

# Decision Pathway – Report Template



**PURPOSE:** Key decision

**MEETING:** Cabinet

**DATE:** 02 July 2019

<b>TITLE</b>	Education Capital Programme – SEND Capital Proposals		
<b>Ward(s)</b>	All		
<b>Author:</b> James Anderson	<b>Job title:</b> Programme Manager		
<b>Cabinet lead:</b> Cllr Keen	<b>Executive Director lead:</b> Jacqui Jenson/Colin Molton		
<b>Proposal origin:</b> <i>Councillor</i>			
<b>Decision maker:</b> Mayor			
<b>Decision forum:</b> <i>Cabinet</i>			
<b>Purpose of Report:</b> Report for information and to approve next steps in education capital programme.			
<b>Evidence Base:</b>			
<p><b>SEND Sufficiency</b> –Population increases and increasing complexity of need mean that special schools are approaching capacity. Once full the council will rely on Independent Non Maintained (INM) settings to deliver its statutory duty, INM settings are not regulated by the Authority and at higher cost than locally provided services. A compounding issue is some key SEND school buildings are falling into disrepair and becoming at risk to failure and possible future unavailability without significant investment. Consequences of both these issues include the impact on the pupil’s quality of experience, pupils travelling greater distances and increased commissioning costs as more out of city places are purchased.</p> <p>Appendix A1 – SEND Capacity and projection data demonstrate that the need for places is in excess of current capacity  Appendix A2 – SEND Strategic Approach to provision  Appendix A3 – Condition Review of key SEND Buildings</p> <p>The Council has</p> <ul style="list-style-type: none"> <li>• £11,415m unallocated basic need grant funding available.</li> <li>• £1,406m SEND grant funding for Elmfield &amp; Claremont Schools</li> <li>• £2,057m Education Condition Grant (to be added to the education capital programme)</li> </ul> <p><b>Projects to mitigate the issues</b> - A number of key projects have been identified and prioritised based on delivering the required additional places, and protecting existing capacity from unavailability. Projects 1 &amp; 2 are deliverable within the capital grant funding total we have available. Project 3 is not fully funded but requires significant feasibility study work in order to identify project details. A proposal will be developed to be seen by Cabinet in 2020. Additional grant funding from the Department for Education and possible capital receipt will be considered to bridge the funding gap.</p> <ol style="list-style-type: none"> <li>1. Kingsweston Special School – The KEEP</li> <li>2. KnowleDGE Sixth Form and 11-16 expansion</li> <li>3. Claremont and Elmfield – Address Condition Issues</li> </ol> <p>Appendix A4 – Priority projects, outlines the proposed allocation of capital to best ensure adequate and sustainable new places for children with SEND are provided. It also identifies potential future projects.</p>			

Complexity in how the SEND environment and Council policy develops means that regular reviews on need must be undertaken. Factors such as reducing the number of young people with EHCP's in Alternative Learning Provision and ensuring they have appropriate places means that continued partnership working with key stakeholders around projections and place planning is essential. More work is required to model the potential changes needed over the next 10 years. A review of these projections and recommendations and an updated strategic capital approach will be developed. It is anticipated that specific cabinet reports considering Alternative Learning Provision and Special School Capacity will be placed on the forward plan in 2019.

**Cabinet Member / Officer Recommendations:**

That Cabinet approve the allocation of:

1. £2,057,009 condition grant funding to education capital budget. This is recent grant funding ring fenced to management of building condition in the education estate
2. £3,822,386 (basic need grant funding) Kingsweston Special School – The KEEP. To make permanent critical complex special needs provision in order to prevent high cost independent non-maintained placements for the most vulnerable young people in the city.
3. £7,179,121 (basic need grant funding) KnowlDGE 6<sup>th</sup> Form. To develop a 6<sup>th</sup> form block allowing decant of post 16 pupils and an increase of 40 pupils in the 11-16 age group for those with SEMH and ASD.
4. £200,000 (SEND grant funding) Claremont and Elmfield, to develop and consult on more detailed options for managing the buildings deteriorating condition. This will allow a return to cabinet once detailed proposals and funding has been identified.
5. Delegate authority to the Service Director, Education, Learning & Skills in consultation with the Cabinet Member for Education to take all necessary steps to procure and award the contracts for 2 and 3 above
6. Cabinet notes the possibility that a future solution for the condition issues at Elmfield and Claremont may require a contribution from capital receipts, beyond the available capital grant funding.
7. Cabinet notes review of SEND projections and strategic capital recommendations will be included on the forward plan in 2019/2020.

**Corporate Strategy alignment:** Corporate Strategy 2018-2023 Theme 2 - Improve educational outcomes and reduce educational inequality, whilst ensuring there are enough school places to meet demand and a transparent admissions process.

**City Benefits:**

Statutory – The proposals will help ensure the council fulfils its statutory obligations to ensure enough places are available

Equalities – Additional places for special schools ensures that admissions equality and parental choice will improve

Sustainability – Creation of the correct school provision in the SEN sector will help provide a more sustainable commissioning environment and protect against inflated out of county placements. All projects will comply with council sustainability policy and core strategy requirements.

**Consultation Details:** Bristol Integrated Education Capital Strategy was consulted on and went through scrutiny. These proposals are designed to deliver the strategic objectives identified in that document as well as the current corporate strategy 2018-23 and business plan 18/19

<b>Revenue Cost</b>	<b>£0</b>	<b>Source of Revenue Funding</b>	N/A
<b>Capital Cost</b>	<b>£11,201,507</b>	<b>Source of Capital Funding</b>	Basic Need & SEND Grant Funding
<b>One off cost</b> <input checked="" type="checkbox"/>	<b>Ongoing cost</b> <input type="checkbox"/>	<b>Saving Proposal</b> <input type="checkbox"/>	<b>Income generation proposal</b> <input type="checkbox"/>

**Required information to be completed by Financial/Legal/ICT/ HR partners:**

**1. Finance Advice:** The recommendations identify four priorities and projects for immediate use of Education Capital resources, set out in the table below.

Priority / Project	Planned Spend 2019/20 £m	Planned Spend 2020/21 £m	Planned Spend 2021/22 £m	Total £m

Priority school condition issues				£2.057m
Kingsweston School – The KEEP				£3.822m
KnowleDGE 6 <sup>th</sup> Form				£7.179m
Enabling works Claremont and Elmfield				£1.406m
<b>TOTAL BUDGET</b>				<b>£14.464m</b>
Funded from				
Basic Need Grant				£11.415m
SEND Capital Grant				£1.406m
Education Condition Grant				£2.057m
<b>TOTAL FUNDING</b>				<b>£14.878m</b>
Total unallocated				£0.414m

The background to the projects at KnowleDGE, Kingsweston and Claremont& Elmfield are set out in Appendix A4.

**Finance Business Partner:** David Tulley - Interim Finance Business Partner, comment provided on 30<sup>th</sup> May 2019.

**2. Legal Advice:** The recommendations seek approval to spend significant sums, above the key decision threshold, on a variety of projects relating to special needs provision. At this time in respect of Recommendation 1 there is no specific project identified and authority is sought for the Executive Director to use this funding on condition/maintenance works as the need arises. This could involve individual spends in excess of the key decision threshold without further reference to cabinet, but with the involvement of the cabinet member as per recommendation 7. All procurements will need to comply with the Procurement Regulations and the Councils own procurement rules.

**Legal Team Leader:** Eric Andrews, Team Leader, Legal Services, comment provided on 30<sup>th</sup> May 2019.

**3. Implications on ICT:** There are no directly identifiable IT Implications arising from this report; however, some of the initiatives it contains may require IT provision. These will need to be addressed and incorporated within CLB prioritisation at the appropriate time

**ICT Team Leader:** Ian Gale - Head of ICT, comment provided on 30<sup>th</sup> May 2019.

**4. HR Advice:** The report is regarding the expenditure of capital in relation to the SEND educational priorities and as such does not have any HR implications.

**HR Partner:** Lorna Laing, People & Culture HR Business Partner – Adults, Children & Education, comment provided on 24<sup>th</sup> May 2019.

<b>EDM Sign-off</b>	Jacqui Jenson	29/05/19
<b>Cabinet Member sign-off</b>	Cllr Keen	04/06/19
<b>For Key Decisions - Mayor's Office sign-off</b>	Mayor's Office	03/019

<b>Appendix A – Further essential background / detail on the proposal</b> Appendix A1 – SEND Capacity and projection data demonstrate that the need for places is in excess of current capacity Appendix A2 – SEND Strategic Approach to provision Appendix A3 – Condition Review of key SEND Buildings Appendix A4 – Priority projects outlines the proposed allocation of capital to best ensure adequate and sustainable new places for children with SEND are provided.	<b>YES</b>
<b>Appendix B – Details of consultation carried out - internal and external</b>	<b>NO</b>
<b>Appendix C – Summary of any engagement with scrutiny</b>	<b>NO</b>

<b>Appendix D – Risk assessment</b>	<b>YES</b>
<b>Appendix E – Equalities screening / impact assessment of proposal</b>	<b>YES</b>
<b>Appendix F – Eco-impact screening/ impact assessment of proposal</b>	<b>NO</b>
<b>Appendix G – Financial Advice</b>	<b>NO</b>
<b>Appendix H – Legal Advice</b>	<b>NO</b>
<b>Appendix I – Combined Background papers</b> <i>Children’s and Families Act 2014</i> <a href="http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted">http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted</a>  <i>SEND Code of Practice 2015 (Stat Guidance)</i> <a href="https://www.gov.uk/government/publications/send-code-of-practice-0-to-25">https://www.gov.uk/government/publications/send-code-of-practice-0-to-25</a>  <i>Equalities Act</i> <a href="https://www.legislation.gov.uk/ukpga/2010/15/contents">https://www.legislation.gov.uk/ukpga/2010/15/contents</a>	
<b>Appendix J – Exempt Information</b>	<b>NO</b>
<b>Appendix K – HR advice</b>	<b>NO</b>
<b>Appendix L – ICT</b>	<b>NO</b>