



EXECUTIVE BOARD DECISION

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

LEAD OFFICERS: Director of Children's Services

DATE: 7 February 2019

PORTFOLIO/S AFFECTED: Children, Young People & Education

WARD/S AFFECTED: All

KEY DECISION: YES NO

SUBJECT: Schools Capital Programme 2019-2020

1. EXECUTIVE SUMMARY

To present for consideration and approval the capital programme for Schools and Education for 2019-2020 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 2019 -2020 Schools and Education capital programme funded from Basic Need, School Condition Allocation, Devolved Formula Capital, Healthy Pupil Capital Fund and SEN Capital Fund.

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

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

4: Notes that regular 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 typically 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.

4. KEY ISSUES & RISKS

Details of proposed capital programmes and associated costs for 2019 - 2020 are contained in Appendix 2.

In respect of maintained local authority schools, the School Condition Allocation (SCA), Devolved Formula Capital (DFC) and Special Education Needs grant indicative figures are £964,900, £241,384 and £515,504 respectively. In addition, an estimated carry forward of £3,422,278 from the 2018 - 2019 financial period brings the total available budget to £5,144,066. The available budget will be directly managed through the Schools and Education portfolio.

For voluntary aided schools, the SCA and DFC funding amounts to £834,194 and £218,026 a total of £1,052,220, which is allocated directly to School Governing Bodies.

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).

The budgets which will be available in 2019 - 2020 (Appendix 1), for capital improvement works in the authority's schools, can be categorised into 2 areas:-

1. Directly Managed

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

2. Indirectly Managed

Projects associated to Voluntary Controlled (VC) Schools, where funding has been devolved directly to schools, and also projects associated to Voluntary Aided (VA) Schools where the funding has been given to the Council and then devolved to the appropriate VA diocese.

In all cases, officers keep an overview on the individual projects whilst at the same time, monitor and where necessary manage, the overall budget in partnership with other parties i.e. Diocesan Authorities.

The proposed 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).

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.

The capital programme compiled for 2019 - 2020 (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 in their DFC allocations), schools will be asked to contribute up to 3 years' worth of their allocated Devolved Formula Capital (DFC).

An allocation of £100k from the 2019/20 Schools Condition Allocation will be retained as a contingency fund to address any unforeseen emergency works, including those that compromise health & safety and/or safeguarding regulations.

In the 2018-2019 financial period, the Council received one off grant funding from the DfE in the form of The Healthy Pupil Capital Fund (HPCF). This funding is in addition to the SCA and DFC allocations. The Council has been allocated £89,000 of HPCF. This funding must be used to improve children's and young people's physical and mental health by improving and increasing availability to facilities for physical activity, healthy eating, mental health and wellbeing and medical conditions. For example; teaching and catering kitchens, dining spaces, to include seating and tables, playgrounds and active play spaces, such as resurfacing, climbing walls or multi-use sports panels.

As detailed in Appendix 2, the Council has schemes planned for 2019- 2020 to refurbish two school kitchens. It is intended to use the HPCF for these planned schemes which will release funding from the school condition allocation to benefit other schools.

A further source of capital funding allocated to the Council is the Special Provision Capital Fund which is a 3 year funding allocation totalling £848,558. This funding must be used to improve provision for children and young people with education, health and care plans (EHC plans). Funding is only secured once it can be demonstrated that the proposals have been developed in full consultation with families, alongside broader stakeholder engagement.

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 is proposed that the Council expands existing school provision to provide specialist support at St Cuthbert's Primary School, Darwen and Blackburn Central High School with Crosshill Special School (see appendix 2).

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, indicative 2019- 2020 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. Where appropriate please include the hyperlink to the EIA.

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. *(insert EIA link here)*

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. *(insert EIA attachment)*

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.

The proposed programme will be shared with schools forum, governing bodies and diocesan bodies following Executive Board approval.

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.

VERSION:	1.0
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CONTACT OFFICER:	Carol Grimshaw – Service Lead, Access to Learning
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DATE:	7 February 2019
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BACKGROUND PAPER:	Appendix 1 – Schools and Education capital programme 2019 - 2020 , indicative budget allocations Appendix 2 – School and Education 2019 - 2020, existing live projects and new proposed projects Appendix 3 – Details of schemes to be carried out in the 2019/20 period
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