

Birmingham City Council

Cabinet Members Education, Skills & Culture and Finance & Resources, jointly with the Acting Corporate Director for Children & Young People



Date: 20 Dec 2018

Subject: 3RD FLOOR REFURBISHMENT OF PINES SCHOOL –
FULL BUSINESS CASE AND CONTRACT AWARD

Report of: Assistant Director, Children & Young People

Relevant Cabinet Member: Councillor Jayne Francis – Education, Skills and Culture
Councillor Brett O'Reilly – Finance and Resources

Relevant O &S Chair(s): Cllr Mariam Khan – Learning, Culture and Physical Activity
Cllr Sir Albert Bore – Resources

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Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): Stockland Green		
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

Executive Summary

- 1.1 To seek approval to the Full Business Case for the capital scheme to create 40 additional secondary places at The Pines Special School as described in Appendix A.
- 1.2 The accompanying private report contains further financial information and seeks approval to the Cost & Funding section of the Full Business Case and to place

orders with a Constructing West Midlands Framework (CWM) contractor to progress the proposed works.

2 Recommendations

That the Cabinet Members for Education, Skills and Culture and for Finance and Resources, jointly with the Acting Corporate Director for Children & Young People:

- 2.1 Approve the Full Business Case (Appendices A-D) for the capital works at The Pines Special School.
- 2.2 Note the content of this report.

3 Background

- 3.1 The Local Authority has a statutory duty to provide pupil places, promote diversity and increase parental choice in planning and securing provision (Section 14, Education Act 1996 and Education & Inspections Act 2006). This duty extends to our landlord responsibility to maintain the Education property portfolio to prevent school closure and asset failure, thus improving safeguarding for children.
- 3.2 Demand for secondary school places is now rapidly increasing as larger primary cohorts reach secondary age. Birmingham's school population is continuing to increase in size as a result of families arriving and leaving the city at different points of the year. Reactive measures have been implemented over a number of years to accommodate the growth in demand for special school places. A planned programme of special school expansions is now being delivered as a priority.
- 3.3 Birmingham's Strategy for SEND and Inclusion was agreed by the Inclusion Commission and then approved for implementation at Birmingham City Council's Cabinet meeting on the 12th December 2017. A key priority outlined in the strategy is to ensure that there is a sufficient and appropriate range of quality provision to meet the needs of children and young people with SEND aged 0-25 years.
- 3.4 In November 2014 Cabinet approved the proposal to transfer The Pines School from their site at Dreghorn Road in Castle Bromwich to a new site at the former Josiah Mason College. Cabinet also approved the proposal to enlarge the school by increasing the number of primary aged pupils on a phased basis and alter the upper age limit to 16 in order to provide secondary places. The new age range of the school will be 2-16 years old.
- 3.5 At present the current Pines School provides places for up to a total of 190 pupils (16 early years, 114 primary and 60 secondary). The proposed works will allow the third floor to be brought back into use allowing the school to offer additional places to meet local need (the school can increase numbers by 10% without further approval up to a current permitted threshold of 209). The refurbishment of the third floor will add a total of 5 classroom spaces which could accommodate 40

secondary children. School Organisation proposals will be published to consult on increasing the total pupil numbers up to 230 by 2020.

- 3.6 Work will be programmed and phased to have minimal impact on the children's education whilst the School remains operational. Arrangements will be agreed by Acivico's/Birmingham City Council's Construction Design and Management (CDM Coordinator) to ensure absolute health and safety provisions are in place.
- 3.7 Subject to FBC and Planning approvals, work is due to begin in November 2018 with completion expected in May 2019.

4 Options considered and Recommended Proposal

- 4.1 The option of doing nothing would have meant the City Council failed to meet its statutory obligation to provide sufficient special school places and maintaining the Education property portfolio.
- 4.2 To approve the refurbishment of the 3rd Floor of The Pines School to accommodate an additional 40 secondary SEND places to meet the Council's statutory duty to provide sufficient school places.

5 Consultation

5.1 Internal

The Leader, Ward Members for Stockland Green have been consulted in relation to the proposals and no adverse comments were received. Officers from City Finance, Corporate Procurement and Legal and Governance have been involved in the preparation of this report.

5.2 External

All pupils, parents, governors, teaching and non-teaching staff and external stakeholder groups were consulted on the increase of pupil numbers of up to a total of 190 places in 2016. Further consultation will take place as part of the school organisation process but is not at present required. All pupils, parents, governors, teaching and non-teaching staff, relevant Members of Parliament, Teaching Associations, Trade Unions, neighbouring authorities and the Archdiocesan and the Anglican Diocese of Birmingham will be consulted if any further increase is proposed as a result of the school having improved accommodation.

6 Risk Management

- 6.1 Attached as Appendix B as part of the FBC.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 These works are required to enable the Local Authority to meet its statutory duty to not only provide pupil places but also to promote diversity and

increase parental choice in planning and securing the provision of school places (Section 14 Education Act 1996 and Education & Inspections Act 2006). The spending priorities proposed are in accordance with the Schools' Capital Programme 2018-19 and the Council's Vision and Forward Plan priorities for Children, particularly 'A great place to grow up in by providing an environment where children have the best start in life and are able to realise their full potential through great education'. The provision of these school places is also beneficial to the safeguarding of children.

7.1.2 Birmingham Business Charter for Social Responsibility

The selected contractor is signed up to the principles of the Birmingham Business Charter for Social Responsibility and will work on an individual action plan, proportionate to the contract sum, demonstrating how the principles of the Charter will be implemented with the school and local community. This action plan will be agreed prior to the works order being placed.

7.2 Legal Implications

7.2.1 This report facilitates the discharge of the local authority's duty under section 14 of the Education Act 1996 to secure that sufficient school places are available.

7.3 Financial Implications

7.3.1 The capital cost of the proposed works at The Pines School will be funded from the Department for Education (DfE) Basic Need Grant Stage 3. The detailed breakdown of this cost is included in Appendix A in the private report.

7.3.2 Consequential revenue costs arising, including additional staffing and any on-going day- to-day repair and maintenance of the asset, will be the responsibility of Pines School and funded from the school's delegated budget.

7.4 Procurement Implications (if required)

7.4.1 The procurement route for this project was via the Constructing West Midlands (CWM) Framework. The contractor was appointed via direct allocation based on value split and performance.

7.5 Human Resources Implications (if required)

7.5.1 N/A

7.6 Public Sector Equality Duty

7.6.1 A Full Equality Analysis (EA0001202) was carried out in May 2016 for Education Infrastructure's Education Development Plan and Schools' Capital Programme 2018-19. The outcomes from consultation demonstrate that proposed capital developments support positive outcomes for children,

young people, their families and carers. No negative impact on people with Protected Characteristics was identified. It was concluded that sufficiency of educational places and opportunities for all children and young people contributes to providing positive life chances, and supports a positive approach to Safeguarding in Birmingham: actively reducing the number of children and young people out of school helps to mitigate risk to their safety and wellbeing.

8 Background Documents

- 8.1 Schools' Capital Programme - School Condition Allocation 2018-19+ Future Years Cabinet Report - 8th September 2018
- 8.2 Changing demand and supply of school places – Overview & Scrutiny Report – September 2018
- 8.3 List of Appendices accompanying this Report (if any):
 - A. Full Business Case
 - B. Risk Assessment
 - C. Stakeholder Analysis
 - D. Milestone Dates and Resources