



Department
for Education

Capital grant determination (non-ringfenced)

Basic need grant determination (2022): No 31/5897

The Minister of State for Education (“the Minister of State”), in exercise of the powers conferred by section 31 of the Local Government Act 2003, makes the following determination:

Citation

- 1) This determination may be cited as the Basic Need Grant Determination (2022) No. 31/5897.

Purpose of the grant

- 2) The purpose of the grant is to provide support to local authorities in England towards expenditure lawfully incurred or to be incurred by them.

Determination

- 3) The Minister of State determines as the authorities to which grant is to be paid and the amount of grant to be paid, the authorities and the amounts set out in Annex A.

Grant conditions

- 4) Pursuant to section 31(3) and 31(4) of the Local Government Act 2003, the Minister of State determines that the grant will be paid subject to the conditions in Annex B.

Treasury consent

- 5) Before making this determination in relation to local authorities in England, the Minister of State obtained the consent of the Treasury.

Signed by authority of the Minister of State for Education

Tony Foot, Strategic Finance Director

Published: March 2022

ANNEX A

Basic need allocations for 2022-23 can be found published at <https://www.gov.uk/government/publications/basic-need-allocations>.

ANNEX B

General Conditions of Grant

1. Grant paid to a local authority under this determination may be used only for the purposes that a capital receipt may be used for in accordance with regulations made under section 11 of the Local Government Act 2003.
2. The Chief Executive and Chief Internal Auditor of each of the recipient authorities are required to sign and return to Capital Funding Team within Capital Group of the Department for Education a declaration, as part of the outturn statement to be received no later than the date communicated by the team, in the following terms:

“To the best of our knowledge and belief, and having carried out appropriate investigations and checks, in our opinion, in all significant respects, the conditions attached to the Basic Need Grant Determination No. 31/5897 have been complied with”.
3. If an authority fails to comply with any of the conditions and requirements of paragraphs 1 and 2, the Minister of State may-
 - a. reduce, suspend or withhold grant; or
 - b. by notification in writing to the authority, require the repayment of the whole or any part of the grant.
4. Any sum notified by the Minister of State under paragraph 3(b) shall immediately become repayable to the Minister.

Conditions relating to efficiency of spend

5. A local authority should seek to ensure funding paid out under this grant is spent efficiently. To which end, it should thoroughly evaluate all procurement options for school projects – including the DfE construction frameworks and output specification – to demonstrate value for money. A local authority should encourage academy trusts and other responsible bodies to do the same, should they procure a construction project directly.
6. A local authority may be required to provide such information as reasonably requested by the Secretary of State, relating to expenditure on school places and the procurement options appraisal conducted.