

CABINET

21 January 2020

Title: Review of School Places and Capital Investment - Update January 2020	
Report of the Cabinet Member for Educational Attainment and School Improvement	
Open Report	For Decision
Wards Affected: All Wards	Key Decision: Yes
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Accountable Director: Jane Hargreaves, Commissioning Director Education	
Accountable Strategic Leadership Director: Elaine Allegretti, Director of People and Resilience	
Summary <p>This report sets out the latest information regarding forecast demand for education places across the Borough's Schools and education settings, including 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 2019 and has been used to inform the Department for Education (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 2019 to 2027 is attached as Appendix A to this report. 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>The report also looks forward to demonstrate a measure of the impact and forecast costs for providing new or expanded school facilities during the planned housing regeneration programme up to 2035.</p>	
Recommendation(s) <p>The Cabinet is recommended to:</p> <ul style="list-style-type: none">(i) Note the latest position regarding forecast pupil population over the next five years, as detailed in section 2 of the report;(ii) Approve the Future Planning Programme for Basic Need 2019 to 2027 (revised January 2020) as set out at Appendix A to the report;(iii) Approve the inclusion in the Capital Programme of £7.3m from Basic Need Grant to	

support the development of Greatfields Secondary and Primary school facilities and address some outstanding matters at previously expanded schools;

- (iv) Delegate authority to the Director of People and Resilience, as advised by the Procurement Board, to consider and approve the final procurement strategies for each project; and
- (v) 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 conduct the procurements 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 who lives in the Borough and support the Council's Vision and Priorities, the Borough Manifest and the ambition for excellence in education set out in the LBBB Education Strategy.

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 16 July 2019, Minute 36 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) 2019 to 2027 – Revised January 2020 (*Appendix A*). 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 in September 2019 the forecast dip in the number of Reception age pupils due to the reduction of the corresponding birth rates in both 2014 and 2015 was maintained. 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 16 July 2019. 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 again 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 and a further planned new provision at Lymington Fields (Robert Clack Lymington) for September 2020.

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

- 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 6 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 the following:

- the primary school population across the Borough is forecast to increase from its present levels of 25,439 (excluding nurseries) at May Census 2019, to 28,641 (excluding nurseries) for the school year 2023/2024;
- the secondary school population across the Borough is forecast to increase from its present level of 17,450 (including 6th form) at May Census 2019, to 21,394 (including 6th form) for the school year 2023/2024.

[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 30,967 (Jan 2010 Census) to a population of 42,889 (May 2019 Census) excluding nursery and special school numbers. This has been a period of extensive activity to create additional places to manage this 38.5% increase in the school population in the Borough. Projecting forward the forecast in numbers set out in 2.4 above indicate that in the next 5 years to 2023/2024 overall pupil numbers will increase from 42,889 to 50,035, a potential increase of 16.6%.

2.6 Looking further ahead and reflecting on the Borough Manifesto plans to increase the number of homes in the Borough, some work has been done to analyse the impact on demand for education places to support the future growth. The 41,000 new homes planned to 2034/35, which are on top of those already in construction, could generate a further 45,580 young people based on historical data and once the developments are completed and have matured. This would be broken down as follows:

Pre-School	10,910
Primary	19,091
Secondary	13,637
6 th Form	1,942
	45,580

2.7 To facilitate the numbers of pupils anticipated through the growth outlined above, there would need to be a significant investment in new school places. The number of new schools and costs are estimated as follows:

Pre School Nursery

22 new pre-school nursery provision, at a projected cost of £27m

Primary Schools

14 new schools at a total cost of £147m and up to 17 further schools at a projected cost of £178.5m.

Secondary Schools

6 new schools at a projected cost of £252m and up to a further 4 schools at projected cost of £160m.

Special Schools

2 new schools at a projected cost of £60m

Total initial cost for schools and pre-school provision would be £486m rising to £824.5m, subject to clarification about housing type and tenure. These figures exclude land costs.

At this stage it is difficult to forecast where the burden of cost will fall, this inevitably relates back to Government policy decisions in the future. Further, there will be a rise in revenue implications across the whole range of provision and for pupils who need support to get to school there are some specific additional cost related to transport. This increase will also have to be considered in relation to other Children's Services including children in social care and health.

3. Alternative Provision

- 3.1 Alternative Provision (AP) is education outside school, arranged by local authorities or schools, for pupils who do not attend mainstream school for reasons such as school exclusion, behaviour issues, school refusal or short or long term illness.
- 3.2 In Barking and Dagenham there are three sites used to deliver education collectively known as Mayesbrook Park School. At this time the School is resource hungry due to its three site bases and it is felt there may be improvements to the existing facilities which would benefit the long term provision. These are currently being explored on the principles of education provision in the first instance with a future view to possibly reducing sites.
- 3.3 The three buildings currently used were never designed to support pupils in a teaching environment. The use of the buildings has grown as demand for places has increased in line with the growth in numbers. Whilst some work has been carried out to refurbish the facilities this has been limited by the extent of the existing buildings.
- 3.4 Alternative Provision is an increasingly important part of educational provision. It supports children and young people with a high level of additional needs and requires appropriate facilities and skilled staff to help young people stay connected with education, reintegrate to mainstream where possible, find positive destinations and help them to move away from behaviours which may put themselves and others at risk.
- 3.5 This is an appropriate time to review the current provision, plan for future need and look to create an environment and facilities which make a positive contribution to outcomes for the young people who are educated there.
- 3.6 A further report will come to Cabinet Members on this matter once the options have been explored. This will also need to cover any potential increase in the pupil population that might arise within the next few years.

4. Demand for Places for Pupils with Special Educational Needs and Disabilities

- 4.1 Nationally, the demand for places for pupils with Special Educational Needs and Disabilities (SEND) is increasing exponentially. The number of pupils with Statements or Education, Health and Care Plans (EHCPs) requiring specialist provision to meet their needs has risen by 35% since 2014 in London (London Councils data), and the complexity of these needs is increasing.
- 4.2 Barking and Dagenham is without exception in this matter and has too experienced rapidly increasing numbers of children and young people requiring support for SEND. The report articulates the reasons as to why the demand for school places for pupils with Special Educational Needs and Disabilities (SEND) has increased and a new forecasting model to be used which will forecast with greater accuracy the level of demand to be anticipated over the next 4 year period. In addition, the model and report, highlights the most likely anticipated types of SEND likely to be seen over this period. Section 4.7 of the report outlines the type of provision required over this period to meet demand.

- 4.3 There are four areas acknowledged which have contributed to the significant rise in children with a statement of SEN or an EHCP and the number of children who have been permanently excluded and or who require alternative provision. These are;
- legislative changes,
 - underlying demographic factors
 - policy decisions which have had an impact on inclusion
 - funding pressures within in education and children's services.

4.4 **Forecasting Growth in SEND**

- 4.4.1 The provision of school places is a national issue and in particular London due to the rising population which has impacted on the demand for school places in general. For Barking and Dagenham, the provision of school places has been a major area of capital investment over the last 12 years and since 2007 there has been a continuous need to create additional high quality provision to meet that demand
- 4.4.2 The forecasting of the pupil population is continually reviewed and twice yearly reported to the Councils Cabinet. This is to ensure that long term plans are developed to ensure that there are sufficient school places for every pupil who lives in the Borough and wants a school place. It should be noted that the provision of a school place is a statutory function of the Council so it is vitally important to accurately forecast the demand going forward and to balance this with the right number of additional school places. This could mean expanding existing schools and building new where there are new communities such as Barking Riverside.
- 4.4.3 There are a number of factors which are taken into consideration when calculating this overall pupil demand which are outlined in 2.2 above.
- 4.4.4 With regards to SEND, many local authorities particularly in London and this includes Barking and Dagenham have tracked information which indicates a progressive rise in children with SEND. Historically the forecasting of SEND pupils has used a method of applying a percentage (2%) of the total child/pupil population to forecast this group of young people. This until recently this has proved satisfactory however the changing and increasing numbers has called for a rethink in how future forecasts are calculated.
- 4.4.5 In order to introduce a more sophisticated forecasting model a number of senior colleagues with SEND expertise have been working together to develop a more appropriate approach.
- 4.4.6 In developing the new SEND forecasting model the starting point was to use the data on SEND primary need since 2010 for children of primary and secondary age and project that forward into future years. The projection assumed that the trend in prevalence noted from 2010 to 2018 will continue into the future and that the growth in population seen in the period 2010 to 2018 will also continue at the same rate, subject to certain contingencies.
- 4.4.7 Forecasts were made to 2022/23 for primary aged pupils and 2024/25 for secondary aged pupils. It should be noted that forecasts were based on prevalence

of SEND in primary and secondary phases and did not project existing cohorts forward.

4.4.8 Of the six models developed and tested, a hybrid of one version has been taken forward as the most suitable terms of future SEND forecasting. The model will be tested against school census data as this comes available and any adjustments made to improve forecasting reliability

4.4.9 The model chosen was used to forecast numbers requiring special school places, ARPs, and additional support in mainstream schools in and out of Borough so every pupil was captured. This apportionment to different types of provision was a strategic decision based on past patterns of decision making and an evidence that to date had been the most effective way in meeting needs of the pupil concerned and their family or carer.

4.5 Primary SEND

4.5.1 Using this new model, in summary, this would indicate that an additional 113 pupils with SEND are anticipated over the next 4-year period. Further analysis of the sub-data sets also enabled the LA to forecast the following types of SEND to be seen over this 4-year period. These are:

SEN classifications	Total
ASC Autistic Spectrum Disorder	48
HI Hearing Impairment	3
VI Visual Impairment	2
SEMH Social, Emotional and Mental Health	7
PMLD Profound and Multiple Learning Difficulties	3
SLD Severe Learning Difficulty	10
SPLD Specific Learning Difficulty	0
SLCN Speech, Language and Communication Need	23
PD Medical/Physical	5
MLD (Moderate Learning Difficulties)	12
Total	113

4.5.2 Of the 113 increase in demand in pupil's places, based upon historical patterns of placements, the distribution of pupils is most like to reflect the following table below.

Forecast Distribution According to Provision	Total Number of Additional Pupils Forecast Over 4 Years
Special School	20
Mainstream ARP	14
Out Of Borough Mainstream and Independent Schools	4
Mainstream School	75
Total	113

4.6 Secondary SEND

4.6.1 Similar, using the new forecasting model, in summary, this would indicate that an additional 353 pupils would be anticipated over the next 4-year period. Further analysis of the sub-data sets forecast the following types of SEND to be seen over this 4-year period.

SEN classifications	Total
ASC	79
HI	10
VI	3
SEMH	67
PMLD	7
SLD	74
SPLD	1
SLCN	56
Medical/Physical	24
MLD	31
Total	353

4.6.2 Of this 353 increase in demand in pupils, based upon historical patterns of placements, the distribution of pupils is most like to reflect the following table below.

Forecast Distribution According to Provision	Total Number Additional Pupils Forecast Over 4 Years
Special School	117
Mainstream ARP	61
Out Of Borough Mainstream and Independent Schools	55
Mainstream School	120
Total	353

4.7 Future SEND Provision in the Borough.

4.7.1 The current SEND provision and their respective capacities have been mapped against current pupil numbers on role and forecast using the new model over the next four period to understand the additional type of places to be required.

4.7.2 Firstly, the review forecasting model has underpinned the Councils existing strategic plan for the need for a new permanent school to support pupils with Social Emotional, Mental Health (SEMH).

4.7.3 Creating such provision was initiated last September 2018 on the former City Farm site in Thames Road, Barking operated by Trinity Special School on an interim basis. From the summer of 2019 this arrangement ceased as a new Free School

called Pathways was established operated by the EKO Trust opened in September 2019 in the same location. Pathways will operate at this site until the Department for Education construct a purpose built school at another location within the borough. The new SEMH School will have the capacity to take up to 90 pupils once constructed.

- 4.7.4 The second aspect of the review again underpinned the need for a school to support pupils with Severe Learning Difficulties and Autism. A new special school would be needed to provide places for up to 160 pupils.
- 4.7.5 The DfE have previously approved the opening of such a new school in the Borough whereby they would under the Free Schools programme identify a suitable site and build the SEN school for an Academy Trust to operate. Currently Officers in the Council are assisting the DfE in a search for a suitable site to take the project forward however in reality a purpose built school will not materialise until the earliest 2022-23. The location of a new proposed site will ideally need to be located centrally in the borough, the reason is that we need to consider the transport implications for parents and carers of those vulnerable pupils and young people. In addition, it may be necessary to consider some temporary provision to accommodate the growth over the next 3 years. LBBB continues to work with the DfE to resolve this as a matter of urgency.

5 Greatfields School

- 5.1 Members will be aware that officers are working in conjunction with the DfE/ESFA to provide a new secondary school and a primary facility at Greatfields Schools, on the regeneration scheme at Gascoigne (Minute 63, Cabinet 10 November 2015 refers). The new buildings are to be constructed in phases as the pupil population grows. As part of the site preparations, however, several issues have arisen including:
- Demolition and removal of spoil
 - Specialist removal of hazardous waste
 - Removal of service infrastructure
 - Installing new services for the site
- 5.2 The items highlighted above are not fully reclaimable from the DfE and the LA need to support the cost of carrying out some of these works. There have been extended discussions with the DfE, who have agreed to contribute £3m towards the costs which are likely to be in the region of £8.3m across the whole site. There is a gap to be funded therefore of £5.3m.
- 5.3 As the land belongs to the Council and the freehold for all buildings on the site remain with LBBB it seems appropriate that LBBB makes a contribution to this project to overcome the site difficulties. There is a clear benefit in the Borough in supporting this project as we are likely to hit a delay in making any additional accommodation available for September 2020, and there could be a need to educate some pupils in the new school year off site, but discussions with the school operator, the DfE and the contractor are continuing. The biggest issue is having secure knowledge about what is underground on the site.

- 5.4 In order to manage this issue in the most appropriate way it is suggested that we set aside £5.3m from the Basic Need Grant provided by DfE to support the scheme. In this way we will be able to minimise any further delays to the project.

6 Follow Up on Roding Primary School Fire, 4 September 2018

- 6.1 At the Cabinet meeting 22 January 2019 details were made available about the incident of a fire as indicated above. Agreement was reached to bring in some temporary classroom accommodation – to ensure that the impact on pupil’s education was minimised. Further, that the Council was working closely with AIG, the Council’s insurers, and had appointed Equitix Management Services (EMS) the Council partner in the Local Education Partnership.
- 6.2 There has been excellent progress in carrying out this work, the liaison with the insurers Loss Adjustors, Crawford & Company, and the LEP’s building contractor MidGroup Companies – Contracting have helped to achieve a completion of the new classroom accommodation on 20 August 2019. Final settlement of the claim is to be agreed with our insurers which is estimated to be in the region of £3.6m.

7 Government Grant to Support new School Places – Basic Need.

- 7.1 Further to the report provided to Cabinet 16 July 2019, Lord Agnew, Parliamentary Under-Secretary of State for the School System, has written to Directors of Children’s Services to advise that the consideration of departmental capital budgets had not been reviewed in the recent spending review. The review of capital spending will take place at government level in 2020 and it is currently proposed to advise local authorities of any allocations shortly after. Funding would relate to the financial year 2021/22.

8 Capital Finance – Available Capital for Meeting Basic Need

- 8.1 At the Cabinet Meeting 16 July 2019 a summary of the available capital budget to support new school place provision that had not been allocated to specific projects was made available. This is summarised below:

8.1.1	Allocation of funding not set against specific projects	£10,959,874
8.1.2	School Condition Funding from previous year	£4,538,569
8.1.3	Funding to support additional School Place Provision in Chadwell Heath (<i>Cabinet 12 December 2018 minute 69</i>)	£7,000,000
	Total	£22,518,443

- 8.2 Additional Works at Expanded Schools – at the June 2017 and December 2017 meeting of Cabinet it was reported that a need existed to revisit some of the expanded schools project the expanded school projects. This was because of a need to respond to subsequently identified problems which had come about since the additional provision had been put in place and more pupils were using the existing facilities.

Examples of additional works were:

- loss of space for small group tuition
- need to improve dining facilities
- visitor reception and interface
- improving external spaces

Subsequently there are still matters which need to be addressed some of these relate to secondary schools requiring addition paces for science and IT.

It is requested that £2m be set aside for supporting this continuing work during the next 2 years.

8.3 Financial Summary for future funding as follows:

Budget indicated at 8.1.1 above	£10,959,874
Less	
Greatfields Secondary and Primary Schools (Sections 5 above)	- £5,300,000
Additional Works at Expended Schools (Section 8.2 above)	- £2,000,000
	<hr/>
Balance to be returned for future Expansions	£3,659,874

9. Options Appraisal

- 9.1 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 are not in the Council's control and may take 2/3 or 4 years to be set up once land is identified.
- 9.2 The agreed investment strategy (see Future Planning Programme to meet Basic Need [including SEN places] 2019 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.
- 9.3 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.

- 9.4 The proposed delivery of the strategy is set out in the report approved by Cabinet 16 July 2019, Minute 36 (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] 2019 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.
- 9.5 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.

10. Consultation

- 10.1 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 13 of this report.

11. Financial Implications

Implications completed by: Mike Maduro, Investment Monitoring Officer, Corporate Finance

- 11.1 This report provides an update on projected pupil numbers and planned place provision for the 2019/20 academic year. There is a forecast dip in demand for reception places which could result in excess capacity however in the longer term the forecast is for future growth especially in the west and south of the borough. Since school funding is directly linked to the number of filled places, it is very important that the authority and schools work together in a planned way to minimise vacancies.
- 11.2 This report provides an update on projected pupil numbers and planned place provision between 2019/20 – 2034/35. It is anticipated that 46K new school places will be required, detailing a potential increase in cost provision from £486m to £825m.
- 11.3 These allocations are generally fully grant funded and should have no additional financial implications for the Council. However at this stage it is very difficult to predict where the burden of costs will fall and relate back to Government policy decisions in the future. Any major risks, issues or overspending that become apparent will be monitored, managed and reported on as part of the Council's normal quarterly capital monitoring process.
- 11.4 The report also identifies growth in the number of children with special educational needs (SEND) including those with complex needs requiring specialist provision. This trend (which has existed for some time) is linked to pressures on the High Needs Block of the DSG which overspent in 2018/19 and is at risk of doing so again in 2019/20. There is a strong need therefore to expand provision available that

offers best value for money (both high quality and lower in cost than the independent sector).

11.5 The report details the Capital Finance allocation to meet basic needs, including £11mil not set aside for specific projects, £4.5mil for school condition funding and £7mil for School place provision in Chadwell Heath.

11.6 It should also be noted that £8.3mil is required to provide new schools provision with the Gascoigne regeneration scheme. The DfE are only willing to fund £3m of this, leaving a shortfall of £5.3mil. It is anticipated that this will be covered in the short term by un-allocated basic needs grant. However long term consideration needs to be made as to how the council will fund this to minimise impact to the overall capital programme.

12. Legal Implications

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

12.1 The Council as an education authority has a duty to promote high standards of education and fair access to education. It also has a general duty to secure sufficient schools in their area, and to consider the need to secure provision for children with SEN (sections 13 and 14 of the Education Act 1996).

12.2 Where the Council carries out any procurements it must do so in accordance with the Council's Contract Rules and where the contract has a value which is in excess of the EU thresholds then the procurement must be carried out in accordance with the Public Contracts Regulations 2015.

12.3 In line with Contract Rule 50.15, Cabinet can indicate whether it is content for the Chief Officer to award contracts following the procurement process with the approval of Corporate Finance.

13. Other Implications

13.1 Risk Management

13.1.1 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.

13.1.2 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.

- 13.1.3 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.
- 13.1.4 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.
- 13.1.5 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.
- 13.1.6 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.
- 13.2 **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. Where the building is under a PFI contract then the requirement exists to designate the PFI contractor to arrange the works.
- 13.2.1 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.
- 13.2.2 Projects will be subject to the Capital Appraisal Process and the agreement of the Procurement Board to progress schemes. However, Cabinet Members are 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.
- 13.3 **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.
- 13.4 **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.

- 13.5 **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.
- 13.6 **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.
- 13.7 **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.
- 13.8 **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 for Basic Need (including SEN places) 2019-2027 (revised January 2020)