

## CABINET

23 January 2024

**Title:** School Place Planning and Capital Investment Update

### Report of the Cabinet Member for Educational Attainment and School Improvement

Open Report	For Decision
<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: <a href="mailto:andrew.carr@lbbd.gov.uk">andrew.carr@lbbd.gov.uk</a>
<b>Accountable Director:</b> Jane Hargreaves, Commissioning Director, Education	
<b>Accountable Executive Team Director:</b> Elaine Allegretti, Strategic Director, Children and Adults	
<b>Summary</b>  The report provides an update on the forecast demand for education places in primary, secondary and special needs settings. It provides the context as to why these are changing and actions which must be considered to ensure that going forward there is a suitable balance of places available to match the anticipated demand over the next 5-10 years. The detail of the report with regards to school places is based upon an annual data submission to inform the Department for Education (DfE) of the trends occurring at a local, regional, and national level.  Further, the report sets out new grant allocations received from the DfE, new proposed projects using grant funding and some changes to the programme of investment currently approved by Cabinet.	
<b>Recommendation(s)</b>  The Cabinet is recommended to:  <ul style="list-style-type: none"><li>(i) Note the actions being taken by officers to manage school places across the Borough and to meet the demand for specialist places;</li><li>(ii) Approve the proposed projects, allocations of funding and procurement routes as set out in paragraphs 8 and 9 of the report, to support the provision of new school places and improvements; and</li><li>(iii) Delegate authority to the Strategic Director, Children and Adults, in consultation with the Cabinet Member for Educational Attainment and School Improvement and the Head of Legal, to conduct the procurements and award the respective project contracts.</li></ul>	

**Reason(s)**

The decision will assist the Council in fulfilling its statutory obligations to provide a school place for every child and to support priority 4 of the Council's Corporate Plan 2023-2026.

**1. Introduction and Background**

- 1.1 It has been the practice to provide Cabinet with regular information on the forecast demand of pupil numbers at Primary, Secondary and for those who require Special Educational Needs places. The Council has a statutory obligation to provide a suitable school place for every child who lives in the Borough and wants a school place, so there is a need to ensure there are sufficient places available at any given time.
- 1.2 The report provides an overview of the forecast demand for pupil places in primary, secondary and special need places for the next 5 years but also an indication of longer-term trend for the next 10 years using the data we have available.
- 1.3 To ensure that there are sufficient high-quality places to meet current and future demand for mainstream and specialist places for pupils with Special Educational Needs (SEND), intelligence led forecasting takes into consideration the following factors.
  - Numbers of pupils currently in the Borough;
  - GLA data including population, migration and birth numbers;
  - Transition rates from birth to Reception age five years later;
  - New housing proposals as advised in the Local Plan Review and planning applications received for proposed housing developments;
  - Historical data and trends such as migration patterns and those pupils who live in the borough but choose schools outside;
  - Internal knowledge of recent population fluctuations, in particular the impact of population movements into and out of the Borough.
- 1.4 LBBD forecasts, over the last 20 years or more, for the short term have been accurate to within 92% to 97% of actuals, although the impact of leaving the EU and the pandemic has affected the accuracy of longer-term forecasts.
- 1.5 These forecasts are part of our annual submission to the DfE. The DfE takes these into account together with 5-year view of demography to determine the level of capital grant to the Council, to create school places or for the DfE to agree the opening of a new school as needed. This year, for the first time, the DfE has asked all Local Authorities to submit data on the demand for special education needs places. Growth in demand and the lack of special needs places has become a national issue.

**2. Update on Pupil Numbers and Capacity for September 2023**

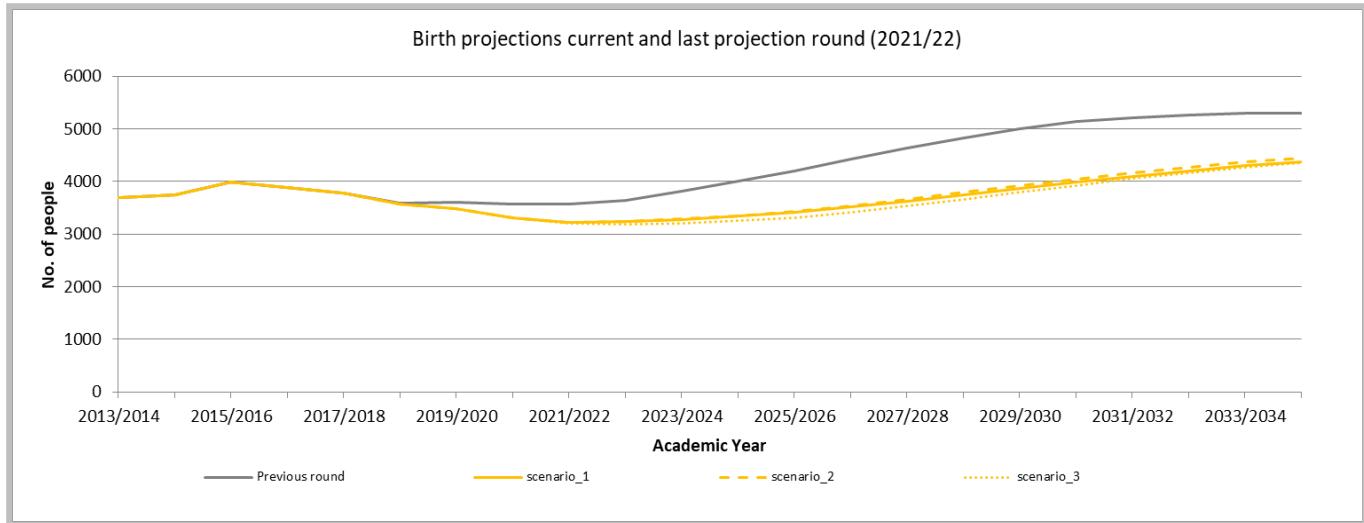
- 2.1 Over the past 15 years, the pupil population in the borough has increased by 43%. There are now 45,239 pupils attending Barking and Dagenham Schools. The borough's demography has changed significantly reducing the average age of the population, which is counter to the national trend. The Borough has the highest

population (26.1%) of residents aged under 16 in England and Wales (Census 2021). Migration from inner London increased, driven by the comparatively lower rents and cost of buying in the borough. In response, there was a need to rapidly expand existing schools and / or to build new schools for new communities, to ensure that every child young person had a suitable school place.

- 2.2 More recently, the demand for school places has declined which is a London wide issue. This is due to several factors: a declining birth rate; EU nationals leaving post Brexit, families moving out of London during and after the pandemic; and the cost-of-living crisis. Demand is increasing where the most vulnerable have been affected by the loss of education during the pandemic. Typically, they need support for speech and language skills. The picture is complex in London overall, but more so for Barking and Dagenham where there are significant housing developments underway or are planned which leads to increases in demand for school places. This means that whilst some schools are undersubscribed there are areas of the borough which will need new schools / school places.
- 2.3 In making investment decisions to create new or to retain existing school places, a view is taken about the longer-term prospects of the durability of the need for the places. For example, when the Council wished to retain schools in the late 1980s and early 1990s the Council was pressurised into closing schools and land disposal. This situation was reversed within five years where school numbers grew and have grown since. Permanent school buildings are intended to last at least 60 years and are thus intergenerational investments. Currently we are experiencing a downturn in school numbers. However, the quantity of housing planned and under construction means that the need for school places is likely over the longer term, to remain. We are seeing surplus places in a number of localities in the borough and the prospect of growing shortages in others.

### **3. Mainstream Primary update**

- 3.1 For primary school places forecasts focus on Reception numbers as an indication of demand over the long term.
- 3.2 In some parts of the borough there is a reduction in demand for Reception school places. This is further complicated by parental preference for popular schools can fill their full capacity numbers whilst equally performing schools nearby may struggle. Looking ahead, there is a foreseeable need for more school places where new housing is being built or planned – for example - Beam Park, South Dagenham, and Barking Riverside.
- 3.3 Birthrates in the Borough have fallen but to a lesser extent than London overall and would appear to have plateaued, as shown below.



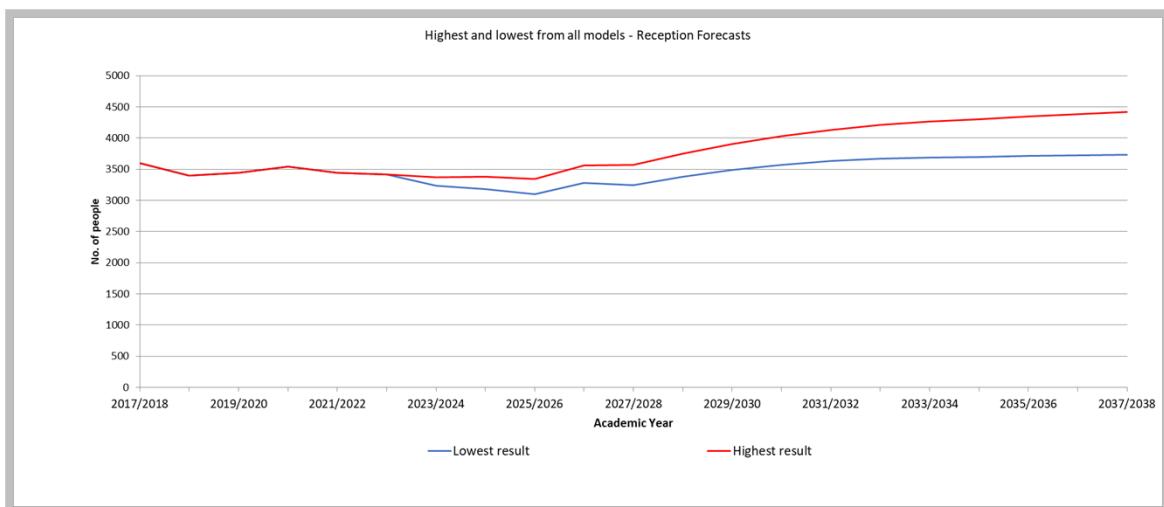
3.4 Our Reception forecasts indicate a decline in demand until around 2028 after which they will start to recover slowly. Below is the table for all primary year groups including Reception where you can see the reduction on numbers working through the respective year groups each year.

All PA's	Reception	1	2	3	4	5	6
2022/23	3438	3511	3673	3457	3361	3611	3584
2023/24	3300	3469	3509	3646	3438	3343	3589
2024/25	3189	3330	3465	3484	3627	3420	3320
2025/26	3104	3216	3327	3442	3465	3608	3398
2026/27	3289	3131	3215	3302	3422	3449	3584
2027/28	3261	3319	3127	3191	3284	3405	3427
<b>Capacity May 23</b>	<b>4235</b>						

3.5 The most significant drop in demand is being seen in the central part of the borough. To manage this, several schools have agreed to reduce their published planned admission number (PAN) so that they can plan appropriately and remain financially viable.

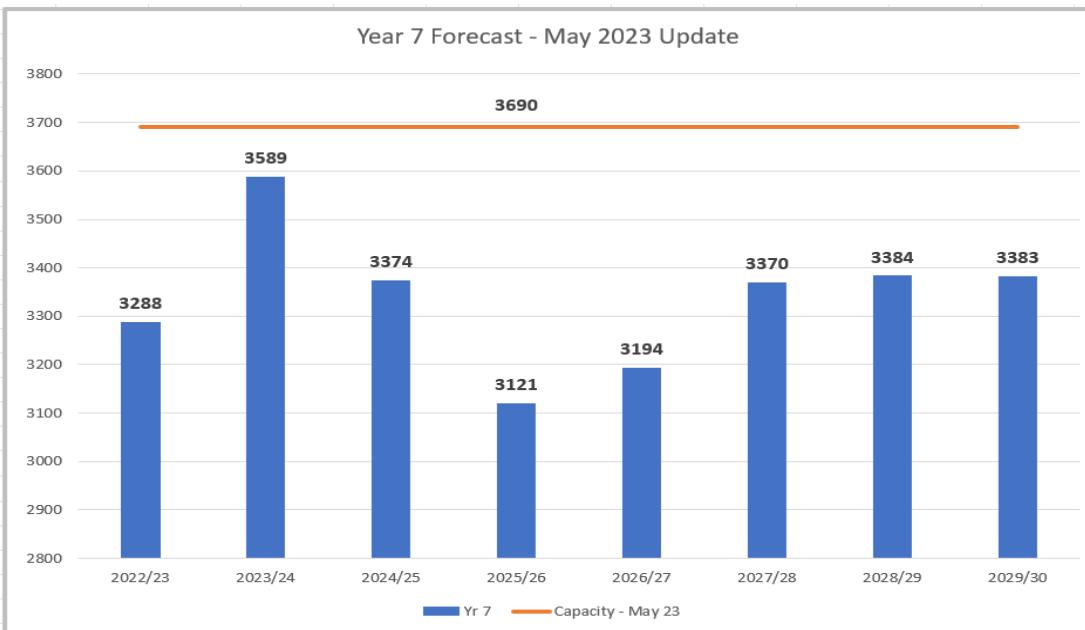
3.6 To ensure schools collectively remain financially viable, a review of the school estate is being undertaken to see if there are any opportunities for rationalisation and perhaps a possibility of creating specialist accommodation. Previously the Council has expanded 75% of the existing school estate to meet demand. The review will consider the possibility of some form of viable contraction as an option to reflect to lower demand and which would be sustainable in the long run. Any proposals would be reported to Cabinet for consideration.

- 3.7 Although we are seeing the contraction of demand to some parts of the borough, we still need to continue the longer-term work of planning new schools for new communities resulting from major housing developments, including the following:
- Beam Park development: a 3FE primary school will be needed to meet pupil demand arising from this development. The housing development has been delayed. In consultation with the DfE it was agreed that the planned opening of this school should be delayed until 2027 and will be kept under review. The reason is to maintain demand to nearby schools in the interim. The project is fully funded by the DfE.
  - Mallard Primary is a 3FE Primary School located within the Barking Riverside development. This is the next primary school needed as the development is built out. It has been agreed with the DfE that this school would be required to open in 2026/7. The project is again fully funded by the DfE and, as with the above project, will be kept under review to ensure nearby schools are at capacity.
- 3.8 Taking a longer-term view, the 10 Year Reception forecasts better illustrates the recovery of pupil numbers as a whole but this is geographically over a wider area since it takes into account the new population arising from the new housing developments.

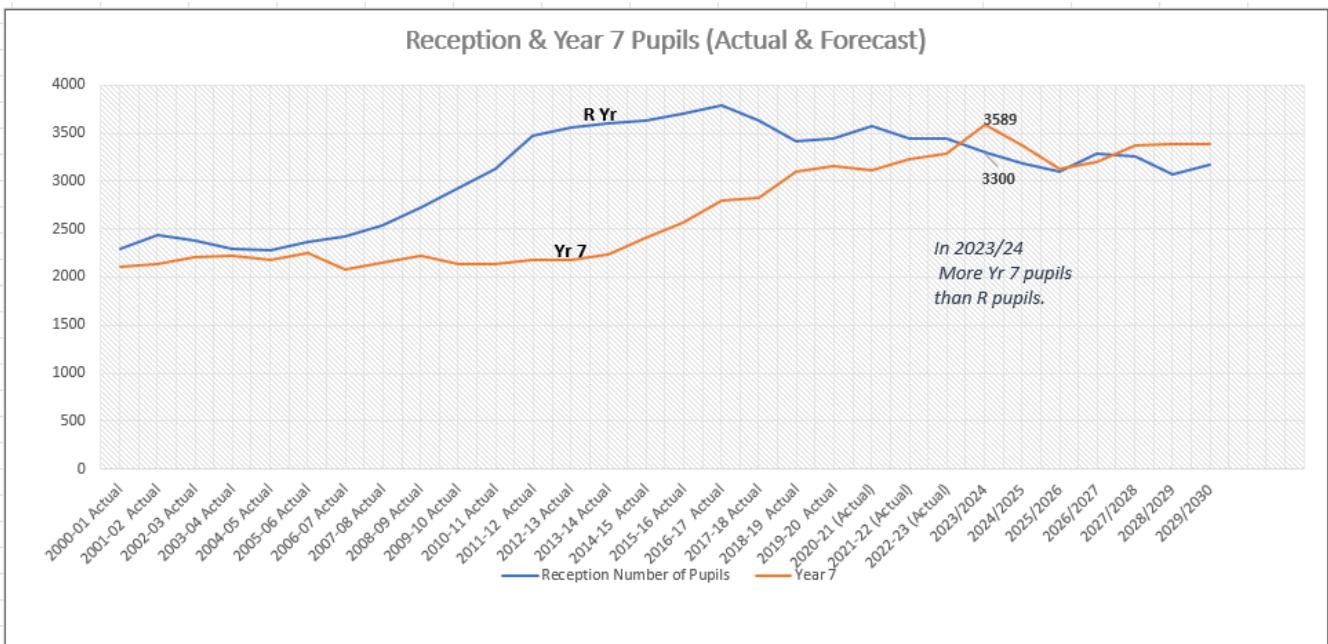


#### 4. Mainstream Secondary Provision

- 4.1 Since 2013, the demand for secondary school places has steadily grown reflecting the earlier growth in the primary cohort feeding through into Year 7 at the start of secondary school. Today, the demand for Secondary School places is forecast to peak this year after which we anticipate the demand easing until 2027/28 when numbers will start to recover.



- 4.2 It is anticipated that the spread of vacancies, with a few exceptions, is likely to be more evenly distributed across the borough. Nevertheless, we will discuss with Secondary Headteachers collectively a view for capping planned admission numbers if they wish for the academic year 2025/26.
- 4.3 In relation to new housing developments, a need was previously identified for secondary school provision in South Dagenham. This was to manage the anticipated demand which would arise from Dagenham Green (Ford Stamping Plant) and Beam Park housing developments. DfE approval was given in 2017 for the opening of a new secondary school called Beam High School in which they would build the school which would be located in Dagenham Green, land secured through a section 106 agreement. To date, insufficient development has come forward which would generate the additional demand to open viably without adversely affecting nearby secondary schools. The school operator, Partnership Learning Trust in consultation with the DfE and LA agreed to withdraw their application from the DfE. What this means is that the project will now not proceed however in future years once these developments are more advanced the opening of a new school can be revisited with the DfE.
- 4.4 The graph below shows both the Reception (starting primary school) and Year 7 (starting secondary school combined. It best illustrates when external events impact upon demand and the natural time lag between primary and secondary demand.



## 5. Current demand for Special Educational Needs and Disabilities (SEND) and specialist places

- 5.1 Numbers of Pupils with SEND continue to rise exponentially in terms of the proportion of the pupil population and severity of their disabilities. The summer 2023 count indicated that there were 2,401 pupils with an Education Healthcare Plan (EHCP) who were allocated across the following provisions below.

### Make Up of Provision

SEND Establishment type	%
Mainstream Schools	61.1
Special Schools	26.8
Independent Special School	3.9
Out of Borough Schools	8.0
Other	0.2

- 5.2 Using the Department for Education data published in January 2023, we can see the number of pupils with an EHCP in the borough has almost doubled since 2015/16 and increased by approximately 240 from 3 years ago and now equates to 3.7% of the school population (the London average is 4.5%). Based on this data, we could expect the number of additional EHCP's to increase by circa 120 per year. The demand is placing an immense pressure in finding suitable placements together with the right support these pupils need.

## **Educational Health Care Plans in Barking & Dagenham for statutory school age pupils.**

	<b>2015/ 16</b>	<b>2016/ 17</b>	<b>2017/ 18</b>	<b>2018/ 19</b>	<b>2019/ 20</b>	<b>2020/ 21</b>	<b>2021/ 22</b>	<b>2022/2 3</b>	<b>3-year average (2020/21 to 2022/23)</b>
Total	914	974	1,050	1,123	1,255	1,389	1,570	1,699	1,576
Annual Increase		60	76	73	132	134	110	129	124
EHCP %	2.2%	2.4%	2.5%	2.7%	3%	3.3%	3.5%	3.7%	3.5%

- 5.3 There are two new Special schools being procured by the DfE which will provide much needed additional facilities in the Borough. Pathways moved into their newly completed school in November 2023 located in South Dagenham. The second, Oxlow Bridge has been subject to many delays however it has recently secured planning permission and it is anticipated that construction will commence in early 2024 with an opening date of September 2025.
- 5.4 Further provision is required, not just to meet the demand coming through, typically Autism Spectrum Disorder (ASD) and Social Emotional, Mental Health (SEMH) but also the severity of needs being presented. This position is not unique, most Local Authorities are struggling with similar demands. An element of this has arisen from the pandemic where there are high numbers of primary age pupils who need speech and language support. Also, Barking and Dagenham Schools have an enviable reputation for being inclusive which attract families moving to the Borough. Our Additional Resource Provisions (ARPs) located within schools are a success in our community and now being replicated elsewhere across the country. Currently, some of our SEMH ARPs have had to reduce their capacity to meet the more complex needs of pupils who are attending. In response, we are looking to establish further smaller units at other schools to maintain capacity.
- 5.5 For the Secondary age cohort of special needs pupils, we require further provision in both mainstream and in Special Schools. Many Year 6 pupils currently in mainstream primary ideally need the support of a special school and whilst some pupils will go to a Secondary school ARP's, the offer is different due to the constraints of the curriculum. Our current challenge is to create further capacity both in mainstream and special and where possible to avoid placements outside of the borough. Here there are several workstreams underway.
- 5.6 As part of this early work, the Partnership Learning (PL)Trust which operates Riverside Special School were approached to consider expanding their age range to include post 16. PL submitted a business case to the DfE supported by the LA which was subsequently approved and would operate from September 2023.

## **6. New Grant Allocations and contributions for 2023**

- 6.1 The DfE announced in April 2023 its grant allocations to Councils for both Basic Need – (new school places) and funding for school condition (repair and maintenance).
- 6.2 The Council received £5,250,195 School Condition grant for 2023/24 to invest in the maintenance of school buildings. We anticipate that the DfE will announce in

March/April 2024 the School Condition Grant for 2024/25 which once known will be included within the capital programme. In addition, the Council has received an allocation of £1,873,828 for 2025/26 for Basic Need to create additional specialist places.

- 6.3 The Council have received £505,464 from a planning Section 106 planning agreement as a contribution towards school places.

## 7. DfE Schools Rebuilding Programme

- 7.1 In early 2022, Education Officers submitted a bid to the DfE's Schools Rebuilding Programme for Barking Abbey School. This Programme is aimed at school buildings that need modernisation or replacement. The bid covered both the Sandringham and Longbridge Road sites. During the summer holidays of 2022, DfE surveyors undertook site visits and inspections to validate the bid.
- 7.2 Earlier this year the LA were advised that Barking Abbey School had been selected for a future wave of the Schools Rebuilding Programme and in July 2023 they were notified that the school had been placed in Group 2 of 50 schools which will be delivered from April 2025. We have been advised that dialogue with the DfE will commence in 2024 but at this stage, have not been provided with further details of the size and scale of the investment but it seems likely to be significant.

## 8. New Proposed Major Capital Projects

- 8.1 As part of our capital strategy to meet the demand for specialist places, the following projects are proposed. The financing of these is contained within section 9 of the report.
- 8.2 **Trinity School New build and remodel.** Trinity School is a large all age 300 place Special school who has a mixed cohort of pupils with highly complex needs covering ASC, SLD, Behaviour, PMLD and MSI. School buildings are spread across the site – the result of years of piecemeal development. Accordingly, the site has a number of challenges: parking and transport vehicle logistics; sub-optimal accommodation locations and adjacencies; ‘left-over’ external areas; aging and time-expired accommodation. Additionally, the site lacks obvious civic / community presence despite the importance of the work of the school. Most of the school’s operations take place in buildings scarcely visible from the main road.
- 8.3 It is proposed to remodel the site including the removal of end-of-life structures and replacing those with two new buildings. The main building will be a bespoke Living and Learning Centre (LLC). This will provide improved accommodation for the most vulnerable and complex needs pupils and will enable the co-location of the dedicated and highly skilled staff. The migration of high-needs pupils to a new LLC building from the main school would also release spaces that will be re-assigned to more productive uses.
- 8.4 In terms of procurement, it is proposed to use the Local Education Partnership (LEP) to deliver the project. The LEP has successfully delivered many projects for the Council and is currently onsite constructing Greatfields Primary School in Barking.

## **8.5 Mayesbrook School – Outreach Tuition Plus - Conversion of Rectory Road Library**

Mayesbrook Park School is an Alternative Provision School which is based across three campuses, Mayesbrook Park, Erkenwald and Seabrook. The School provides a broad range of education services for pupils who have behavioural, emotional, social difficulties, who may be permanently excluded or temporarily suspended or who may be medically ill. They cater in the broadest terms for some of the most vulnerable pupils in the borough.

- 8.6 Mayesbrook operates a Home Tuition service for pupils up to the age of 16 years old. The service is primarily aimed at those who are medically ill or suffer from social difficulties and can be termed as having Emotionally Based School Avoidance (EBSA). Home tuition is used also as an interim arrangement for pupils with an Education Health and Care Plan (EHCP) and a specialist place is being sought. Where possible, the service aims to work with the pupil and family, to return to mainstream education.
- 8.7 Current arrangements pose a number of difficulties. Demand for specialist places is increasing. Sometimes the family home environment is not conducive to teaching and learning. Further, in the transition from home to a mainstream school it is often very difficult to secure suitable spaces in which to teach and the pupil to learn.
- 8.8 Senior Education Leaders and the Headteacher of Mayesbrook Park School have developed a new operating model: Outreach Tuition Plus, to further support students in the transition from home tuition to mainstream school. It will provide 1 to 1 teaching of pupils alongside counselling, mentoring and additional support to families. Outreach Tuition Plus will be an extended service of Mayesbrook Park School's Home Tuition service. It is planned to be delivered from a repurposed Rectory Road Library building.
- 8.9 The Library building was previously leased and used as a social club. The club fell into administration and the lease was surrendered. Vacant for two years, the building is currently in a poor state of repair. It is a locally listed building, but with a sympathetic restoration and conversion it will provide suitable places for the service. In terms of procurement, it is proposed to approach the Local Education Partnership (LEP) to deliver this project alongside our Trinity proposals so to achieve value for money.
- 8.10 **All Saints Catholic Secondary School proposed New ARP.** The leadership of All Saints Catholic School have come forward with an offer to operate a new Alternative Resource Provision (ARP). Currently pupils who attend an ARP within a Catholic Primary School do not have the option of a Secondary ARP offer within a Secondary Catholic school environment when they move to secondary education. Under the proposals, a scheme would be developed which could initially accommodate 6 pupils at any given time. It is anticipated that the school and the Diocesan will use their framework of professional consultants to develop the scheme and tender the project. Discussions are underway with parties to move the project forward.

- 8.11 **Trinity Special School**– Conversion and extension of former caretaker's house to create a family/carer support unit. In developing the remodelling project of Trinity School, a need was identified how best the school can support parents and carers of pupils who attend Trinity School. The project is part of the wider redevelopment discussed from para 8.2 and originally was proposed to be developed ahead of the main scheme. In terms of procurement, it is proposed subject to agreement that the project will be carried out by BDTP, one of the Councils trading companies. The partnership with BDTP has developed over the past 9 months where they are successfully delivering several education projects under the new management arrangements.
- 8.12 **SEND projects at Schools**. The SEND workstream is a continuation of smaller projects at schools where spaces are being reconfigured or created to provide additional places for pupils with SEND and also to improve the environments of existing. There are currently 15 proposed projects in the pipeline. The largest project is at Barking Abbey school where it is proposed to install some additional demountable classrooms and to undertake some remodelling to enable expansion of their existing ARP. This project will be over £500,000 and it is proposed that we will utilise an existing established framework to procure these units.
- 8.13 **Retrospective procurement approval** - At Northbury Primary School we are proposing to support the schools' pupils who have special education needs with a dedicated resource called a In School Provision (ISP). The set up is similar to the LA's commissioned Additional Resource Provisions ARP. Previously, funding has been set aside for the project which will have a build cost of approximately £800k. As the project is over £500k, under the Councils Constitution it requires members approval with regards to the proposed procurement route. Keen to push the project forward, the Procurement Board agreed the best approach would be a competitive open tender route but require member approval before going forward. Members are asked to approve such procurement route.
- 8.14 **Various Schools -Replacement of lath and plaster ceilings** - A programme is being developed to replace a number of lath and plaster ceilings in a number of school buildings constructed in the 1930's. Works have been identified to be carried out in 2024 and possibly 2025. It is anticipated that the value of these works will be in excess of £500,000 which will be funded from the school condition grant mentioned in para 6.3 of this report. It is proposed to procure these works through the Barking and Dagenham Trading Partnership BDTP, the Councils wholly owned company who will be required to demonstrate value for money. The exact scope of works and programme will be finalised in early January 2024. Members are asked to approve this proposed procurement route.

## **9. Current position regarding capital funding**

- 9.1 Members will be aware that the Council has been prudent in its use of capital grants when creating mainstream and specialist places. This has been achieved partly through the expansion of existing schools but also identifying suitable and efficient routes to market such as the Local Education Partnership (LEP) on larger projects which has enabled the Council to seek continuous improvement, innovation and value for money, Frameworks such as NHS for modular buildings and finally traditional tending. The proposed projects identified in section 8 of this report are

primarily aimed at increasing SEND provision and or improving the quality of existing places to meet the severity of needs of our most vulnerable.

- 9.2 **Confirmed funding available.** The table below shows our current funding position. This includes our new Basic Need allocation but also a section 106 planning contribution to education provision.

Previous funding balance position (adjusted for reconciliation to actual grant balances and remaining budgets)	£19,041,502
New Basic Need Allocation	£1,873,823
Section 106 Planning agreement	£505,464
<b>Sub Total funding available</b>	<b>£21,420,789</b>

- 9.3 **Proposed new Projects to be funded.**

Trinity School -New build and remodel	£9,800,000
Mayesbrook School – Outreach Tuition Plus	£1,550,000
All Saints ARP Provision	£1,000,000
Trinity House	£800,000
SEND Projects various schools	£3,250,000
<b>Sub Total</b>	<b>£16,400,000</b>

- 9.4 **Balance carried forward.**

Funding available	£21,420,789
Proposed new projects	£16,400,000
Balance retained for future years projects	£5,020,789

## 10. Options Appraisal

- 10.1 The agreed investment strategy (see Future Planning Programme to meet Basic Need [including SEN places] 2019 to 2027 Cabinet 21 January 2020) 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); secondly 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; then subsequently 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.
- 10.2 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 and timescales to achieve cost efficient / competitive prices often in short timescales.

- 10.3 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.

## **11. Consultation**

- 11.1 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, procurement and others mentioned in section 12 of this report.

## **12. Procurement Implications**

Implications completed by: Euan Beales, Head of Procurement and Accounts Payable

- 12.1 The spend detailed in the report will be procured in line with legislation at the time of the procurement and in line with the Council's Contract Rules and governance processes.

## **13. Financial Implications**

Implications completed by: Alison Gebbett – Capital Accountant

- 13.1 This report provides an update on projected pupil numbers and planned place provision for the upcoming year but also longer-term projections, along with the known resources available to support this provision. There will be increasing numbers of school pupils in the borough over the next 15 years due to housing developments and people moving into the area due to cheaper housing. The report also highlights the demand for special educational needs and sets out the options that are being reviewed.
- 13.2 The report sets out the pot of available uncommitted grant funding for funding new schemes for both new pupil places and SEND provision. This has been reconciled against actual grants received and announced and the existing budget allocations as reported to Assets and Capital Board monthly and reported to Cabinet quarterly as part of the capital monitoring finance report.
- 13.3 Proposed new projects to be funded from the Basic Need and High Needs grant pot are set out at 9.3 above totalling £16.4m and Cabinet approval is requested to add this amount to the capital programme.
- 13.4 This report also sets out capital programme funding announced of £5,250,195 Schools Condition Capital. Cabinet approval is requested to also add this to the capital programme.
- 13.5 These allocations are all fully grant (or section 106) funded and will have no additional financial implications for the Council. Any major risks, issues or overspending that becomes apparent will be monitored, managed, and reported on as part of the Council's normal quarterly capital monitoring process.

## **14. Legal Implications**

Implications completed by: Lauren van Arendonk, Principal Contracts and Procurement Lawyer (Acting), Law & Governance

- 14.1 Any procurement carried out must comply with the Council's Contract Rules and the Public Contracts Regulations 2015 (the "Regulations") where the contract has a value in excess of procurement thresholds set out in the Regulations.
- 14.2 In line with the Contract Rules, Cabinet can indicate whether it is content for the Chief Officer or delegated authority to award the contract following the procurement process with the approval of Corporate Finance.
- 14.3 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.
- 14.4 Local authorities have legal duties to identify and assess the special educational needs of children and young people for whom they are responsible. Local authorities become responsible for a child or young person in their area when they become aware that the child or young person has or may have special educational needs and the local authority must ensure that those children/young people receive support to help them in "achieving the best possible educational and other outcomes".
- 14.5 Each local authority is required to publish a Local Offer detailing relevant information about all the services and support it expects to be available for children/young people with special educational needs and/or a disability for whom they are responsible. The Local Offer must set out what the local authority expects in terms of support provided by schools/colleges, educational health and care provision, training provisions, transport arrangements from home to school/college and support for preparing the young person for adulthood and independent living. The local authority has a duty to secure sufficient school places which applies to all children, including those with SEND.

## **15. Other Implications**

- 15.1 **Risk Management** - 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. An assessment of specific risks is set out below:

**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.

**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.

**Primary and 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.

**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.

**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.

- 15.2 **Contractual and Procurement Issues** - It is anticipated that projects will be procured through options related either to the Local Education Partnership or through the Council's Framework of Contractors or other national or local frameworks which are accessible to the Council to secure value for money. It is a requirement of the grant funding to achieve value for money and demonstrate that all procurement options have been evaluated.

Legal, procurement and other professional advice will be sought regarding the appropriate procurement routes and contractual agreements to procure and secure the individual projects. All procurement activity will be conducted in compliance with the Council's Contract Rules and EU Legislation. The procurement routes will be approved at Procurement Board which will consider a report from Education Commissioning about a procurement strategy based on a project basis. This will ensure that Value for Money is tested.

Projects will be subject to the Capital Appraisal Process and the agreement of the Procurement Board to progress schemes.

- 15.3 **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.

- 15.4 **Corporate Policy and Equality 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.

- 15.5 **Safeguarding Adults and 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.
- 15.6 **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. Healthy Schools funding is to be welcomed.
- 15.7 **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.
- 15.8 **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:** None