

Decision Maker: EDUCATION PORTFOLIO HOLDER

Date: For Pre-Decision Scrutiny by the Education Policy Development and Scrutiny Committee on Tuesday 30 September 2014

Decision Type: Non-Urgent Executive Key

Title: **BASIC NEEDS PROVISION UPDATE REPORT 8 INCLUDING 2 YEAR OLD CAPITAL FUNDING, BEACON HOUSE AND HEALTH AND SAFETY IN BROMLEY SCHOOLS**

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Chief Officer: Executive Director of Education, Care & Health Services

Ward: (All Wards);

1. Reason for report

- 1.1 To update Members on progress in delivering the Basic Need Programme and to set out the forward programme for the period 2014-17, the proposed allocation of 2 Year Old Capital, feasibility for the redevelopment of Beacon House and proposed actions following a health and Safety audit of Bromley schools.

2. **RECOMMENDATION(S)**

- 2.1 That the Education PDS Committee note the updated 2014-17 Basic Need Programme outlined at Appendix 1.
- 2.2 That the Portfolio Holder for Education approves the updated list of schemes as outlined at section Appendix 1.
- 2.3 That the Portfolio Holder agrees the allocation of Capital Funding for 2 Year Olds as detailed within this report.
- 2.4 That the Portfolio Holder agrees the devolution of Capital Funding For 2 Year Olds to Private, Voluntary and Independent Sector providers.
- 2.5 That the Education PDS Committee notes the progress in expanding the vocation offer to pupils with EBD through the proposed purchase and refurbishment of Beacon House and

that the Portfolio Holder agrees to the procurement of consultants to undertake the feasibility of refurbishing Beacon House.

- 2.6 That the Education PDS Committee note the outcomes from the schools health and safety audit and recommended response**
- 2.7 That the Portfolio Holder for Education agrees the procurement and award of contract of schemes within the Basic Need Programme through traditional procurement, the Lewisham Modular Buildings Framework or through the devolution of Basic Need Capital Grant to schools.**

Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Children and Young People
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Financial

1. Cost of proposal: £79,738,000 Estimated Cost
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Education Capital Programme
 4. Total current budget for this head: £63,239,805
 5. Source of funding: DfE Basic Need Capital Grant, DfE Capital Maintenance Grant, S106 Funding, 2 Year Olds Capital Funding, DSG
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Staff

1. Number of staff (current and additional):
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Statutory Requirement
 2. Call-in: Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 This report provides an update on the delivery and future planning of the Council's Basic Need Capital that supports the provision of sufficient pupil places through improvements to and expansion of Bromley Schools. The report also includes an update on the 2 Year Old Capital Funding, the feasibility for improved secondary EBD provision at Beacon House and the outcomes and response to a schools health and safety survey undertaken by the Council.

Funding

- 3.2 The Council receives Basic Need Capital Grant from the DfE to support the delivery of sufficient school places. The Council's award for the period 2011-17 is outlined below.

2011-12 allocation	£4,496,771
Autumn 2011 exceptional in-year allocation	£1,277,936
2012-13 allocation	£2,404,519
Spring 2012 exceptional in-year allocation	£1,590,436
2013-15 allocation	£9,968,079
2015-16 allocation	£20,635,153
2016-17 allocation	£21,666,911
Contribution from DfE Capital Maintenance Grant underspend	£1,200,000
Total allocation to date:	£63,239,805

- 3.3 The DfE have suggested that a further Basic Need Capital Grant allocation will be made during winter 2014/15 to cover the year 2017/18.
- 3.4 The Council has also been awarded £743,903 in Achieving 2 Year Old Funding. The remaining funding (£678,000) has been allocated to the development of new provision in expanding primary schools
- 3.5 The programme also includes capital contributions from a range of other capital funding programmes including Seed Challenge, Access Initiative and Suitability along with Section 106 contributions. The detail of the S106 contributions were included within *Approval of Procurement Strategy for Basic Need Projects and the Glebe School Expansion and Allocation of Section 106 Funding* to education agreed by the Executive on 2 April 2014.

Progress in delivery of Basic Need Programme

- 3.6 Since the Education Committee considered Basic Need Update Report 7 on 18 March 2014 there has been significant progress in delivery of the Basic Need school expansion programme through bringing forward further primary 'bulge' class projects to meet need, progressing permanent primary school expansions and starting the first phase of feasibility for secondary school expansion. Bromley was able to offer a school place to every reception applicant on national offer day in April 2014.

- 3.7 Churchfield Primary School and Harris Primary Academy Crystal Palace both admitted further classes following decisions to permanently expand. Both schemes are in the final phase of construction works with schemes due to be complete by the end of 2015.
- 3.8 Clare House, Midfield, Parish CE and Scott Park Primary schools where permanent expansion is proposed all took additional 'bulge' classes for September 2014. Balgowan Primary School admitted a one off 'bulge' class for September 2014.
- 3.9 New places were also provided at two new schools that opened in Bromley in September 2014,, Harris Primary Academy Shortlands and La Fontaine Academy. These schools were opened in Westmoreland Road and the former EDC building respectively whilst development of permanent proposals for the schools' locations are finalised. The opening of Harris Primary Academy Beckenham was deferred until September 2015 but the local authority was able to find places for affected children at Unicorn Primary School or other local schools.
- 3.10 However, the borough experienced a significant increase in demand for places above projections with over 150 applications more than suggested by the GLA projections. This addition demand was concentrated in Penge and Anerley, Beckenham, central Bromley and Orpington. As a result additional bulge classes were provided at:
- Blenheim Primary School
 - James Dixon Primary School
 - Leasons Primary School
 - Poverest Primary School
 - St Georges CE Primary School
 - St Paul's Cray Primary School
 - Stewart Fleming (Pioneer Academy)
- 3.11 In addition, as mentioned in 3.9 above, an extra reception class was opened at Unicorn Primary School to provide places for children without a school place following the deferment of opening Harris Primary Academy Beckenham.
- 3.12 There has also been a shortage of KS2 transition places in Planning Area 6 (Chislehurst and Mottingham) due to historic admissions arrangements. We have agreed with Mottingham Primary School that they take an additional 22 reception places in September 2014 to ensure all pupils from Dorset Road Infant School were offered a junior place. A review of options for planning Area 6 is currently under consideration.
- 3.13 Planning permission has been granted for permanent expansion of Clare House Primary School, St Paul's Cray Primary School and Worsley Bridge Primary School. The construction schemes at Clare House and Worsley Bridge have been tendered with returns being analysed and both schools are currently undertaking consultation on permanent expansion from 1 to 2 FE and 2 to 3 FE respectively. A planning application has also been submitted for the expansion of Parish CE Primary School from 2 to 3FE.
- 3.14 A planning application has been submitted for the permanent expansion of Edgebury Primary School and is currently awaiting consideration, but development of this scheme will be subject to demand in Planning Area 6 and progress of the proposed relocation and expansion of Chislehurst St Nicholas CE Primary School.

- 3.15 Detailed work on the proposals to expand Midfield Primary School, Princes Plain and Scotts Park Primary School providing additional accommodation at Unicorn Primary School will take place during autumn term 2014.
- 3.16 Works supporting the expansion of SEN provision at Riverside School and Crofton Infants School have also been completed this month and enabling works supporting the expansion of Glebe School have started.
- 3.17 Following analysis of proposals for potential expansion of existing secondary schools feasibility work has started at a number of schools. This will be subject to a report to the Education PDS Committee in January 2015.
- 3.18 In addition, feasibility schemes have been commissioned at a number of schools. Details of the works and feasibility studies being undertaken at Bromley schools is set out below:

School	Details of proposal	Stage of project
Blenheim Primary School	Bulge class and potential expansion of school from 1 to 2FE	<ul style="list-style-type: none"> • Bulge class opened Autumn 2014. • Decision on permanent expansion pending feasibility and future demand for places.
Bromley Road Primary School	Re-organisation from 3FE infant school to 1FE primary school with option for future bulge classes	<ul style="list-style-type: none"> • Asbestos strip out undertaken during summer 2014. • Main works to be undertaken during 2015/16.
Chislehurst St Nicholas CE Primary School	Relocation of school and expansion from 1 to 2 FE	<ul style="list-style-type: none"> • Feasibility complete. • Consultation on design proposals underway.
Clare House Primary School	Redevelopment of school and expansion from 1 to 2 FE	<ul style="list-style-type: none"> • Additional bulge class opening September 2014. • Planning permission granted September 2014. • Tenders returned • School consultation on expansion underway.
Edgebury Primary School	Expansion of school from 1 to 2FE	<ul style="list-style-type: none"> • Planning application currently awaiting consideration. • Decision on whether to proceed dependant on demand for places.
Farnborough Primary School	Expansion of school from 1 to 2FE	<ul style="list-style-type: none"> • Feasibility due to commence. • No decision yet on whether scheme will progress
Hawes Down Junior School	'Bulge' class passing from infants school in September 2015	<ul style="list-style-type: none"> • Detailed design work underway
Harris Primary Academy Crystal Palace	Expansion of school from 1 to 2FE	<ul style="list-style-type: none"> • School has consulted on permanent expansion • Funding agreed • Planning permission granted • Works underway
James Dixon Primary School	Bulge class and potential expansion of school from 1 to 2FE	<ul style="list-style-type: none"> • Bulge class opened Autumn 2014. • No decision on permanent expansion pending feasibility and future demand for places.
Keston CE	Accommodation to	<ul style="list-style-type: none"> • Planning application awaiting determination

Primary School	replace bulge class taught in hall	<ul style="list-style-type: none"> • Project being tendered
Leesons Primary School	Bulge class and potential expansion of school from 1 to 2FE	<ul style="list-style-type: none"> • Bulge class opened Autumn 2014. • Decision on future bulge classes and permanent expansion pending feasibility and future demand for places.
Midfield Primary School	Expansion of school from 1 to 2FE	<ul style="list-style-type: none"> • Additional bulge class admitted September 2014 • Detailed design autumn 2014
Oaklands Primary School	Provision of sufficient accommodation	<ul style="list-style-type: none"> • Development of scheme and alternative proposals
Parish CE Primary School	Expansion of school from 2 to 3FE	<ul style="list-style-type: none"> • Additional bulge class admitted September 2014 • Planning application submitted for permanent expansion
Poverest Primary School	Bulge class and potential expansion of school from 1 to 2FE	<ul style="list-style-type: none"> • Bulge class opened Autumn 2014. • Decision on future bulge classes and permanent expansion pending feasibility and future demand for places.
Princes Plain Primary School	Expansion of school from 2 to 4FE	<ul style="list-style-type: none"> • Bulge class opened Autumn 2014. • Permanent expansion being consider in conjunction with proposed expansion of Bishop Justus.
Scotts Park Primary School	Expansion of school from 2 to 3FE	<ul style="list-style-type: none"> • Additional bulge class admitted September 2014 • Work on detailed design underway
St George's Primary School	Bulge class and potential expansion of school from 1 to 2FE	<ul style="list-style-type: none"> • Bulge class opened Autumn 2014. • Decision on future bulge classes and permanent expansion pending feasibility and future demand for places.
St Mark's CE Primary School	Expansion of school from 2 to 3FE	<ul style="list-style-type: none"> • On hold
St Marys Cray Primary School		<ul style="list-style-type: none"> • Feasibility autumn 2014
St Paul's CE Primary School	Expansion of school from 1 to 2FE	<ul style="list-style-type: none"> • Additional bulge class admitted September 2014 • Planning application submitted for permanent agreed • To be tendered autumn 2014
Stewart Fleming Primary School	Bulge class and potential expansion of school from 1 to 2FE	<ul style="list-style-type: none"> • Bulge class opened Autumn 2014. • Decision on future bulge classes and permanent expansion pending feasibility and future demand for places.
Unicorn Primary School	Expanded hall, hygiene facilities and bulge class accommodation	<ul style="list-style-type: none"> • Additional temporary classroom and external works provided Summer 2014 • Feasibility underway
Worsley Bridge Primary School	Expansion of school from 2 to 3FE	<ul style="list-style-type: none"> • Planning permission granted September 2014. • Tenders returned • School consultation on expansion underway.

4 CAPITAL WORKS TO SUPPORT THE 2 YEAR OLD EARLY YEARS OFFER

- 4.1 Government policy is to extend early years provision so that around 40% of all 2-year-olds are eligible to an early learning place from September 2014. Affordable and easily accessible childcare for working families can help create more opportunities for parents who wish, or need, to work and raise children at the same time.
- 4.2 To support the implementation of this policy at a local level the Council has been provided with £744,903 in 2 Year Olds Funding to support the extension of provision through building capacity.
- 4.3 The local authority capital funding is intended to support the provision of an increased number of free places for two year old children who meet specific criteria to deliver sufficient additional statutory places for 2 year olds within Private, Voluntary, Independent and Maintained Early Years provision. In Bromley that is estimated to be in the region of 1100 in total. Between 700 and 800 places have been created within existing provision, including childminders. More detailed information is now being provided by the Department of Work and Pensions, which has enabled a more detailed mapping exercise to commence. It is clear that there is still a shortfall in the BR5 and SE20 areas (Orpington/Crays and Penge/Anerley).
- 4.4 The Council is seeking to increase 2 Year places both through working with PVI nursery providers and schools. Contained within the Basic Need Programme is £648,000 to support increased provision at Leasons Primary School, Poverest Primary School and James Dixon Primary School through delivering new early facilities as part of school expansion.
- 4.5 An additional £150,000 has been made available to support the PVI sector. In evaluating proposals for suitability and impact of funding the following criteria are used:
- Location of setting – is it in an area where places are required?
 - Quality of provision – settings need to be rated as Good or Outstanding by Ofsted to be involved in providing free education for two year olds
 - How many new places will the scheme provide?
 - Sustainability of the setting.
 - Are there economies of scale from to be gained from the development or links to other projects?
 - Does the scheme represent good value for money?
- 4.6 It is not anticipated that any of these schemes will require large capital investment, although some investment in the infrastructure of buildings may be needed, to provide separate areas for younger children or changing areas for example.

5 BEACON HOUSE

- 5.1 At the meeting of the Executive on 10 June 2014 the purchase of Beacon House was approved for use as an educational establishment. The commercial property had been used previously by a charity to provide vocational training for 14 – 19 year olds. It is proposed that this property will become part of the borough's provision for children with Emotional and Behavioural Difficulties (EBD) and will continue to provide vocational training, as well as the core curriculum for KS4 pupils.

- 5.2 It will be necessary to refurbish the building to make it suitable for school use and to offer a wider variety of vocational courses. It is proposed that any refurbishment work will be funded from the Dedicated School Grant (DSG).
- 5.3 A feasibility study needs to be carried out to identify the works to be undertaken to ensure the building can be used for its intended use as an EBD provision and to ascertain the estimated tender value.
- 5.4 Based on an outline estimated refurbishment cost of £1,500,000 the estimated consultant's fee is £200,000. Approval is sought to appoint consultants to progress this project. The consultants will be appointed for RIBA Stages A-L (i.e. inception to completion) with breaks at various stages to allow reflection and review. At this stage they will only be appointed to undertake the feasibility, which has an estimated cost of £35,000. As part of the feasibility study costs for the whole scheme will be identified and taken to the Executive for approval.

6 SCHOOLS HEALTH AND SAFETY AUDIT

- 6.1 In the course of delivering the school expansion programme issues were picked up with regards to adherence to health and safety at schools.
- 6.2 As a result Education, Care and Health Services commissioned a consultant to review the management of health and safety within those schools that had yet to convert to academy status and the local authority. The audit was carried out during autumn term 2013 and spring term 2014 at 60 local authority and voluntary aided schools in Bromley. Key findings of the report included:
- Poor compliance with management of health and safety records in schools and the local authority
 - Lack of information, poor communication and poor practice with regards dealing with issues raised in period surveys
 - Lack of effective local authority 'audit' function
 - Confusion about the responsibilities of head teachers, governors and site staff
 - Confusion about services within Property Services SLA to schools
- 6.3 The Council is in the process of setting out an action plan to work with schools to address the issues raised within the report. Actions being considered are:
- Carrying out a one-off site inspection of schools
 - In partnership with schools, carrying out remedial works to ensure that schools are compliant with relevant legislation
 - Improving the quality of information and records about schools and carrying out regular audit of school and local authority documentation to ensure compliance.
 - Provide training to head teachers, staff and governors to ensure that schools are competent to undertake their responsibilities.
- 6.4 The cost of dealing with the outstanding health and safety compliance issues at schools and putting in place a programme of training for staff and governors is estimated at £1.8m. This will be funded via DSG with any additional funds coming from the historic underspend on the

education planned maintenance programme. This will be set out within a report to the Executive.

7 POLICY IMPLICATIONS

The need to ensure sufficient places and the efficiency of school organisation is a priority within the Council’s Strategy “Building a Better Bromley” and contributes to the strategy to achieve the status of an Excellent Council. This policy also contributes to key targets within the Children and Young People Portfolio Plan, particularly the outcome that “Children and young people enjoy learning and achieve their full potential”.

8. FINANCIAL IMPLICATIONS

- 8.1 The Council has been allocated £62,039,805 in 100% capital grant for the financial years 2011-17 to meet the basic need provision in schools. The programme also includes £678,000 of 2 Year Olds funding. It was agreed at Executive on the 20th November 2013 to transfer £1.2 million from the underspend on the Education Planned Maintenance Programme be transferred to support the delivery of the Council’s Basic Need Programme. Funding from the Suitability budget will be made available to support the re-organisation of Bromley Road and Worsley Bridge Schools.
- 8.2 This report identifies an updated Basic Need Programme for the period 2011-17 with an estimated expenditure of £79,738,000 and a £71,741,000 draw on the Basic Need Capital Grant. This leaves a funding deficit of £8,501,000. However, only available funds will be committed to schemes and it should be noted that not all schemes in development will proceed. In addition, the local authority is awaiting a DfE announcement on further funding for 2017-18.

9 LEGAL IMPLICATIONS

- 9.1 The distribution and application of monies received from Central Government is subject to guidance and advice from the Department for Education. Under Section 14 Education Act 1996 the Council has a statutory duty to ensure that there are enough primary and secondary school places are available to meet the needs of pupils in its area.
- 9.2 Section 106 monies must be spent in accordance with the Education contribution clauses set out in Appendix 2 of the report,
- 9.3 Childcare Act Section 7 sets out the duty on the Council to secure prescribed early years provision free of charge at point of delivery.
- 9.4 Early Education and Childcare - Statutory Guidance for Local Authorities 2013(revised for September 2014)

Non-Applicable Sections:	Personnel Implications
Background Documents: (Access via Contact Officer)	BASIC NEED PROGRAMME UPDATE REPORT 7, REPORT TO EDUCATION PDS COMMITTEE, 17 SEPTEMBER 2013 UPDATE ON PROPOSED SCHOOL EXPANSIONS FOR 2014-15, REPORT TO EDUCATION PDS COMMITTEE, 17 SEPTEMBER 2013 GLEBE FOUNDATION SPECIAL SCHOOL (CAPITAL WORKS), REPORT TO THE EXECUTIVE, 11 SEPTEMBER 2013