

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Children, Young People and Education

LEAD OFFICERS: Director of Children's Services & Education

DATE: Thursday, 10 September 2020

PORTFOLIO(S) AFFECTED: Children, Young People and Education

WARD/S AFFECTED: (All Wards);

KEY DECISION: Y

SUBJECT:

Schools Capital Programme 2020-2021

1. EXECUTIVE SUMMARY

To present for consideration and approval the capital programme for Schools and Education for 2020-2021 academic year as detailed within this report.

2. RECOMMENDATIONS

That the Executive Board:

1: Approves the attached list of projects as detailed in Appendix 1 & 2 for inclusion in the 2020-2021 Schools and Education capital programme funded from Basic Need, School Condition Allocation, Devolved Formula Capital, Healthy Pupil Capital Fund and SEN Capital Fund.

2: Approves a change to the schools capital programme reporting in line with school academic year.

3: Authorises officers to procure works in accordance with the Contracts Procedure Rules as written in the Council's Constitution.

4: Approves expenditure to be incurred on individual projects, in line with the Council's Standing Financial Instructions.

5: Notes that reports will be provided for the Executive Member detailing any variations/amendments to programmes of work and seeking necessary approvals where these are required to ensure compliance with financial instructions and the Constitution.

3. BACKGROUND

Since 2002 - 2003 the Council has received a base line of capital funding from Government to meet the responsibilities placed upon it by the Education Acts and the School Standards and Framework Act.

Capital investment is targeted in the first instance at concerns relating to the condition of school buildings, as highlighted through individual schools asset management plans. Funding can however also be used to make environmental improvements that will enhance teaching and

learning spaces, and can also be used to address schools capacity issues. This base line investment has enabled the Council to meet its responsibilities and national and local priorities on a continuing basis and ensure schools remain fit for purpose and that there are enough places to meet demand.

4. KEY ISSUES & RISKS

Details of proposed capital programmes and associated costs for 2020-2021 academic year are contained in Appendix 2.

In respect of maintained local authority schools (Community & Voluntary Controlled Schools), the School Condition Allocation (SCA), Devolved Formula Capital (DFC) and Special Education Needs grant are £882,965, £214,891 and £166,667 respectively. In addition, a carry forward of £2,912,833 from the 2019 - 2020 financial period brings the total available budget to £4,177,356. The available budget will be directly managed through the Schools and Education portfolio. In addition the Local Authority has been allocated a further £2,831,625 for 2021/22 of Basic Need funding based on the requirement to increase the sufficiency of school places. Work within the Autumn term 2020, will determine the areas of the borough that require additional school places and how this funding should be used. Proposals for increasing school places will be reported through the Executive Board at a future date.

The Schools and Education capital programme is driven by capital priorities raised from the Condition, Suitability and Sufficiency sections of individual school's asset management plans (AMP's), which are inclusive of information derived from compliance condition/audit reports e.g. asbestos surveys, legionella reports. In addition, the boroughs information on pupil place sufficiency is used to understand the demand for any required school place growth.

The budgets which will be available in 2020 - 2021 academic year for capital improvement works in the authority's schools (Appendix 1), can be categorised into 2 areas:-

1. Directly Managed

Projects, irrespective of whether internally or externally funded, that are managed by officers from Blackburn with Darwen's Building Consultancy Team.

2. Indirectly Managed

In all cases, officers keep an overview on the individual projects in partnership with other parties i.e. Diocesan Authorities.

The proposed 2020/21 capital programme relates to the Council's responsibilities in community controlled and voluntary controlled schools as part of the Fair Funding of Schools Regulations. Within the context of these regulations, as set out in the authority's scheme of financial delegation for schools, the Council retains the responsibility for "capital" improvements valued over £10,000 in all schools. The programme to address this work is collectively known as the annual Planned Improvement Programme, (PIP).

The programme for the 2020/21 academic year includes a small number of new schemes alongside requests for variations on budgets for existing live schemes following feasibility works and in some cases changes to scopes of work.

From inception to completion the capital programme is closely monitored by officers from the Council's Building Consultancy Team, Finance Team and Schools and Education team against agreed key performance indicators (KPI's) representing measures of quality, cost and timescale. In previous years the schools capital programme has been presented to the Executive Board in the Spring term of each year, in preparation for commencement of the programme in the Summer

term. This timescale, given that many of the projects are high cost and require intense planning and preparation has proved challenging to execute. It is proposed that the reporting timescales are amended to fit more succinctly with the school's academic year. The benefits of this amendment include:

- Greater clarity on available budget (The budget allocation for the School Condition Grant is not informed to the LA until May of each year, and the budget for Devolved Formula Capital in July of each year).
- Longer lead in time to prepare for larger scale works that need to be undertaken in school summer holiday periods
- Improved procurement opportunities, with an ability to give longer tender timescales and potential to drive down/negotiate costs
- Increased potential to attract more contractors to tender for works (By Easter of each year, the majority of contractors available for work during the summer months have already been secured)

Schools Condition/Basic Need Funding

The capital programme compiled for 2020 - 2021 (Appendix 2) reflects needs in schools, which have been identified through each school's AMP (Asset Management Plan). By drawing the programme of works from the school's AMP's, we endeavour to adopt an equitable, transparent and fair approach to all. Officers from the Building Consultancy Team have visited schools to discuss priorities with schools and ensure AMP's accurately reflect the needs of the school.

The main priorities within the programme relate to:-

1. Compliance with legislation
2. Ensuring buildings are wind and water tight, and able to provide a safe, warm environment for pupils and staff.
3. Correction of suitability issues to provide a building which is fit for purpose.
4. Enhanced teaching and learning spaces
5. Provision of sufficient pupil places
6. Improving accessibility and choice

Where possible, schemes have been developed to manage a number of the above issues at the same time, so as to generate economies of scale and limit as far as possible disturbance for schools.

In line with previous years, schools benefiting from the programme will be expected to contribute to any capital works from either Devolved Formula Capital (DFC), or school reserves. A contribution is required to ensure that the School Condition Allocation funding is spread as far as possible and used in schools that have a commitment to working in partnership with the Council to improve their school buildings. Typically, schools are asked to contribute 10% of the total cost of the scheme. However, for those schemes that are of a high value (where a 10% contribution would be greater than the amount a school is able to retain and/or the school has no other means of funding), schools will be asked to contribute up to 3 years' worth of their allocated Devolved Formula Capital (DFC).

An allocation of £100k from the 2020/21 Schools Condition Allocation is proposed to address any unforeseen emergency works, including those that compromise health & safety and/or safeguarding regulations. Any works not on the initial planned programme that require urgent attention and funding through this contingency will be reported retrospectively to the Executive board. In 2019/20, £30k of the £100k contingency allocation was allocated to support an urgent project at Turncroft Nursery School (£30k – heating system).

Due to the number of larger school capital projects that are currently ongoing and the potential for other large scale projects to support school sufficiency going forward, the number of newly identified projects for the 2020/21 capital programme (Appendix 2) have been kept to those that

are required to fulfil health & safety compliance, safeguarding compliance, school sufficiency and/or the provision of disabled facilities.

SEND Capital

A further source of capital funding allocated to the Council is the Special Provision Capital Fund, which must be used to improve provision for children and young people with education, health and care plans (EHC plans). The capital funding guidance specifies that the allocation can only be used on physical infrastructure developments and that any expansion to existing provision must be at a setting that is rated good or outstanding by Ofsted.

An independent review of high needs education provision, commissioned by the Council, involved a programme of consultation with all key stakeholders including schools and families. A key focus of this consultation was how the Special Provision Capital Fund should be used. The consultation highlighted a significant need to increase provision for children with Social, Emotional and Mental Health needs (SEMH). It had previously been approved (Executive Board 2019/20) to use this funding to support expansions of specialist provision at both St Cuthbert's Primary School, Darwen and Blackburn Central High School with Crosshill Special School:

- The project at St Cuthberts will commence on site Summer 2020. Tender returns against the scheme require a budget increase of £105k (from £180k to £285k) £70k of this required increase will be funded from the SEND capital budget, with the remaining balance of £35k funded from the Schools Condition budget.
- The project at Crosshill School has been reviewed in light of a lease arrangement between the LA and The Champion Trust for the purpose of relocating Crosshill School from its existing location to The Sunnyhurst Centre, Darwen, pending refurbishment. This will provide for an increased number of specialist places at Crosshill whilst also enabling BCHS to expand provision into the existing Crosshill School accommodation providing an increased number of secondary school places, which are currently in great demand. The funding allocated to Crosshill School (£300k) requires an uplift of £58,837 which will be used to support refurbishment costs at The Sunnyhurst Centre alongside investment from The Champion Trust.

The feasibility of increasing specialist provision at a Blackburn based Primary school has also been considered and it is proposed to extend provision at Shadsworth Infant School for the purpose of providing increased specialist places for children aged 4 – 11 years. Early estimates suggest a required budget allocation of £260k, of which £240k will be ring-fenced from the SEND capital budget and the remainder of £20k funded from the Schools Condition grant.

5. POLICY IMPLICATIONS

National Policy Context

The Council has responsibility to ensure that all allocated funding for maintained sector schools is used in accordance with the associated grant terms and conditions.

Performance Implications

The capital programme, made up of individual projects, will be closely monitored against agreed performance indicators representing measures of quality, cost and timescale.

6. FINANCIAL IMPLICATIONS

In respect of the local authority maintained schools sector, 2020- 2021 capital funding is detailed in appendix 1.

The proposed capital programme for the Schools and Education portfolio is attached at Appendix 2.

7. LEGAL IMPLICATIONS

The report has been compiled with regard to the Council's Constitution, in particular the Financial Procedural Rules and the Contract Procedure Rules. All procurement and contract activity in connection with this programme must be carried out in accordance with the relevant parts of the constitution and legislation.

All contracts prepared in relation to the programme must be in conjunction with Legal Services/CAPS team.

8. RESOURCE IMPLICATIONS

Resource requirements for managing and coordinating the capital programme will be met from within the current Building Consultancy structure and Schools and Education leadership.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision.

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision.

10. CONSULTATIONS

Officers from the Building Consultancy Team have visited schools to discuss priorities and ensure AMP's accurately reflect the needs of the school.

The Special Provision Capital Fund programme has been prepared in consultation with families, schools and broader education stakeholders.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

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DATE:	03 August 2020
BACKGROUND PAPER:	Appendix 1a– Schools and Education capital programme 2020 - 2021, budget allocations Appendix 1b – School and Education capital programme 2020 - 2021, existing live projects and new proposed projects