

The signed decision sheet for this decision is not available, however there is no requirement for it to be replaced as the matter has been superseded by later decisions as part of the governance process around the Capital Programme.

Agenda Item

For Publication

Bedford Borough Council

Date: July 2017

Report by the Director of Children's Services

SUBJECT: SCHOOL MANAGED PROJECTS

1. Executive Summary

- 1.1 The Executive agreed a move to two tier schooling in Bedford Borough in January 2016. As such a significant investment has been made within the school estate to support the reorganisation.
- 1.2 Bedford Borough schools are currently organised into three tiers: Lower (Year R – Year 4), Middle (Year 5 – Year 8) and Upper schools (Year 9 – Year 11 plus 6th Form). However some areas of the Borough operate in the two tier system of education: Primary (Year R – Year 6) and Secondary (Year 7 – Year 11 plus 6th Form in some cases).
- 1.3 A School Structural Consultation was undertaken between 4th November 2015 and 18th December 2015. This proposed a change to two tier education in Bedford Borough. All capital projects procured by Bedford Borough Council in relation to the 3-2 Tier programme of works have been via the SCAPE framework in accordance with the Executive decision on the 20th January 2016.
- 1.4 As the programme has evolved, some schools have expressed a wish to procure their building works directly or through Bedford Borough Council design Services rather than through the SCAPE framework. This report gives the council an additional option for delivery of school buildings through School managed project

2. Recommendations

The Mayor is requested:

- a) To acknowledge and approve a process by which the Council is agreeable for schools to procure capital works in relation to 3-2 Tier directly or via Bedford Borough Council Design Services.**

3. Reason for Recommendations

- 3.1 To ensure the organisation of schools within Bedford is fit for purpose now and into the future, in line with the Borough Council's duties and responsibilities as the commissioner for school age education, in line with the provisions of the Education and Inspections Act 2006.

4. Key Implications

Legal Issues

- 4.1 The Education Act 1996 Section 13A and Section 14 along with the Provision of Education (England) Regulations 2008 require the Council to secure sufficient school places in their area.

Policy Issues

- 4.2 The Department for Education allocate two capital funding streams for Councils; Basic Need Grant and LA School Condition Allocation.
- 4.3 The Basic Need Grant is allocated to support the capital requirement for permanent pupil places in all schools, either new places or the replacement of temporary places. The agreement for a school managed project would evidence that the required number of places are delivered.
- 4.4 The LA School Condition Allocation supports maintained schools with the maintenance of school buildings or the replacement of school buildings. Free Schools and Academies receive maintenance funding directly from the DfE.

Resource Implications

- 4.5 The School Capital programme is funded by:
1. LA School Condition Allocation,
 2. Basic Need Grant,
 3. Funds secured under Section 106 of the Town and Country Planning Act 1990,
 4. Dedicated School Grant (DSG) allocated by the Bedford Borough Schools' Forum,
 5. Funds from general Council revenue and capital funding, and
 6. Specific funding streams through a bidding process.

In addition, schools receive a Devolved Formula Capital Grant which, along with other school funds, may also be used for capital works.

- 4.6 A School Managed project would be commissioned on a fixed cost cases which mitigates the council against the risk of additional project costs as additional costs would be the responsibility of the school.

Risk Implications

- 4.7 The following risks should be taken into account when considering this report:
- (1) New capital funding can be secured at any time, for example through a successful funding bid. No capital projects will be undertaken without appropriate funding secured and executive approval;
 - (2) The capital costs of making alterations to schools required to enable them to meet the new age range and size exceeds the available funding due to rising costs within the industry. Further feasibility work will reduce this risk and projects will be scoped within the funding envelope available. There is also a 20% contingency built into the capital budget allocation for all two tier accommodation works and quantity surveyor payments.

Environmental Implications

- 4.8 There are no environmental implications arising directly from the report but a number of the schemes identified in the forward programme of works seek to provide environmental benefits.

Equalities Analysis

- 4.9 In preparing this report, due consideration has been given to the Borough Council's statutory Equality Duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations, as set out in Section 149(1) of the Equality Act 2010.
- 4.10 An equality analysis has been completed in respect of the overall recommendations of the report. The activity has the capacity to negatively impact and positively impact on all pupils and parents, particularly those who have a disability or have English as an additional language. Actions will be implemented to ensure these groups are protected and positively impacted on throughout the process. The equality test determined that approval of the recommendations as set out in this report has no relevance to the Council's statutory equality duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations.

5. **Details**

- 5.1 A School Structural Consultation was undertaken between 4th November 2015 and 18th December 2015. This proposed a change to two tier education in Bedford Borough. All capital projects procured by Bedford Borough Council in relation to the 3-2 Tier programme of works have been via the SCAPE framework in accordance with the Executive decision on the 20th January 2016.
- 5.2 A single provider framework (SCAPE) approach was chosen on the basis of:
- a) Risk mitigation;
 - b) Time / cost saving on route to market;
 - c) Economies of scale and assurance to 2nd tier / local providers.
- 5.3 Property Services and Procurement colleagues have supported Education colleagues in the project management process and be part of the intelligent client role. An external organisation has also been commissioned through SCAPE to provide Quantity Surveyor (QS) and Project Management services.
- 5.4 In some cases, for example, where the additional space is to be achieved by remodelling, the projects are to be procured and managed through Bedford Borough Design Services (list in Appendix A)
- 5.5 Some schools have expressed a wish to procure and manage their building projects directly rather than through the local authority and outside of the SCAPE framework (list in Appendix A). It is proposed that this arrangement is made on a fixed cost basis for delivery of a set amount of classroom space and pupil numbers. In some cases this will be a retrospective payment to the school. In all cases this is of benefit because:
- a) It mitigates the risk of any overspend by the Council.
 - b) It enables the school to add their funds to the project or enhance a project already planned.
 - c) Reduces the burden on the council to fully manage the project.
- 5.6 In order for this to remain good use of public funds ensuring value for money a clear agreement is to be made with all schools confirming the parameters of the budget and timescale, including details of the process the must adhere to.
- 5.7 The process flow chart in Appendix B includes the following safeguards;
- a) Confirmation that liability for risk and overspend sits with the school.
 - b) Demonstrating that the school has followed an appropriate procurement process.
 - c) Approval by Bedford Borough Council Design Services.

6. **Summary of Consultations and Outcome**

6.1 The following Council Units or Officers and/or other organisations have been consulted in preparing this report:

Portfolio Holder for Education
Management Team
Relevant Officers

Report Contact Officer: Fran Cox, Head of School Infrastructure
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File Reference:

Previous Relevant Minutes: Executive, 20th January 2016

Background Papers: None

Appendices: A: List of Schools

B: School Managed projects – process flow chart

Delivery	Project	Budget
School Managed	Kymbrook	200,000
School Managed	Mark Rutherford	500,000
School Managed	Harrold Priory/Harrold Lower	50,000
School Managed	St James Lower	380,000
School Managed	St Thomas More	2,079,000
School Managed	Christopher Reeves	200,000
School Managed	Hazeldene	100,000
School Managed	Goldington Academy	800,000
School Managed	SAF - Lincroft	1,300,000
School Managed	SAF - Sharnbrook	500,000
School Managed	Roxton	50,000
School Managed	Thurleigh	192,000
Design Services	Willington	195,000
Design Services	Great Barford/Alban	325,581
Design Services	Wilden	600,000
Design Services	Scott/Beauchamp	300,000
Design Services	Westfield	210,000
Design Services	St Josephs/St Gregs	200,000
Design Services	Hazeldene	90,000
Design Services	Roxton	40,930

