

SCHEDULE 4

Regulation 23

MINIMUM FUNDING GUARANTEE

1.—(1) In this Schedule—

- (a) references to the number of pupils—
 - (i) for the purposes of the previous funding period, exclude those funded by a sixth form grant; and
 - (ii) for the purposes of the funding period, exclude those funded by a sixth form grant;
- (b) the “relevant number” of pupils for the previous funding period is the number of pupils at the school on 3rd October 2019;
- (c) the “relevant number” of pupils for the funding period is the number of pupils at the school on 1st October 2020;
- (d) the “minimum funding number” means a number determined by the authority, between and including 1.005 and 1.02;
- (e) the redetermined adjusted budget share for the previous funding period means a number calculated by the authority, which must—
 - (i) exclude—
 - (aa) any amount allocated under regulation 14(2) (places reserved for children with special educational needs) of the 2020 Regulations;
 - (bb) any amount included under regulation 26(1) or (2) (sixth form funding) of the 2020 Regulations;
 - (cc) any amount included under regulation 30 (correction of errors and changes in non-domestic rates) of the 2020 Regulations;
 - (dd) the difference between (a) any amount allocated to the school under regulation 27(4) or (8) of the 2020 Regulations, and (b) the single sum which the school would have received under paragraph 1 or 2 of Schedule 3 to the 2020 Regulations if regulation 27(4) or (8) of the 2020 Regulations had not applied;
 - (ee) any amount allocated to the school under Schedule 3 to the 2020 Regulations where such amount has been deducted from the schools budget under Part 5 (Children And Young People With High Needs) of Schedule 2;
 - (ff) any amount allocated to the school under regulation 10(3) (early years single funding formula) of the 2020 Regulations;
 - (gg) any amount included in respect of paragraph 11 (rates) of Schedule 3 to the 2020 Regulations;
 - (hh) any amount allocated to the school under paragraph 1 (primary single sum) of Schedule 3 (or, where regulation 27(4) or (8) applies, the amount allocated to the school under that regulation);
 - (ii) any amount allocated to the school under paragraph 2 (secondary single sum) of Schedule 3 (or, where regulation 27(4) or (8) applies, the amount allocated to the school under that regulation);
 - (jj) any amount allocated to the school under paragraph 14 (primary population sparsity) of Schedule 3;
 - (kk) any amount allocated to the school under paragraph 15 (secondary population sparsity) of Schedule 3;

Status: This is the original version (as it was originally made).

- (ll) any amount added to or deducted from the school's budget share under regulation 29 (pupils permanently excluded from, or leaving, maintained schools) of the 2020 Regulations; and
- (ii) include—
 - (aa) any amount deducted from the school's budget share under regulation 11(5) or (6) (determination of allocation of budget shares etc. for the funding period), 19(2) (Risk Protection Arrangement) or 29 of the 2020 Regulations; and
 - (bb) any amount allocated to the school in the previous funding period in respect of the teachers' pay grant and the teachers' pension employer contribution grant, as shown on the Authority Proforma Tool for 2021-22 sent to the authority by the Department for Education in December 2020.
- (f) references to a redetermined adjusted budget share for the funding period include the effect of any alternative arrangements approved by the Secretary of State under regulation 31, but the authority must—
 - (i) exclude—
 - (aa) any amount allocated under regulation 14(2) (places reserved for children with special educational needs);
 - (bb) any amount included under regulation 26 (sixth form funding);
 - (cc) any amount included under regulation 30 (correction of errors and changes in non-domestic rates);
 - (dd) any amounts allocated under regulation 10(1) (formula for determining budget shares) which would have been within a class or description of the expenditure listed in Schedule 2 to the 2020 Regulations that the authority deducted in the previous funding period;
 - (ee) any amount allocated to the school under regulation 10(3) (early years single funding formula);
 - (ff) any amount included in respect of paragraph 11 (rates) of Schedule 3;
 - (gg) any amount allocated to the school under paragraph 1 (primary single sum) of Schedule 3 (or, where regulation 27(4) or (8) applies, the amount allocated to the school under that regulation);
 - (hh) any amount allocated to the school under paragraph 2 (secondary single sum) of Schedule 3 (or, where regulation 27(4) or (8) applies, the amount allocated to the school under that regulation);
 - (ii) any amount allocated to the school under paragraph 14 (primary population sparsity) of Schedule 3;
 - (jj) any amount allocated to the school under paragraph 15 (secondary population sparsity) of Schedule 3;
 - (kk) any amount added to the school's budget share under regulation 29 (pupils permanently excluded from, or leaving, maintained schools); and
 - (ii) include any amount that is deducted from a school's budget share under regulation 11(5) or (6) (determination of allocation of budget shares etc. for the funding period), 19(2) (Risk Protection Arrangement), 29 or 30 (correction of errors and changes in non-domestic rates).
- (2) For the purposes of this Schedule—

- (a) where a school opened during the previous funding period, its redetermined adjusted budget share for the previous funding period is the amount it would have been if the school had opened on 1st April 2020; and
- (b) where a school opens during the funding period, its redetermined adjusted budget share for the funding period is the amount it would have been if the school had opened on 1st April 2021,

in both cases adjusted in accordance with paragraph 1(e) or (f), whichever is applicable.

2. Where (A/B) is less than (C/D) then the guaranteed funding level is $(C/D) \times B$ where—

A is the redetermined adjusted budget share, calculated by the authority, for the funding period;

B is the relevant number of pupils in the funding period;

C is the redetermined adjusted budget share for the previous funding period multiplied by the minimum funding number; and

D is the relevant number of pupils in the previous funding period.

3. Where a new school opens during the funding period and is a replacement for two or more schools being discontinued during the funding period, its guaranteed funding level must be calculated in accordance with paragraph 2, subject to paragraph 4.

4. In calculating the guaranteed level of funding under paragraph 3 the relevant number of pupils in the previous funding period under paragraph 1(b) is the sum of the relevant number of pupils in the discontinued schools on 3rd October 2019.

5. In calculating the redetermined adjusted budget share for the previous funding period, the authority may exclude any amount allocated to the school by virtue of paragraph 9 of Schedule 3 to the 2020 Regulations if it has not allocated amounts under paragraph 9 of Schedule 3 to these Regulations.

6. In calculating the redetermined adjusted budget share for the previous funding period, the authority may exclude any amounts allocated under the premises factor allocation to the school if it also excludes the amount from the redetermined adjusted budget share calculated for the funding period.