***(All relevant authorities except Hertfordshire, Swindon and Wiltshire)***  
Special Educational Needs
5. ***(Bromley, Cambridgeshire, Derby, Derbyshire and Rutland)***  
Additional Special Educational Needs Provision
6. ***(Barnet, Enfield, Essex, Kingston and Surrey)***  
Free School Meals (actual take up)
7. ***(All relevant authorities)***  
Small Schools
8. ***(Bournemouth, Cumbria, Hillingdon, Lambeth, Poole, Trafford and Wiltshire)***  
Split Site
9. ***(Calderdale, Enfield, Hertfordshire, Milton Keynes and Surrey)***  
Floor area
10. ***(Barnet)***  
Turnover
11. ***(Essex as a secondary relevant authority)***  
London Weighting
12. ***(Essex, Hertfordshire and Kent)***  
Training Targets
13. ***(Sutton)***  
Joint Use
14. ***(Luton)***  
Nursery Units
15. ***(Hillingdon as a primary relevant authority)***  
PART V — CALCULATION OF A SCHOOL'S CFF SHARE
- 16A Calculation of a school's CFF share in existing secondary CFF areas :  
Authorities which use estimates of pupil numbers

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- B Calculation of a school's CFF share: Bournemouth, Luton, Milton Keynes, Poole, Rutland and Trafford
- C Calculation of a school's CFF share: Secondary relevant authorities which do not use estimates of pupil numbers other than the London Borough of Brent
- D Calculation of a school's CFF share: London Borough of Brent
- E Calculation of a school's CFF share: Primary relevant authorities, Essex and Gloucestershire
- F Calculation of a school's CFF share: Hillingdon as a primary relevant authority

PART VI

PART VII — TABLE

SCHEDULE 6 — AMOUNTS FOR AGE BANDS AND AGE BANDS 3 AND 2P  
UNIT COSTS

TABLE 1

Amounts for Age Bands and Age Band 3 Unit Costs for Secondary Relevant Authorities

TABLE 2

Amounts for Age Bands and Age Band 2P Unit Costs for Primary Relevant Authorities

SCHEDULE 7 — PRIMARY SCHOOLS' SHARES OF AVAILABLE OR  
CONTINGENCY AMOUNT

1. In this Schedule “school” means a grant-maintained primary school situated...
2. The funding authority shall determine in respect of each school...
3. The funding authority shall determine in respect of the relevant...
4. The funding authority shall determine the amount obtained by dividing...
5. The funding authority shall determine as the amount to be...

SCHEDULE 8 — EXPENDITURE OF A CAPITAL NATURE

1. Expenditure of a capital nature is expenditure on, or in...
2. In paragraph 1 “building” includes any fixtures and fittings affixed...

SCHEDULE 9 — EXPENDITURE IN RESPECT OF WHICH SPECIAL PURPOSE  
GRANTS MAY BE PAID

1. In this Schedule — “eligible training” means — the training...
2. The expenditure in respect of which special purpose grants may...

Explanatory Note