

SCHEDULES

SCHEDULE 5

MINIMUM FUNDING GUARANTEE

Primary and Secondary Schools

1. In this paragraph and paragraphs 2 to 4—
 - (a) the “relevant number” of pupils for the financial year beginning on 1st April 2005 shall be the number of registered pupils at the school, including pupils for whom grant is payable by the LSC, on 20th January 2005, save that where the authority has not exercised its discretion under regulation 8(3)(b) of the 2004 Regulations to take the number of pupils in places which the authority recognises as reserved for children with special educational needs, or in nursery classes, into account in their formula, then the number of those places must be added to the relevant number for the purposes of this Schedule;
 - (b) subject to paragraph 4, the “relevant number” of pupils for funding periods 1 and 2 shall be the number of pupils at the school, including pupils in respect of whom grant is payable by the LSC, on the dates referred to in regulation 14, save that, where the authority has not exercised discretion under regulation 14(3) to take into account in their formula the number of pupils in places which the authority recognises as being reserved for children with special educational needs or in nursery classes, then the number of those places must be added to the relevant number for the purposes of this Schedule;
 - (c) the “adjusted budget share” is a school’s budget share determined in accordance with these Regulations, but not taking into account—
 - (i) the effect of regulations 18 (Minimum Funding Guarantee), 21, 22 (prior year adjustments), 23 (excluded pupils) and paragraphs 8 (rates), 14 (PFI), 29 (NQTs), and 35 (ICS funding) of Schedule 4,
 - (ii) any amounts added in respect of funding for named pupils which is deducted from a school’s budget share when that pupil leaves the school, including amounts for pupil exclusions above that permitted by regulation 23 (excluded pupils), but not including amounts for the cost of providing free school meals;
 - (d) references to a redetermined adjusted budget share for the financial year beginning on 1st April 2005 include—
 - (i) the effect of any additional arrangement approved by the Secretary of State under regulation 28 of the 2004 Regulations,
 - (ii) any amount in respect of regulation 21 of the 2004 Regulations,
 - (iii) any amount in respect of regulations 21 and 22 (prior year adjustments) of these regulations,
 - (iv) the amount of funding the school received under paragraph 4 of Schedule 3 to the Budget Regulations (Threshold and Performance Pay Grants) where the local education authority intends to include an amount in respect of this in the school’s budget share for funding period 1,
- but exclude the following—

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- (v) any amounts included pursuant to regulations 12 (ICS), 18 (prior year adjustments: pupil numbers), 19 (prior year adjustments: non-pupil numbers), 22 (excluded pupils), 23, 24 and 25 (Additional provisions) of the 2004 Regulations,
 - (vi) any amount included in respect of paragraphs 8 (rates), 14 (PFI) and 29 (NQTs) of Schedule 1 to the 2004 Regulations, and
 - (vii) any amounts in respect of funding for named pupils which is deducted from a school's budget share when that pupil leaves school, including amounts for pupil exclusions above that permitted by regulation 23 (excluded pupils) of these regulations but not including amounts for the cost of providing free school meals;
- (e) references to a redetermined adjusted budget share for funding period 1 include—
- (i) the effect of any additional arrangements approved by schools forums or the Secretary of State under regulation 25 (additional arrangements) of these Regulations,
- but exclude the following—
- (ii) any amounts included pursuant to regulation 23 (excluded pupils) of these Regulations,
 - (iii) any amount included in respect of paragraphs 8 (rates), 14 (PFI), 29 (NQTs), and 36 (ICS) of Schedule 4 to these Regulations, and
 - (iv) any amounts included in respect of funding for named pupils which is deducted from a school's budget share when that pupil leaves school, including amounts above those permitted by regulation 23(excluded pupils) of these regulations but not including amounts for the cost of providing free school meals;
- (f) for the purposes of this Schedule—
- (i) where a school has opened after 1st April 2005 but before the 1st April 2006, its redetermined adjusted budget share for the financial year beginning on 1st April 2005 shall be the amount that it would have been had the school opened on 1st April 2005, and
 - (ii) where a school has opened during funding period 1, its redetermined adjusted budget share for funding period 1 shall be the amount that it would have been had the school opened on 1st April of funding period 1,
- adjusted in accordance with sub-paragraph (d) or (e), whichever is applicable.