

SCHEDULE 2

CLASSES OR DESCRIPTIONS OF PLANNED EXPENDITURE PRESCRIBED FOR THE PURPOSES OF THE SCHOOLS BUDGET OF A LOCAL AUTHORITY WHICH MAY BE DEDUCTED FROM IT TO DETERMINE THE INDIVIDUAL SCHOOLS BUDGET

PART 6

Items that may be removed from maintained schools' budget shares – primary and secondary schools

40. Expenditure (other than expenditure referred to in Schedule 1 or any other paragraph of this Schedule) incurred on services relating to the education of children with behavioural difficulties, and on other activities for the purpose of avoiding the exclusion of pupils from schools.

41. Expenditure on determining the eligibility of a pupil for free school meals.

42. Expenditure on making payments to, or in providing a temporary replacement for, a person on maternity, paternity, shared parental or adoption leave.

43. Expenditure on making payments to, or in providing a temporary replacement for, any person who is—

- (a) carrying out trade union duties or undergoing training under sections 168 and 168A of the Trade Union and Labour Relations (Consolidation) Act 1992⁽¹⁾;
- (b) taking part in trade union activities under section 170 of the Trade Union and Labour Relations (Consolidation) Act 1992;
- (c) performing public duties under section 50 of the Employment Rights Act 1996⁽²⁾;
- (d) undertaking jury service;
- (e) a safety representative under the Safety Representatives and Safety Committees Regulations 1977⁽³⁾;
- (f) a representative of employee safety under the Health and Safety (Consultation with Employees) Regulations 1996⁽⁴⁾;
- (g) an employee representative for the purposes of Chapter 2 of Part 4 of the Trade Union and Labour Relations (Consolidation) Act 1992, as defined in section 196 of that Act⁽⁵⁾ or regulation 13(3) of the Transfer of Undertakings (Protection of Employment) Regulations 2006⁽⁶⁾;
- (h) taking time off for ante-natal care under section 55 of the Employment Rights Act 1996;
- (i) undertaking duties as a member of the reserve forces as defined in section 1(2) of the Reserve Forces Act 1996⁽⁷⁾;
- (j) suspended from working at a school; or

(1) 1992 c. 52; section 168A was inserted by section 43 of the Employment Act 2002 (c. 22).

(2) 1996 c. 18.

(3) S.I. 1977/500, amended by section 1 of the Employment Rights (Dispute Resolution) Act 1998 (c. 8) and S.I. 1996/1513, 1999/860, 1999/2024, 1999/3242, 2005/1541, 2006/594, 2008/960, 2013/1471, 2014/431, 2014/469 and 2016/562.

(4) S.I. 1996/1513, amended by section 1 of the Employment Rights (Dispute Resolution) Act 1998 (c. 8) and S.I. 1999/3242, 2005/1541, 2013/1471 and 2014/431.

(5) Section 196 was substituted by S.I. 1995/2587 and amended by S.I. 1999/1925.

(6) S.I. 2006/246. Regulation 13 was amended by S.I. 2010/93 and 2014/16.

(7) 1996 c. 14.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (k) appointed as a learning representative of a trade union, in order for that person to analyse training requirements or to provide or promote training opportunities, and to carry out consultative or preparatory work in connection with such functions.
- 44. Expenditure on making payments to, or in providing a temporary replacement for, a person who is seconded on a full-time basis for three months or more other than to a local authority or the governing body of a school.
- 45. Expenditure on making payments to, or in providing a temporary replacement for, persons who have been continuously absent from work because of illness for 21 days or more.
- 46. Expenditure on insurance in respect of liability arising in connection with schools and school premises.
- 47. Expenditure on a risk protection arrangement.
- 48. Expenditure on services to schools provided by museums and galleries.
- 49. Expenditure on library services.
- 50. Expenditure on licence fees or subscriptions paid on behalf of schools.
- 51. Expenditure on the schools specific contingency.
- 52. Expenditure for the purposes of—
 - (a) improving the performance of under-performing pupils from minority ethnic groups; or
 - (b) meeting the specific needs of bilingual pupils.