

Decision Pathway – Report



PURPOSE: Key decision

MEETING: Cabinet

DATE: 18 January 2022

TITLE	Education Capital – Budget Allocation		
Ward(s)	Multiple Wards Across the City		
Author: James Anderson	Job title: Head of Capital Projects		
Cabinet lead: Councillor Asher Craig	Executive Director lead: Hugh Evans		
Proposal origin: BCC Staff			
Decision maker: Cabinet Member Decision forum: Cabinet			
Purpose of Report: <ol style="list-style-type: none">To approve the acceptance, the allocation to specific projects, and the spend of capital grant from the Department of Education (DfE). The grant will deliver additional school capacity in order for the council to continue to meet its statutory obligation and help ensure sufficient mainstream and Special Education Needs and Disabilities (SEND) school places are available in the city.			
Evidence Base: <ol style="list-style-type: none">The Council receives Basic Need Grant funding and Maintenance Grant Funding from the Department for Education. This capital is provided to allow the Council the ability to work with schools to create additional school places where required and undertake essential buildings maintenance when needed.Two new secondary Free Schools have been approved for opening in the city under the Free Schools Programme. The timely opening of these schools is essential to support the Council in securing sufficiency of mainstream school places. The new school located near the Enterprise Zone has been significantly delayed already. The DfE are indicating that the earliest the school could open is September 2023. The DfE have also informed the Council the new school for the South of the city is delayed by one year to 2024 and that an opening in 2023 would require temporary accommodation.In response to these delays the Council has worked with existing schools across the city to identify where additional temporary capacity can be secured to meet the projected year 7 application numbers for 2022/23 and what capital interventions are required to make them feasible. This paper [appendices A1) identifies the projects and resource needed to secure the additional capacity.In July 2020 Cabinet approved programme of works to create additional capacity within the Special Education Needs estate to deliver sustainable sufficiency of places as much as possible within Bristol and dramatically improve parts of the existing estate to create a better accommodation for young people with special needs.Full capital funding was not available to allocate to all the projects in the SEND programme in 2020. The Council has secured new capital grant funding in the sum of £5.04m for the SEND projects. This report is now able to add additional capital to projects that were not previously funded but had been approved subject to funding being secured (Appendix A1) and which together now comprise the current Special Educational Needs and Disability Capital Programme.The volatile construction market has also resulted in a final cost approximately 8% higher than estimated after Outline Business Case for the Elmfield School relocation project. This decision will ensure that the project is resourced sufficiently to proceed in the current market conditions.New capital funding is due to be announced for the council in spring 2022. A 2nd wave of SEND projects will be considered once the quantum of new grant is known. Existing partially funded projects and other strategic priorities will be jointly considered for allocation of new capital grant with a new cabinet paper anticipated by June 22.			
Cabinet Member / Officer Recommendations: <ol style="list-style-type: none">Authorises Executive Director for People in consultation with Deputy Mayor with responsibility for Children's Services,			

Education and Equalities to accept, allocate and spend the grant funding from the Department for Education, and procure and award the contract(s) necessary for the implementation of the projects in Appendix 1 (as part of the Education Capital Programme) in-line with the maximum budget envelope outlined in this report and without further reference to cabinet.

Corporate Strategy alignment:

1. Theme 2 - Improve educational outcomes and reduce educational inequality, whilst ensuring there are enough school places to meet demand and a transparent admissions process.
2. The decisions proposed in this paper will support the Councils ability to ensure sufficient school places are available both mainstream and specialist to meet demand in the city. The decision to invest will also support education providers and council officers in improving educational outcomes and reducing inequality through providing high quality education environments in areas of need and for young people starting from a disadvantaged position.

City Benefits:

1. New and refurbished buildings to provide high quality learning environments for vulnerable children and young adults. The buildings will be designed specifically to meet SEND teaching needs, with much improved SEND facilities.
2. Modern, energy efficient buildings designed to current standards in compliance with the BCC Core Strategy and Climate Change Practice notes, including the use of 20% renewables.
3. Schools designed to suit the local urban environments with enhanced place-making and well considered landscaping designs.
4. Increase in Social Value opportunities during the design and construction and buildings in use.

Consultation Details:

1. Scrutiny Member update.
2. Department for Education and Regional Schools Commissioner.
3. Sufficiency issues - City leaders and education sector – 9th March 2020.
4. Consultation with Elmfield & Claremont Schools and the City of Bristol College to ascertain the brief and develop outline feasibility.
5. Full and active consultation has been carried out regarding SEND projects with all schools, the City of Bristol College, parents, pupils, communities and all other stakeholders.

Background Documents:

Children’s and Families Act 2014

<http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>

SEND Code of Practice 2015 (Stat Guidance)

<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

Equalities Act

<https://www.legislation.gov.uk/ukpga/2010/15/contents>

The Academies Act 2010

[Academies Act 2010 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2010/25/contents)

Revenue Cost	£0	Source of Revenue Funding	N/A
Capital Cost	£12.04m	Source of Capital Funding	£1m - 2021/22 School Condition Grant Allocation £1.84m - 2021/22 DfE High Needs Capital £9.2m - 2022/23 DfE Basic Need
One off cost <input checked="" type="checkbox"/>	Ongoing cost <input type="checkbox"/>	Saving Proposal <input type="checkbox"/>	Income generation proposal <input type="checkbox"/>

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

1. Finance Advice: This report seeks to approve the acceptance, allocation and the spend of capital grant from the Department of Education (DFE). The grant will deliver additional school capacity in order for the council to continue to meet its statutory obligation and help ensure sufficient mainstream and Special Education Needs and Disabilities (SEND) school places are available in the city. The expenditure proposals set out in the report and Appendix A1 indicate how the £12.04m budget envelope will be deployed across schemes. The funding needs to be profiled and a contingency amount is recommended given the current volatility of the construction market and cost escalations currently being experienced.

Finance Business Partner: Denise Hunt, Finance Business Partner, 19 th November 2021		
2. Legal Advice: Procurement of all contracts (goods, works and services) required to deliver the programme will need to comply with the Public Contracts Regulations and the councils own procurement rules. It is likely that many of these contracts will exceed the key decision threshold and the authority requested is to nonetheless permit procurement without further reference to Cabinet.		
Legal Team Leader: Eric Andrews, Legal Services 26 th November 2021 & Husinara Jones Legal Services, 4 th January 2022.		
3. Implications on IT: We would need a Solution Architect involved as early as possible to ensure the new technology aligns with our internal systems and strategy. Where support is needed, IT Service Transition will need to be involved.		
IT Team Leader: Iain Godding, Head of Enterprise Architecture, 22 nd November 2021.		
4. HR Advice: The report is seeking approval to accept, allocate and spend of a capital grant from the Department of Education (DFE) for additional capacity. There are no significant HR issues arising from this proposal.		
HR Partner: Lorna Laing (MCIPD), HR Business Partner – People Directorate, 10 th November 2021.		
EDM Sign-off	Hugh Evans	17/11/21
Cabinet Member sign-off	Cllr Asher Craig	03/12/21
For Key Decisions - Mayor's Office sign-off	Mayor's Office	07/01/22

Appendix A – Further essential background / detail on the proposal A1 – Project List and Resource A2 – Summary of projects	YES
Appendix B – Details of consultation carried out - internal and external	NO
Appendix C – Summary of any engagement	NO
Appendix D – Risk assessment	YES
Appendix E – Equalities screening / impact assessment of proposal	YES
Appendix F – Eco Impact Checklist	YES
Appendix G – Financial Advice Ref Section 1 'Financial Advice' in table above – no additional Appendix.	NO
Appendix H – Legal Advice Ref Section 2 'Legal Advice' in table above – no additional Appendix.	NO
Appendix I – Exempt Information	NO
Appendix J – HR advice Ref Section 4 'HR Advice' in table above – no additional Appendix.	NO
Appendix K – ICT Ref Section 3 'Implications on IT' in table above – no additional Appendix.	NO
Appendix L – Procurement Ref Section 5 'Procurement Advice' in table above – no additional Appendix.	NO

Issue – For Cabinet, 06.01.2022