
STATUTORY INSTRUMENTS

2013 No. 3104

The School and Early Years Finance
(England) Regulations 2013

PART 3

Determination of Budget Shares etc

CHAPTER 2

Adjustments, Correction of Errors, and Alternative
Arrangements Authorised by the Secretary of State

Alternative arrangements approved by Secretary of State

25.—(1) Subject to paragraph (2), on application by a local authority, the Secretary of State may authorise the authority to—

- (a) disregard the limits referred to in paragraph 5 of Schedule 2 when deducting any expenditure referred to in regulation 8(3) (Central Services expenditure);
- (b) deduct any expenditure referred to in regulation 8(9)(a) (expenditure falling outside of Schedule 2);
- (c) alter the operation of regulation 11(3) (additional expenditure on children with special educational needs);
- (d) determine or redetermine budget shares of schools maintained by them;
- (e) determine or redetermine amounts to be allocated in respect of nursery classes in schools maintained by them;
- (f) determine or redetermine amounts to be allocated to relevant early years providers in their area;
- (g) determine or redetermine amounts to be allocated to exempt early years providers in their area;
- (h) include additional factors or criteria in their formula under regulation 10(1) (formula for determining budget shares) where the nature of a school's premises exceptionally gives rise to significant additional cost;
- (i) include additional factors or criteria that the authority propose to include in their formula under regulation 10(3) (early years single funding formula);
- (j) vary the amount by which a school's redetermined adjusted budget share shall be reduced for the purpose of determining the guaranteed level of funding in paragraph 1 of Schedule 4;
- (k) disregard regulation 13 (Pupil numbers);
- (l) alter the operation of regulation 21 (New schools, merged schools and closing schools) in respect of particular schools; and

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- (m) alter the operation of paragraphs 13 (primary sparsity) and 14 (secondary sparsity) of Schedule 3 in respect of particular schools.
- (2) The Secretary of State may authorise the matters referred to in paragraph (1) to such extent as the Secretary of State may specify in accordance with arrangements approved in place of the arrangements provided for by these Regulations.