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STATUTORY INSTRUMENTS

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**2021 No. 59**

The School and Early Years Finance  
(England) Regulations 2021

PART 3

Determination of Budget Shares etc.

CHAPTER 1

Requirements, and Factors and Criteria Taken into Account

**Risk Protection Arrangement**

**19.**—(1) Paragraph (2) applies if a local authority has not removed any expenditure referred to in paragraph 48 of Schedule 2 from a school's budget share under regulation 11(5).

(2) In determining (including redetermining) budget shares for schools maintained by it a local authority must include a factor which enables the local authority to—

- (a) deduct the amount (£19 x Z/365) per pupil from the budget share of a primary or secondary school, (other than a special school or pupil referral unit), if the governing body of that school enters into a Risk Protection Arrangement with the Secretary of State which commences on or after 1st April 2021;
- (b) deduct the amount (£19 x Z/365) per place from the budget share of a special school or pupil referral unit if—
  - (i) the governing body of that school, or
  - (ii) in the case of a pupil referral unit, the local authority,

enters into a Risk Protection Arrangement with the Secretary of State which commences on or after 1st April 2021.

(3) In paragraph (2)(a) and (b), Z is the number of days that the school or pupil referral unit is subject to a Risk Protection Arrangement with the Secretary of State, beginning with the day on which that Risk Protection Arrangement commences and ending with 31st March 2022.