

## SCHEDULE 2

Regulation 16

### **ADDITIONAL FACTORS OR CRITERIA WHICH MAY BE TAKEN INTO ACCOUNT IN A LOCAL EDUCATION AUTHORITY'S FORMULA UNDER REGULATION 10**

Except where otherwise stated the factors or criteria set out below in this Schedule may not be taken into account by a local education authority in their formula on the basis of actual or estimated cost.

Where a local education authority take new factors or criteria into account in their formula then they may make such transitional provision as they consider reasonable.

1. Special education needs of pupils determined in a manner that the authority consider appropriate as a means of assessing such needs.

2. Pupils for whom English is not their first language.

3. Recruitment of, the length, type or subject matter of courses taken by, or the achievements of, pupils in a sixth form at a school.

4. Turnover of pupils other than as part of the general admissions process at a school.

5. Admission arrangements at a school.

6. The size and condition of a school's buildings and grounds relative to those of other schools maintained by the authority: The funding must be in accordance with scales published by the authority which reflect so far as appropriate the statutory duties of governing bodies in relation to school premises and their eligibility for grant from any government department.

7. A school which has a split site: The funding must be in accordance with criteria published by the authority.

8. Facilities found at some schools only.

9. Rates payable in respect of the premises of each school (including actual or estimated cost).

10. Charges for water and sewerage (including actual or estimated cost).

11. Use of energy by schools.

12. Rent payable in respect of school premises (including actual or estimated cost).

13. Cleaning of school premises.

14. Transport to and from activities outside the school premises which form part of the school's curriculum.

15. Hire of facilities outside school premises (including actual or estimated cost).

16. In cases where the governing body have elected to have an amount in respect of insurance included in the school's budget share, the appropriate proportion of the authority's planned expenditure on insurance or, if the authority do not insure, the appropriate proportion of the amount that the authority would have spent had they insured, to be determined on a basis decided by the authority.

17. Payments in relation to a private finance transaction as defined in regulation 16 of the Local Authorities (Capital Finance) Regulations 1997(1) (including actual or estimated cost).

18. Amounts payable to a new school established as the result of the discontinuance of one or more maintained schools to reflect the extent to which a school which has been discontinued has spent more than or has not spent all its budget share (within the meaning of the 1996 or the 1998 Act) in any financial year. Any such factor or criteria must provide that any amount deducted shall

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(1) S.I. 1997/319; amended by S.I. 1998/371 and 1999/1852.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

not exceed the amount which the school receives during the financial year as part of its budget share by virtue of being a new school.

**19.** Whether the school is to be discontinued in the financial year.

**20.** School milk, meals and other refreshment: The authority may not treat any element of this expenditure as having a negative value.

**21.** Teachers' salaries at a school (including actual or estimated cost): The funding must be in accordance with a scale published by the authority.

**22.** Safeguarding of salaries in accordance with a School Teachers' Pay and Conditions Document having effect in accordance with an order under section 2 of the School Teachers' Pay and Conditions Act 1991<sup>(2)</sup> (including actual or estimated cost).

**23.** Social priority allowances paid in accordance with a School Teachers' Pay and Conditions Document having effect in accordance with an order under section 2 of the School Teachers' Pay and Conditions Act 1991 (including actual or estimated cost).

**24.** Differential costs of London weighting of salaries.

**25.** Social deprivation in the area from which a school derives its pupils.

**26.** The need for single payments to be allocated to primary, secondary or special schools, or any combination of such schools, regardless of size.

**27.** The need for payments to be allocated to schools, of a size and satisfying other conditions, specified by the authority.

**28.** Schools whose budget shares would otherwise be reduced year-on-year by a percentage figure greater than 3 per cent. determined by the authority: The authority must publish that percentage figure and an explanation of how any amounts using such a factor or criteria will be determined including, if applicable, the use to be made of any sliding scale.

**29.** Contracts to which the governing body of a school are bound by virtue of a provision in the authority's scheme (including actual or estimated cost).

**30.** The presence of nursery nurses at a school with nursery classes in cases where such a factor was also used in the financial year beginning on 1st April 1999.

**31.** Payroll administration costs: The funding must be based on the number of staff at the school, unless factors permitted elsewhere in these Regulations are used.

**32.** Effect of taxation on schools.

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(2) [1991 c. 49](#). As at the date these Regulations are made the relevant document is the School Teachers' Pay and Conditions Document 2000 ISBN 0 11 271090. That document was given effect by [S.I. 2000/2321](#) and amended by [S.I. 2000/3106](#).