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Guidance

PE and sport premium conditions of grant 2015 to 2016: local authorities and maintained schools

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1. Introduction

The primary PE and sport premium 2015 to 2016 ("the premium") will be paid by the Secretary of State for Education ("Secretary of State") to the local authority ("authority"). The authority will then distribute the premium to maintained schools in its area as stated in Section 14 of the Education Act 2002. In accordance with Section 16 of that Act, the Secretary of State lays down the following terms and conditions on which financial assistance is given in relation to the premium payable for the academic year 2015 to 2016.

The premium for the 2015 to 2016 academic year is paid in 2 instalments from the Secretary of State to the authority as follows:

Financial year	2015 to 2016 academic year:	Payment date
2015 to 2016	September 2015 to March 2016	29 October 2015
2016 to 2017	April to August 2016	29 April 2016

2. Purpose of the premium

The premium must be used to fund additional and sustainable improvements to the provision of PE and sport, for the benefit of primary-aged pupils, in the 2015 to 2016 academic year, to encourage the development of healthy, active lifestyles. Information on how much PE and sport premium funding primary schools receive and advice on how to spend it (<https://www.gov.uk/guidance/pe-and-sport-premium-for-primary-schools>) has been published.

3. Basis of allocation

Allocations for the academic year 2015 to 2016 are calculated using the number of pupils in years 1 to 6, as recorded in the January 2015 census, as follows:

- schools with 17 or more pupils receive £8,000 plus £5 per pupil
- schools with 16 or fewer pupils receive £500 per pupil

Where a schools' pupils are not recorded by year group, pupils aged 5 to 10 are deemed eligible.

In the case of a school which has opened or is due to open during the 2015 to 2016 academic year, the above formula will apply based on pupils recorded on the autumn 2015 school census. Allocations for such schools will be paid by 31 January 2016 (first instalment) and on 30 April 2016 (second instalment).

The allocations for each school in the authority will be published in October 2015 and will include schools that were maintained schools at 1 September 2015. Academies will receive the premium directly from the Education Funding Agency (EFA).

Authorities should not pay the premium to academies that converted on or by 1 September 2015, as they will receive their funding directly from the EFA.

Schools that convert to academies from 1 September 2015 up to and including 1 April 2016 will be paid the April to August 2016 element of the academic year allocation direct from the EFA on 1 May 2016.

The premium must be made available by the authority to the school irrespective of the existence of any deficit relating to the expenditure of the school's budget share. The premium is not part of schools' budget shares and is not part of the individual schools budget. It is not to be counted for the purpose of calculating the minimum funding guarantee.

4. Terms on which the premium is allocated to schools

Local authorities must pass the premium to maintained schools within one month of receipt, and must require that maintained schools comply with the conditions set out below.

The premium must be spent by schools on making additional and sustainable improvements to the provision of PE and sport for the benefit of all pupils to encourage the development of healthy, active lifestyles. The Secretary of State does not consider the following expenditure as falling within the scope of additional or sustainable improvement:

- employing coaches or specialist teachers to cover planning preparation and assessment (PPA) arrangements (<https://www.gov.uk/government/publications/school-teachers-pay-and-conditions-2015>) - these should come out of schools' core staffing budgets
- teaching the minimum requirements of the national curriculum PE programmes of study - including those specified for swimming

Maintained schools, including those that convert to academies, must publish information about their use of the premium on their website by 4 April 2016. Schools should publish the amount of premium received; a full breakdown of how it has been spent (or will be spent); what impact the school has seen on pupils' PE and sport participation and attainment and how the improvements will be sustainable in the future. Schools should also consider how their use of the premium is giving pupils the opportunity to develop a healthy, active lifestyle.

5. Certification

Local authorities will be required to certify that they have passed on the correct amount of funding to schools and, where funding has been spent, that it has been spent in line with the conditions set out above.

6. Variation

The basis for allocation of the premium may be varied by the Secretary of State from those set out above, if so requested by the authority or at the discretion of the Secretary of State.

7. Other conditions

If the authority or a school fails to comply with the conditions set out in the paragraphs above, including but not limited to a school misusing the premium, the Secretary of State may require the repayment of the whole or any part of the premium paid to the authority or the withholding of subsequent instalments of the premium. This will be notified in writing to the authority and/or school and any such sum that has been notified shall immediately become payable by the authority to the Secretary of State or be withheld from subsequent instalments.

8. Overpayments

Any overpayment of the premium shall be immediately repaid by the authority to the Secretary of State.

9. Further information

The books and other documents and records relating to the recipient's accounts (for the purposes of this grant "recipient" is the authority and/or school) shall be open to inspection by the Secretary of State and by the Comptroller and Auditor General. The Comptroller and Auditor General may, pursuant to Section 6 of the National Audit Act 1983, carry out examinations into the economy, efficiency and effectiveness with which the recipient has used its resources in discharging its grant-aided activities.

The authority or school shall provide such further information as may be required by the Secretary of State for the purpose of determining whether, or to what extent, it has complied with the conditions set out in this document. Failure to provide this information may result in the Secretary of State requiring repayment of the whole or any part of the premium paid to the authority or the withholding of subsequent instalments of the premium.