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STATUTORY INSTRUMENTS

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**2003 No. 453**

**The Financing of Maintained  
Schools (England) Regulations 2003**

**PART 2**

**SCHOOLS' BUDGET SHARES : MAIN PROVISIONS**

**Re-determination of budget shares**

**21.**—(1) A local education authority shall include factors or criteria in their formula which enable them, if they so wish, to re-determine a school's budget share during the course of the financial year to take account wholly or partly of—

- (a) changes during the financial year in the number or estimates of the number of registered pupils (including the substitution of actual numbers for estimates) at the school by reference to which the budget share was determined in accordance with regulation 8(1) or (3) other than in cases where pupil numbers were weighted according to special educational needs;
- (b) other changes during the financial year in the data by reference to which the budget share was determined; and
- (c) changes during the financial year in the amount of the authority's individual schools budget.

(2) A local education authority shall redetermine a school's budget share in accordance with paragraph (1)(a) where such a redetermination would result in an increase to the school's budget share, unless the authority, in initially determining the school's budget share, have, for the purposes of regulation 8(1), determined a date or dates under regulation 9(2)(b)(ii).

(3) This regulation is subject to regulation 20 (transitional funding).

(4) A local education authority shall set out in their formula the factors or criteria that they will use, in re-determining schools' budget shares in accordance with paragraph (1), to allocate the planned expenditure referred to in paragraph 31 of Schedule 2 to the Budget Regulations.

(5) Where the local education authority propose to retain part of their individual schools budget pursuant to regulation 5(2) for the purpose of re-determinations or the correction of errors they shall include factors or criteria in their formula which require them to re-determine schools' budget shares before the end of the financial year so as to distribute to schools the unallocated balance of any such retained amount on the basis of pupil numbers in accordance with regulation 8(1) or (3).

(6) A local education authority shall include factors or criteria in their formula which enable them to adjust the number of registered pupils used to determine or re-determine a school's budget share where it is appropriate to do so in order to take into account, wholly or partly—

- (a) any reduction or increase in the school's budget share under regulation 22 (pupils permanently excluded or admitted following a permanent exclusion); or

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- (b) any increase in the school's budget share under this regulation in respect of significant increases in pupil numbers funded by the planned expenditure referred to in paragraph 31 of Schedule 2 to the Budget Regulations.