
STATUTORY INSTRUMENTS

2024 No. 66

**The School and Early Years Finance and Childcare
(Provision of Information About Young Children)
(Amendment) (England) Regulations 2024**

PART 3

Determination of budget shares etc.

CHAPTER 1

Requirements, and factors and criteria taken into
account – schools other than early years provision

The sparsity factor

21.—(1) In determining budget shares for primary and secondary schools (other than special schools, pupil referral units and nursery schools), a local authority must ascertain and take into account in its formula the following factors.

(2) In respect of all maintained primary schools to which paragraph (3) applies, other than those which are middle schools⁽¹⁾, an amount (“the final value”) calculated in accordance with paragraphs (4) to (6).

(3) This paragraph applies where—

(a) the mean distance by road between—

(i) the centroid of the home postcode⁽²⁾ (“the home postcode”) of each pupil for whom a school falling within paragraph (2) is their closest compatible school (irrespective of whether or not the pupil attends that school); and

(ii) the second closest compatible school in relation to each of those pupils,
is greater than 80% of a distance determined by the local authority, which must not be less than two miles, and must be the same distance in relation to all maintained primary schools which meet the criteria specified in this paragraph; and

(b) the mean size of a year group in that school is less than a number determined by the local authority, which must be—

(i) no more than 21.4; and

(1) The arrangements for classification of middle schools as primary schools or secondary schools are set out in the Education (Middle School) (England) Regulations 2002 (S.I. 2002/1938). These regulations were amended by S.I. 2009/1156 and 2010/1172.

(2) Details in relation to the calculation of the distance between a pupil’s home postcode and a school are set out in Annex C to the “Schools block national funding formula: technical note”, published in July 2021. This document can be found at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1003310/2022-23_NFF_schools_block_technical_note.pdf. A printed copy may also be inspected at the Department for Education, Sanctuary Buildings, Great Smith Street, London SW1P 3BT upon request.

- (ii) the same number in relation to all schools which meet the criteria specified in this paragraph.
- (4) Where the school meets the criteria specified in paragraph (3)—
- (a) a year group weighting is determined as follows—
- (i) if A is less than $0.5 \times B$, the value of 1; or
- (ii) if A is equal to or more than $0.5 \times B$, the value of $1 - ((A - (0.5 \times B)) / (0.5 \times B))$; and
- (b) a distance weighting is determined as follows—
- (i) if D is equal to or greater than C , the value of 1;
- (ii) if D is less than C but greater than $0.8 \times C$, the value of $1 - (C - D) / (0.2 \times C)$.
- (5) The final value is calculated by multiplying the lump-sum funding for sparsity determined by the local authority, the year-group weighting, and the distance weighting.
- (6) For the purposes of paragraph (4)—
- A is the number which represents the mean size of a year group at the school (derived by dividing the number of pupils by the number of year groups);
- B is the number determined by the authority in accordance with paragraph (3)(b);
- C is the number determined by the authority in accordance with paragraph (3)(a);
- D is the number which represents the “sparsity distance” for the school (calculated by identifying all the pupils for whom the school is their closest compatible school and calculating the mean road distance from the home postcodes of those pupils to their second closest compatible school).
- (7) In respect of all maintained middle schools and secondary schools which meet the criteria specified in paragraph (8), the final value is calculated in accordance with paragraphs (10) to (12).
- (8) This paragraph applies where—
- (a) the mean distance by road between—
- (i) the home postcodes of all those pupils for whom a school falling within paragraph (7) is their closest compatible school (irrespective of whether or not the pupils attend that school); and
- (ii) the second closest compatible school in relation to each of those pupils, is greater than 80% of a distance determined by the local authority in accordance with paragraph (9); and
- (b) the mean size of a year group in that school is less than a number determined by the local authority, which—
- (i) must not be less than—
- (aa) 69.2 in respect of middle schools other than all-through schools;
- (bb) 62.5 in respect of middle schools which are all-through schools; or
- (cc) 120 in respect of secondary schools other than middle schools; and
- (ii) must be the same number in relation to all schools of each type mentioned in paragraph (i).
- (9) The distance to be determined by the local authority, referred to in paragraph (8)(a)—
- (a) must not be less than—
- (i) two miles in respect of middle schools; and
- (ii) three miles in respect of secondary schools other than middle schools; and

- (b) must be the same distance in relation to all the schools of each type mentioned in subparagraph (a)(i) and (ii).
- (10) Where a school meets the criteria specified in paragraph (8)—
- (a) a year group weighting is determined as follows—
- (i) if A is less than $0.5 \times B$, the value of 1;
- (ii) if A is equal to or more than $0.5 \times B$, the value of $1 - ((A - (0.5 \times B)) / (0.5 \times B))$; and
- (b) a distance weighting is determined as follows—
- (i) if D is equal to or greater than C , the value of 1;
- (ii) if D is less than C but greater than $0.8 \times C$, the value of $1 - (C - D) / (0.2 \times C)$.
- (11) The final value is calculated by multiplying the year-group weighting, the distance weighting and the lump-sum funding for sparsity determined by the local authority.
- (12) For the purposes of paragraph (10)—
- A is the number which represents the mean size of a year group at the school (derived by dividing the number of pupils by the number of year groups);
- B is the number determined by the authority in accordance with paragraph (8)(b);
- C is the number determined by the authority in accordance with paragraph (8)(a);
- D is the number which represents the “sparsity distance” for the school, calculated by identifying all the pupils for whom the school is their closest compatible school and calculating the mean road distance from the home postcode of each of those pupils to that pupil’s second closest compatible school.
- (13) Where determining the year group weighting in accordance with paragraph (4)(a) or (10)(a) or the distance weighting in accordance with paragraph (4)(b) or (10)(b) would produce a result which, in the opinion of a local authority, is unfair or disproportionate, the authority may instead use either of the criteria specified in paragraph (14) (“the alternative criteria”) if—
- (a) the use of the alternative criteria is authorised by the local authority’s schools forum under regulation 12(1)(f) or the Secretary of State under regulation 12(3); and
- (b) the local authority uses the same criteria to calculate the year group weighting or the distance weighting for all schools which meet the criteria specified in paragraph (3), or as the case may be, paragraph (8).
- (14) The alternative criteria which may be used instead of those specified in paragraph (4) or (10) are—
- (a) that the year-group weighting is given either—
- (i) as a value of 1; or
- (ii) as a value of the amount $(1 - A/B)$;
- (b) that the distance weighting is given as a value of 1.
- (15) In this regulation—
- (a) “all-through schools” means those primary or secondary schools which pupils may join at an age between three and five years and remain until an age between 16 and 19 years⁽³⁾;
- (b) “closest compatible school” means, in respect of a pupil, the school meeting the description in paragraph (2), or as the case may be, paragraph (7)), which is the closest by road from the home postcode of the pupil and which admits pupils of the pupil’s age and sex, other than—

(3) An “all-through school” is also a middle school by virtue of section 5(3) and (3A) of the 1996 Act. Section 5(3) and (3A) of that Act were substituted by section 30 of, and paragraph 7 of Schedule 3 to, the 2006 Act.

- (i) a special school;
 - (ii) an alternative provision Academy;
 - (iii) a pupil referral unit; or
 - (iv) an independent school which is not an Academy school;
- (c) “second closest compatible school” means, in respect of a pupil, the school which is the closest by road from the home postcode of the pupil and which admits pupils of the pupil’s age and sex, other than—
- (i) a selective school;
 - (ii) a special school;
 - (iii) an alternative provision Academy;
 - (iv) a pupil referral unit; or
 - (v) an independent school which is not an Academy school; and
- (d) “selective school” means a school where all the pupils in the school are selected by ability or by aptitude.