

**2007 No. 356**

**EDUCATION, ENGLAND**

**The Education (Budget Statements) (England) Regulations 2007**

*Made* - - - - *8th February 2007*

*Laid before Parliament* *19th February 2007*

*Coming into force* - - *16th March 2007*

The Secretary of State for Education and Skills makes the following Regulations in exercise of the powers conferred upon the Secretary of State by sections 52(1), (1A), (3) and (4) and 138(7) of the School Standards and Framework Act 1998(a).

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Education (Budget Statements) (England) Regulations 2007 and come into force on 16th March 2007.

(2) These Regulations apply only in relation to England, and only in relation to budget statements prepared for the period prescribed in regulation 3.

**Interpretation**

2.—(1) In these Regulations—

“the Budget Statement Regulations” means the Education (Budget Statements) (England) Regulations 2006(b);

“Devolved School Meals Grant: Pupil Referral Units” is the grant of that name paid to a LEA by the Secretary of State under section 14 of the 2002 Act(c);

“School Standards Grant (Personalisation)” is the grant of that name paid to a LEA by the Secretary of State under section 14 of the 2002 Act; and

“School Standards Grant (Personalisation): Pupil Referral Units” is the grant of that name paid to a LEA by the Secretary of State under section 14 of the 2002 Act.

(2) The definitions in regulation 2 of the Budget Statement Regulations apply for the purposes of these Regulations.

**Period to which a budget statement must relate**

3. For the purposes of section 52(1) of the 1998 Act, the period prescribed in accordance with section 52(1A) is funding period 2.

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(a) 1998 c.31. Section 52 was amended by section 117 of, and paragraphs 2 and 10 of Schedule 18 to, the Education Act 2005 (c.18). For the meaning of “prescribed” and “regulations”, see section 142(1) of SSFA 1998.

(b) S.I. 2006 No. 511.

(c) “Pupil referral unit” is defined in section 19 of EA 1996.

### **Form of, and information to be contained in, a budget statement**

4.—(1) Where a budget statement in respect of funding periods 1 and 2 has been published in accordance with regulation 5 of the Budget Statement Regulations containing estimated planned figures in respect of funding period 2, the budget statement to be prepared and published in accordance with these Regulations is to contain actual planned figures in place of those estimated figures.

(2) For the purposes of section 52(3)(a) of SSFA 1998, the budget statement in respect of funding period 2 is to be prepared in four parts and is to contain the information prescribed for the purposes of section 52(1) of that Act as follows—

- (a) Part 1 is to contain information relating to the level of funding available to a LEA for expenditure on schools in funding period 2 and is to be in the form prescribed in Schedule 1 to the Budget Statement Regulations, except that—
  - (i) it is to be headed “FUNDING PERIOD 2”,
  - (ii) the column headed “2005-06 DSG Baseline (Actuals)” is omitted,
  - (iii) the column headed “2006-07” is headed “2006-07 Baseline (Actuals) (a)”, and
  - (iv) the column headed “2007-08 (c)” is headed “2007-08 (b)”;
- (b) Part 2 is to contain information relating to a LEA’s planned expenditure in respect of funding period 2 and is to be in the form prescribed in the following tables in Schedule 2 to those Regulations as follows—
  - (i) TABLE 1: FUNDING PERIOD 1 2006-07, except that it is to be headed FUNDING “PERIOD 2 2007-8”, and is to contain the following additional lines:
    - “(aa) 1.0.4.A. School Standards Grant (Personalisation),
    - (bb) 1.0.5.A. School Standards Grant (Personalisation): Pupil Referral Units, and
    - (cc) 1.0.9.A. Devolved School Meals Grant: Pupil Referral Units,”
  - (ii) CEL ANNEX AND CALCULATOR: FUNDING PERIOD 2 2007-08, and
  - (iii) YOUTH SERVICE ANNEX: FUNDING PERIOD 1 2006-07, except that it is to be headed “YOUTH SERVICE ANNEX: FUNDING PERIOD 2 2007-08”;
- (c) Part 3 is to be in the form prescribed in Schedule 3 to those Regulations as follows—
  - (i) TABLE 2: FUNDING PERIOD 2 2007-08, except that it is to contain an additional column after the column headed “(20) SUPPORT FOR SCHOOLS IN FINANCIAL DIFFICULTY” on page 2 of Table 2 entitled “(20A) SCHOOL STANDARDS GRANT (PERSONALISATION)”,
  - (ii) TABLE 3a FUNDING PERIOD 2 2007-08, and
  - (iii) TABLE 3b FUNDING PERIOD 2 2007-08;
- (d) Part 4 is to be in the form prescribed in Table 4: FUNDING PERIOD 2 2007-08 in Schedule 4 to those Regulations.

### **Manner and time of publication of a budget statement**

5.—(1) Regulation 5(1), (5) and (6) of the Budget Statement Regulations apply for the purposes of a budget statement prepared under regulation 4.

(2) A budget statement prepared under regulation 4 must be published before the beginning of funding period 2, and may not be revised during that funding period except—

- (a) to correct errors contained in it; or
- (b) to reflect any redetermination of budget shares made pursuant to regulation 11(1) of the 2006 Regulations (redetermination of schools budgets and individual schools budgets).

(3) Where a LEA revise a budget statement under paragraph (2), they must ensure that such revised budget statement is in the form prescribed in regulation 4, and that it is published in the manner prescribed by regulation 5(1) of the Budget Statement Regulations.

8th February 2007

*Jim Knight*  
Minister of State  
Department for Education and Skills

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations prescribe the form and content of a second budget statement of a LEA in England for the financial year 2007-08 (funding period 2).

LEAs complete electronically a set of tables prepared by the Department for Education and Skills and return the completed tables to the Department as their Budget Statement.

LEAs will have already published a budget statement for financial years 2006-07 and 2007-08 (funding periods 1 and 2) in the form prescribed under the Education (Budget Statements) (England) Regulations 2006 (“the Budget Statement Regulations”). In respect of funding period 2, the statement will have been less detailed than for funding period 1, and will have comprised estimated figures.

These Regulations require that the second budget statement in respect of funding period 2 will comprise—

- (a) all of the information in the previous budget statement relating to funding period 1;
- (b) some new information relating to grants; and
- (c) actual planned figures, as opposed to estimated planned figures.

This means that the tables to be completed will be in the form prescribed on the following pages of the Budget Statement Regulations:

Pages 5-8 with additional lines on page 6;

Pages 11-12;

Pages 19-24 with an additional column on page 20; and

Pages 29-32.

All tables will be headed “Funding Period 2”.

Requirements as to publication, revision, and the provision of copies of the statement to governing bodies and head teachers remain the same.

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