

## CABINET

22 January 2019

<b>Title:</b> Review of School Places and Capital Investment - Update January 2019	
<b>Report of the Cabinet Member for Educational Attainment and School Improvement</b>	
<b>Open Report</b>	<b>For Decision</b>
<b>Wards Affected:</b> All Wards	<b>Key Decision:</b> Yes
<b>Report Author:</b> Andrew Carr , Group Manager School Investment, Organisation and Admissions	<b>Contact Details:</b> Tel: 020 8227 2254 E-mail: andrew.carr@lbbd.gov.uk
<b>Accountable Director:</b> Jane Hargreaves, Commissioning Director Education	
<b>Accountable Strategic Director:</b> Elaine Allegretti, Director of People and Resilience	
<b>Summary</b>	
<p>This report sets out the latest information regarding forecast demand for education places across the Borough's Schools and education settings. It includes nurseries and special needs dedicated provision. The forecast for demand for school places is based on a recent exercise which has been completed over the summer 2018 and has been used to inform the Government (DfE) of the trends and impacts on demand at local level. These forecasts are based on a number of factors which could fluctuate and impact on the level of need: these include birth rates, migration, and local housing availability, particularly new housing and regeneration projects.</p> <p>In order to respond to the need for school places a revised and updated Future Planning Programme for Basic Need 2018 to 2027 – Revised January 2019 is attached as Appendix A to this report. Cabinet Members may recall that a similar earlier version of the report, was received at the meeting of 17 July 2018, minute 18 refers. This paper sets out the planned way it is intended to address the need for education places in the Borough and is an update based on latest information following the summer forecast review of school places.</p> <p>Details are also included about the consultation to amalgamate Marks Gate Infant and Junior Schools. There is also details about the fire at Roding Primary School and the actions proposed to replace the damaged part of the School.</p>	
<b>Recommendation(s)</b>	
The Cabinet is recommended to:	
<ul style="list-style-type: none"><li>(i) Approve the Future Planning Programme to meet Basic Need 2018 to 2027 – Revised January 2019 as set out in Appendix A to this report;</li><li>(ii) Note the latest position of the forecast pupil roll within the next 5 years based on a range of factors which includes birth, migration, regeneration and proposed housing developments, and that some 10,000 pupil places will need to be created in that period;</li></ul>	

- (iii) Approve the Procurement Strategy in respect of the fire damaged building at Roding Primary as set out in paragraph 3.11 of the report to use the LEP to replace the damaged building and enter into a contract for the design and construction of the replacement building;
- (iv) Delegate Authority to the Director of People and Resilience, in consultation with the Cabinet Member for Educational Attainment and School Improvement, the Chief Operating Officer and the Director of Law and Governance, to carry out the procurement and award the respective project contracts.

**Reason(s)**

The decision will assist the Council in fulfilling its statutory obligations to provide a school place for every child and support the intention of the Council's Vision and Priorities, including encouraging civic pride, enabling social responsibility and growing the Borough, and delivering the ambition for excellence in education set out in our Education Strategy. Further, the actions being planned support the Borough Manifesto.

**1. Introduction and Background**

- 1.1 A report setting out the position of demand for school places and how the Council needs to respond is provided to Cabinet twice yearly. The last report was at the Cabinet meeting held on 17 July 2018, Minute 18 refers.
- 1.2 This report includes the most up to date information on forecasting pupil numbers and demand for school places taking into account birth rates, migration, regeneration projects and new housing programmes of development. Attached is a programme of school provision which will help the Council to ensure every child has the opportunity for a school place in the Borough. Future Planning Programme for Basic Need (including SEN places) 2018 to 2027 – Revised January 2019. Details are also included here about how the Council might respond to support the provision and for pupils who have an identified Special Educational Need.
- 1.3 Following on from the significant number of schools which have been expanded in the last 10 years the opportunity to continue that practice has become much more difficult, mainly because we have exhausted the expansion opportunities where demand is highest. Also expansion schemes need to provide value for money and not be so complex that they impact on the education of the young people attending the school.
- 1.4 As explained in previous reports the Council is now required to work with good Academy and Free school education providers to secure new schools in the Borough where such provision is approved by the Secretary of State.

**2. Update on Pupil Numbers and Capacity**

- 2.1 In the new academic year which commenced September 2018 there was a forecast dip in the number of Reception age pupils due to the reduction of the corresponding birth rates in both 2014 and 2015. Additionally however Reception numbers have dropped below forecasts for the second year which indicates that factors other than birth rates have come into play. This information was reported to Cabinet in the

report 17 July 2018. This is accompanied by an increased demand at Yr7, the first year of secondary school. This increased demand is as a result of higher numbers in top year primary groups, last year's Yr6 now entering secondary school. This will increase again next year. To manage this demand increased provision has been made available at both Eastbrook Secondary in Dagenham and Greatfields Secondary in Barking.

2.2 When looking at the forecast in growth of the pupil population the following factors are taken into consideration as follows:

- numbers of pupils currently in the borough;
- birth figures;
- new housing proposals, as advised in the Local Plan Review;
- historical data e.g. pupils living in borough but choosing out borough schools;
- internal knowledge of recent population fluctuations.

2.3 The most recent set of pupil forecast figures have been reviewed over the last 3-4 months in order to provide evidence to the Government about the local changes and forecast changes to the pupil population. This data, when put together with all the other Council's forecast data, is then used by the DfE to measure the growth in pupil demand at national level and to allocate resources for meeting school place basic need at local level.

2.4 The forecast indicates as follows:

- the primary school population across the Borough is forecast to increase from its present levels of 25,394 (excluding nurseries) at May Census 2018, to 28,260 (excluding nurseries) for the school year 2022/2023;
- the secondary school population across the Borough is forecast to increase from its present level of 15,403 (including 6<sup>th</sup> form) at May Census 2018, to 22,260 (including 6<sup>th</sup> form) for the school year 2022/2023.

*[Note: these figures allow for the growth of the borough and projected increases to population allowing for published house building; there may be fluctuations owing to other demographic changes.]*

2.5 Cabinet Members are asked to note the extent of the overall increase in the last 10 years from a total pupil population of 29,767 (May 2008 Census) to a population of 40,797 (May 2018 Census). This has been a period of extensive activity to create additional places to manage this 27% increase in the school population in the Borough. Projecting forward the forecast in numbers set out in 2.4 above indicated that in the next 5 years to 2022/2023 overall pupil numbers will increase from 40,797 to 50,520, a potential increase of 23.8%.

2.6 The demand for specialist places is rising rapidly in the borough. There is evidence to suggest that across London that there are a disproportionate number of new arrivals and in year admissions which have significant SEND. National prevalence trends are indicating that some categories of need particularly Autistic Spectrum Disorder (ASD) are increasing more quickly than would be expected from population growth alone.

This has effectively increased the number of children and young people for whom the Council must ensure suitable provision is available which looks to continue to rise for the foreseeable future. We are therefore reviewing our SEND forecasting models to ensure that we can robustly plan in advance of the likely provision needed. There are twelve primary areas of special educational needs which are being captured in the review these are;

- Autistic Spectrum Disorder
- Hearing Impairment
- Social, Emotional and Mental Health
- Profound and Multiple Learning Difficulties
- Severe Learning Difficulty
- Specific Learning Difficulty
- Speech, Language and Communication Need
- Multi-Sensory Impairment
- Physical Disability
- Moderate Learning Difficulties
- Other Difficulty/Disability.

The strategy for SEND places is being reviewed to ensure that the Council provides a model which strikes the right balance between supporting children and young people to be educated in their local mainstream schools, colleges and settings where possible, while continuing to enable access to high quality specialist provision for those children and young people who need it. Further information will be provided in the next autumn Review of School Places and Capital Investment report.

- 2.7 In order to respond to meet the demand of a changing population and growth through planned new housebuilding the attached Future Planning Programme for Basic Need (including SEN places) 2018 to 2027 Appendix A has been drafted to show new or expanded school provision. Some of the projects relate to completed schemes where the school is being gradually expanded to allow for phased availability of places rather than opening too many places at once. The following paragraphs cover the expected new schools and the current discussion about commissioning the new facilities and places.
- 2.8 Mallard Primary School (630 places) – this project is proposed to be operational for September 2020, the proposed operator is currently planned to be Partnership Learning and its location will be in Thames Ward. Discussion about who will commission this facility are currently being undertaken. The Department for Education have been undertaking a review of need and because this is an example of a school which will only be required as housebuilding in the locality takes place, the planned opening might need to be delayed. Accordingly the Future Planning Programme may need to be adjusted.
- 2.9 SEMH School (90 places) – the ESFA have been in contract with the GLA to try and secure land formally known as the Polar Ford site occupied by Dagenham Motors Ltd on the A1306 at Dagenham. The DfE have appointed the EKO Trust based in Newham. Thee school building will be commissioned by the ESFA.

- 2.10 Ford View Primary (Beam Park) – dialogue with the DfE/ESFA, Borough Education Commissioning and the proposed operator, TVI Learning, is currently ongoing. This is the Academy that runs Thames View Infants School which has been judged outstanding by the DfE and is a national leader support school. The need for the school relates to the development of Beam Park on the A1306 which stretches into Havering. The ESFA have recently advised the Borough verbally of their intention to utilise their national frameworks for the construction of this new school. Planning consent has recently been approved by the Mayor for London for the entire development at Beam Park.
- 2.11 Greatfields School (Planning Building) – it was reported at the Cabinet Meeting 17 July 2018 that a funding letter had been sent by the ESFA giving approval for the Council to procure the further building phase of Greatfields School which will be used for primary aged pupils. The project is as reported in the process of design and procurement through the LEP with Education Commissioning acting as client.
- 2.12 Beam High (Former Ford Stamping Plant) – this is a planned 1800 place secondary school to include sixth form provision. Again it is designed as a school to meet the needs of the new community from Beam Park and the Former Stamping Plant on the A1306. Early indications from the DfE is that the operator will be Partnership Learning and the Council would through Education Commissioning be responsible for acting as client for this project. At present no planning application has been submitted in respect of this development.
- 2.13 At present Education are examining the impact of new housing in Barking, particularly around the Freshwharf, Retail Park and phase II of the Gascoigne Estate Renewal and central Barking. It will be important for the Council to identify suitable and appropriate spaces for schools going forward so that young people are able to flourish and learn in a good environment.

### **3. Fire at Roding Primary School, Hewitt Road**

- 3.1 On Tuesday 4<sup>th</sup> September 2018 at 4.50am, the London Fire Brigade received a call to an outbreak of a fire at Roding Primary School. A total of 12 fire appliances attended the site, the first arriving at 5.12am where they found the west wing of the school engulfed in fire. By approximately 9.00am the fire was extinguished by the Fire Brigade, however, 8 classrooms and auxiliary spaces were destroyed.
- 3.2 The west wing of the school building was predominantly of timber construction supporting a pitched, corrugated steel roof, unlike the remainder of the school which was brick built with a clay tile roof. The timber building was originally constructed before the main school building, possibly to accommodate children from the Becontree Housing Estate during the early days of construction. The brick built building was subsequently constructed later but retained this timber part. The Council have approximately five school sites which have some form of timber built classrooms constructed prior to the main building for the reasons above or as additions soon after the Second World War.
- 3.3 During the school holiday period the school was undertaking refurbishment works to a number of classrooms in the west wing and were renewing flat roofs to the inner corridor. The school's appointed contractor had completed the classroom

refurbishments on 3<sup>rd</sup> September and was continuing with the flat roof renewal programme. They ceased operations at 2pm on the day before the fire.

- 3.4 The Council's insurers AIG were alerted on the morning of the fire. By 11am their appointed loss adjusters attended the site with Council officers and the school's Headteacher to agree the steps going forward. The London Fire Brigade (LFB) retained a presence during the day to ensure the fire did not reignite. They handed control of the site back to the Council at 6pm that evening. During the day, arrangements were made to secure the damaged area of the school with temporary fencing. A security presence was put in place overnight as the school remained vulnerable having no power or intruder alarm.
- 3.5 The main priority was to get the school up and running as soon as possible, even with limited year groups. Despite the fire being limited to one part of the school, the entire building had suffered from some degree of smoke damage or had an acrid smell resulting from carbon particles which had travelled throughout the school.
- 3.6 From 5<sup>th</sup> September, the loss adjusters had arranged, with the agreement of our insurers, for specialist cleaners to attend the site where they chemically deep cleaned the entire school not affected by the fire. At the same time the MyPlace team worked quickly with the Council's term contractors in erecting internal screens to separate the damaged area from the main school building, rewiring and re-alarming the school and demolishing the remains of the damaged structure so that it could reopen safely. The school opened on the 10<sup>th</sup> September for all year groups except Reception. In tandem arrangements were made to bring onto site 8 temporary classrooms to replace those which were destroyed and which will be used until they are replaced by new classrooms. These have been hired and were installed over two weekends. Plans have commenced with BeFirst to design and construct the replacement classrooms.
- 3.7 Throughout this process the Council have liaised and continue to liaise closely with our insurers and their loss adjusters to agree the scope of works and actions taken to avoid any future dispute regarding cost. In addition, the insurer has advanced £500k as a gesture of goodwill to meet the Council's expenditure to date.
- 3.8 Credit must be given to those individuals and teams involved which enabled the school to become operational less than a week after the fire. Once the temporary classrooms were installed, pupils from Reception and Nursery years were then able to be admitted to school.
- 3.9 The cause of the fire is still a matter of investigation.
- 3.10 In order to achieve the quick return to a functioning School and, so as not to impact on pupils' education more than was necessary, authority was sought from the Chief Operating Officer (Deputy Chief Executive) to a procurement route for the temporary classrooms. This action was essential as indicated to ensure that the school was up and running as soon as possible. The Council's Insurers and their Loss Adjuster recognised the good practice here and have supported the action through making available up to £500,000 to support the quick return to a functioning school in temporary accommodation, and this has included the cleaning of parts of the smoke damaged building.

- 3.11 There was also an agreement sought to seek some design and initial costing work for the permanent replacement of the building to ensure that the cost of hiring the temporary accommodation in the form of classrooms is kept to a minimum. This work has been commissioned through the Council's Local Education Partnership (LEP) - Equitix Management Services Limited (EMS).
- 3.12 The Council have used their procurement delivery vehicle, the LEP to design and build new Schools, extensions and separately new housing. The LEP is a joint venture organisation between the Council and EMS. This is a Company in its own right managed by a Board including Council representatives. The reason for this approach has been the LEP's previous record of achievement for innovation (they appear in several best practice publications), its commercial approach, build costs are comparatively low and project delivery has been good. Over time this partnership has brought about many mutual benefits including;
- Earlier collaborative and more cohesive approach to design development and procurement. This has reduced the Council's risk in terms of cost, quality and programme delivery;
  - Greater assurance of provision of School places being made available when planned i.e. delivery on time so that as the commissioner of School places it can fulfil its statutory obligation.
- 3.13 Cabinet Members are asked to support the process which has started with the LEP who have commissioned some design work to replace the lost buildings and are working at risk. This will ensure that, because of the requirement on the LEP to ensure value for money, and our ability to compare costs with current projects, that there will be a satisfactory procurement at good value. This strategy has been discussed with AIG the Council's insurers and their representatives.

#### **4 Capital Availability**

- 4.1 At the meeting of Cabinet 17 July 2018, a sum of available capital was identified to be retained to support future projects of £18,718.443. Minute 18 refers.
- 4.2 At this current time it is not planned to make any changes to this figures as we are currently assessing need and working with the DfE/ESFA in planning future provision. Some school places have already been earmarked and approved as set out in the Future Planning Programme for Basic Need. Appendix 1 to this report.
- 4.3 Further, Education Commissioning are working with BeFirst regarding regeneration projects to plan additional school place provision. Clearly there will be dependencies about need for new places as projects to provide new homes are brought forward.
- 4.4 It is anticipated that any changes to the available fund which is subject to an annual review, will be reported to the Cabinet meeting in the spring of next year. This will be in May or June as we are subject to advice from Central Government.
- 4.5 In the meantime work to provide new places and increased school provision, both new schools and some extensions is continuing. The anticipated spend from Government Capital Grant for the current financial year is £52,080,261 excluding Devolved Capital Funding which is a grant from Government passported to

Local Authority Schools for them to undertake small measures of condition or suitability works. This figure represents only the proportion of planned financial out-turn for projects; some schemes are quite large and are funded over a number, 3 or 4 years.

- 4.6 Some examples of large schemes which are in development and have previously been approved to be progressed by Cabinet are as follows:
- 4.6.1 Robert Clack School Expansion – there are three parts to this project. The first was to create additional spaces at the Green Lane Site, and this was handed over in the summer 2018. The second phase is increasing capacity at the Gosfield Road campus which is currently on site and will be available in the summer 2019. The third phase, which is the biggest is to provide a third site at Lymington Fields, this will be a 3fe primary linked to a 6fe secondary school; in reality it will be an all through school. This new complex is planned to open for September 2020, and will gradually admit pupils from the locality. Numbers and demand are being kept under review as “growing” the school at the right rate will be important.
- 4.6.2 Greatfields Schools - this are new schools at the heart of the Gascoigne Estate Renewal in Barking and will include 1500 secondary school places, plus provision for 6<sup>th</sup> form. New primary facilities to be available by September 2021, a school of 630 places plus nursery. This project will support the growth in the population around the Barking Town Centre making forecast need for school places a reality. Part of the secondary school provision is open and in use with a further phase due for completion for September 2019. This project is being delivered by LBBB through BeFirst in partnership with the LEP and on behalf of the Education and Skills Funding Agency. The site is complex, hence the need to build in phases as former tenants have been decanted and vacant blocks are being demolished. Further, because of the nature of the estate the demolition and new construction has been difficult because the underground services have had an impact.
- 4.6.3 Barking Abbey School Expansion – work to expand the school is currently on site both at Longbridge and Sandringham Complexes. When work is complete the capacity of the school will increase by 450 pupils. The initial phase on Longbridge Road is in occupation but work on both sites is continuing although an increased in the pupil intake has already been accommodated. Some other works to remove demountables and improve the condition of the original building will be ongoing over the next 2 years.
- 4.7 The nature and scale of these three expansion projects demonstrate already the pressing need for additional secondary places following the expansion of primary schools to manage the rise in growth. The secondary expansions and new schools have been necessarily complex in the process of negotiation, design and of course construction to ensure that all parties are signed up to the works and the impacts on the existing schools has been managed to ensure that pupils education has not been detrimentally influenced. In some cases there has been a six year planning window to ensure all the key elements are in place.
- 4.8 A further major area of investment which has begun in the current year relates to exploring the sufficiency and suitability of SEN places available in Borough. This particularly relates to the provision of Additional Resource Provisions (ARPs) attached to mainstream schools. Many of our Schools are highly skilled in



integrating children and young people with a range of complex needs. The ARP provision allows children and young people to remain in mainstream education when this is the right choice for them and their families. The objective is to support expansion or provide new places – potentially up to 80 new ARP places across 9 schools and carry out environmental improvements to address suitability at a further 11 schools. This work will help the Borough to respond to meet the requirements of individual pupils who need appropriate support.

## **5 Marks Gate Infant and Junior School's Amalgamation**

- 5.1 At the meeting of Cabinet 12 December 2017 a report was presented which included an allocation of £3m to support the initiative to amalgamate Marks Gate Infant and Junior Schools. It was also intended to support the addition of new facilities which would increase capacity as part of a regeneration project, Minutes 69 refers.
- 5.2 The regeneration project has not been agreed at this time, however the Governors of the Schools are keen to make some progress in considering the possible amalgamation. With this in mind the Governors have met on 17 October 2018 and agreed in principle to wider consultation with parents, staff, staff representative and the broader community.
- 5.3 Letters to engage with various groups are being circulated in the second half of the Autumn Term 2018/19 with a view to a formal notice being published on 9 January 2019 and a report being presented to Cabinet on the 19 March 2019. If approved, the new primary school would be operational from 1 September 2019.

## **6. Options Appraisal**

- 6.1 Current strategy is through the housebuilding initiative formulated against a backdrop of continuing increase in demand for school places for the foreseeable future; short run surges of demand for school places e.g. over the summer period and on the supply side: limited funding on short time horizons; shortage of sites in areas of high demand; and timescales for new providers e.g. timescales for Free Schools to be established may be two years.
- 6.2 The agreed investment strategy (see Future Planning Programme to meet Basic Need [including SEN places] 2018 to 2027 which is attached to this report) is first, to expand provision on existing school sites as far as practicable to meet local demand on a forward looking basis (i.e. to seek value for money solutions which have longevity); then subsequently to seek and build on sites in areas of demand in Council or other public ownership that are suitable for development as a school and which also offer value for money and longevity; to support those external providers that have access to further capital funding and are capable and willing to provide high quality inclusive education places that comply with the Council's Admissions Policies.
- 6.3 The variables that influence the delivery of this strategy are: demand fluctuations; the willingness of governing bodies to accede to expansion plans; funding limitations; cost variances – specific to sites; timescales to achieve cost efficient/ competitive prices in short timescales.

- 6.4 The proposed delivery of the strategy is set out in the report approved by Cabinet 17 July 2018, Minutes 18 (Strategy for Ensuring School Places and School Modernisation). As part of the strategy the document encompasses a further document now updated Future Planning Programme to meet Basic Need [including SEN places] 2018 to 2027. This document sets out proposed projects. Specific projects may be subject to change for the reasons set above, and other projects substituted. The overall strategy is robust and remains the same: individual project specifics may change but will remain in the overall strategic framework.
- 6.5 Options exist for any specific scheme and are explored to ensure that the overall strategic outcomes sought are achieved in the most beneficial way being economic and appropriate for the school. Other overall strategies e.g. to rely on outside providers to meet the prospective short fall of school places would not be effective on their own: timescales and speed of reaction are too short.

## **7. Consultation**

- 7.1 These proposals are not Ward specific. There has been consultation with a range of officers throughout the Council in order that appropriate matters are considered including financial, legal, risk management and others mentioned in section 10 of this report.

## **8. Financial Implications**

Implications completed by: Rodney Simons, Principal Accountant, Capital

- 8.1 This report sets out approval for Future Planning Programme to meet Basic Need 2018 to 2027 and of various projects associated to the Capital Programme and requests approval to include schemes in the Capital Programme, as detailed in sections 3 to 5.
- 8.2 There is sufficient capital grant funding available to deliver on these schemes.
- 8.3 Any major risks/financial impact identified through the appraisal process will be notified to Members through subsequent Cabinet reports.
- 8.4 The report also requests the approval of Delegating Authority to the Director of People and Resilience to award respective project contracts.

## **9. Legal Implications**

Implications completed by: Lucinda Bell, Education Lawyer and Kayleigh Eaton, Senior Contracts and Procurement Solicitor

- 9.1 The Council, as an education authority, has a duty to promote high standards of education and fair access to education. It has a general duty to secure sufficient schools in the area, and to consider the need to secure provision for children with Special Educational Needs and Disabilities. These are collectively known as the school place planning duties. (Education Act 1996 and Children and Families Act 2014).

- 9.2 The Council must follow the statutory processes required to make changes to its maintained schools. Further legal advice will be required in relation to the proposed amalgamation.
- 9.3 Any procurement carried out must comply with the Council's Contract Rules and where the contract is for goods, services or works which has a value in excess of the EU thresholds then the procurement must be carried out in accordance with the Public Contracts Regulations 2015. It is noted that one of the recommendations in this report is to use the LEP. The LEP has been appointed under a partnering agreement by way of a competitive tender exercise to deliver such programmes. Use of the LEP in this project would therefore satisfy the requirement to carry out a competitive tendering exercise as required under the Public Contracts Regulations 2015 and the Council's Contract Rules.
- 9.4 In line with Contract Rule 50.15, Cabinet can indicate whether it is content for the Chief Officer to award the contract following the procurement process with the approval of Corporate Finance.
- 9.5 The report author and responsible directorate are advised to keep the Council's Legal team fully informed at every stage of the proposed tender exercises. The team will be on hand and available to assist and answer any questions that may arise.

## **10. Other Implications**

### **10.1 Risk Management**

- 10.1.1 Risk that funding levels will not be sufficient to meet demand to create new education places needed.

This risk is high impact (4) and medium (3) probability = 12 red. This risk is being managed by purchasing the most affordable accommodation which is system build where possible. Post control the risk is high impact (4) and low (2) probability = 8 amber.

- 10.1.2 Risk that funding levels will not be sufficient to create suitable new school places. This risk is high impact (4) and high (4) probability = 16 red. This risk is being managed by purchasing the most affordable accommodation which is system build, and blending it with site specific proposals. Post control the risk is high impact (4) and low (2) probability = 8 amber.

- 10.1.3 Secondary schools: risk that site availability would prevent delivery of school places in the areas where demand is highest.

This risk is high impact (4) and medium (3) probability = 12 red. This risk is being mitigated, as far as practicable, by expanding all available sites in high demand areas, and reviewing other buildings for potential school use. Post control the risk is still high impact (4) and medium (3) probability = 12 red.

- 10.1.4 Risk that the cost of the rate of deterioration of the school estate will outrun the funding available to maintain it.

This risk is high impact (4) and high (4) probability = 16 red. This risk is being mitigated as far as practicable by lobbying DfE for improvements in funding. Post control the risk is high impact (4) and medium (3) probability = 12 red.

- 10.1.5 The provision of school places is a matter which is directly identified in the Corporate Risk Register and listed at Corporate Risks 31 – Provision of School Places.
- 10.1.6 Risk that final costs will be higher than estimate costs.  
This risk is high impact (4) and high (4) probability = 16 red. This risk is managed through monthly finance meetings and initial planning figures that architects and schools are asked to work within being set below the highest estimate to allow for unforeseen challenges.
- 10.2 **Contractual and Procurement Issues** - It is anticipated that projects will be procured through options related either to the Local Education Partnership, open competition or through the Council's Framework of Contractors or other national or local frameworks which are accessible to the Council, with a view to securing value for money.
- 10.2.1 Legal, procurement, technical and other professional advice will be sought regarding the appropriate procurement routes and contractual agreements to procure and secure the individual projects which fall within the second phase, consisting of the secondary and primary school schemes. All procurement activity will be conducted in compliance with the Council's Contract Rules and EU Legislation.
- 10.2.2 Projects will be subject to the Capital Appraisal Process and the agreement of the Procurement Board to progress schemes. However the Cabinet is asked to approve procurement principles as set out to avoid the need to report back to Cabinet as such procurements are either beyond our control or need to happen quickly within pressing timescales because pupils need to be accommodated.
- 10.3 **Staffing Issues** - There are no specific staffing issues although the growing demand for school places will create additional opportunities in schools for both teaching and non-teaching staff.
- 10.4 **Corporate Policy and Customer Impact** - The decision will assist the Council in fulfilling its statutory obligations to provide a school place for every child and support the intention of the Council's Vision and Priorities, including encouraging civic pride, enabling social responsibility and growing the Borough. It is part of the mitigation of Corporate Risk 31 – Inability to Provide School Places.

The short term impact of the recommendations for the coming year would be positive for customers on all counts of: race, equality, gender, disability, sexuality, faith, age and community cohesion. The longer term outlook is unlikely to be positive on the proposed funding levels as it will be difficult to address need on current budget levels.

- 10.5 **Safeguarding Children** - Adoption of the recommendations in the short term would contribute to the Council's objectives to improve the wellbeing of children in the borough, reduce inequalities and ensure children's facilities are provided in an integrated manner, having regard to guidance issued under the Childcare Act 2006 in relation to the provision of services to children, parents, prospective parents and young people.

- 10.6 **Health Issues** - The health and wellbeing board and JSNA highlight the importance of investing in early intervention and education to support children's and young people's long term wellbeing. The evidence and analysis set out in Fair Society, Healthy Lives (Marmot Review) has been developed and strengthened by the report of the Independent Review on Poverty and Life Chances. The reports draw attention to the impact of family background, parental education, good parenting and school based education, as what matters most in preventing poor children becoming poor adults. The relationship between health and educational attainment is an integral part of our Health and Wellbeing Strategy. At this point there is no need to change the focus of the Health and Wellbeing Strategy as a result of this report.
- 10.7 **Crime and Disorder Issues** - Appropriate consideration of the development of individual projects will take into account the need to design out potential crime problems and to protect users of the building facilities.
- 10.8 **Property / Asset Issues** - This proposed decision would facilitate the improvement and renewal of Council assets.

**Public Background Papers Used in the Preparation of the Report:** None

**List of appendices:**

**Appendix A** - Future Planning Programme to meet Basic Need (including SEN places) 2018 to 2027.