

| | |
|--|---|
| Report to: | Cabinet Members for Children, Families and Schools and for Value for Money and Efficiency jointly with the Strategic Director for People |
| Report of: | Executive Director for Education |
| Date of Decision: | 13 December 2016 |
| SUBJECT: | PROVISION OF ADDITIONAL PLACES AT ST THOMAS MORE CATHOLIC PRIMARY SCHOOL – FULL BUSINESS CASE AND CAPITAL GRANT AWARD |
| Key Decision: No | Relevant Forward Plan Ref: N/A |
| If not in the Forward Plan: (please "tick" box) | Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/> |
| Relevant Cabinet Member: | Councillor Brigid Jones – Children, Families and Schools Councillor Majid Mahmood – Value for Money and Efficiency |
| Relevant O&S Chairman: | Cllr Susan Barnett – Schools, Children and Families Cllr Mohammed Aikhlaq– Corporate Resources and Governance |
| Wards affected: | Sheldon |

1. Purpose of report:

- 1.1 To inform members of the proposed capital scheme to provide 105 additional pupil places at St Thomas More Catholic Primary School to enable the school to grow to a 2 Form-Entry (FE) primary school.

2. Decision(s) recommended:

That the Cabinet Members for Children, Families and Schools and for Value for Money and Efficiency jointly with the Strategic Director for People:

- 2.1 Note the content of this report.

| | | |
|---------------------------------|-------------------------------------|--|
| Lead Contact Officer(s): | Jaswinder Didially Zahid Mahmood | Head of Education Infrastructure Capital Projects Lead Officer |
| Telephone No: | 07825 117334 | jaswinder.didially@birmingham.gov.uk |
| E-mail address: | 0121 464 9855 | zahid.mahmood@birmingham.gov.uk |

3. Consultation

- 3.1 Internal

The Leader has been consulted and supports the proposal. Ward Councillors for Sheldon and the Executive Member for Yardley have also been consulted and support the proposals contained within the report. Officers from City Finance and Legal and Democratic Services have been involved in the preparation of this report.

3.2 External

All pupils, parents, governors, teaching and non-teaching staff have been consulted regarding the build proposals. Responses received were supportive of the proposal. There is no requirement for statutory consultation.

4. Compliance Issues

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

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 2016-17. Works will contribute to the Council Business Plan and Budget 2016+, particularly safety and opportunity for all children and a great future for young people with education used to address inequality and introduce fairness. The provision of additional places in permanent accommodation is also beneficial to the safeguarding of children as compared with temporary accommodation.

4.2 Financial Implications.

The capital cost of the proposed works at St Thomas More Catholic Primary School is £694,730. Further details are shown at 4.2 of the Private Report and in Appendix E of the Private Report.

On approval of this report, and in line with the processes that support Basic Need joint funding initiatives, a Capital Grant Agreement will be put in place between Birmingham City Council and St Thomas More Catholic Primary School before any grant payments are made. This agreement will set out the terms and conditions of the Grant, which will mitigate any financial risk to the City Council. The Grant Agreement states that any additional costs will be the responsibility of St Thomas More Catholic Primary School and any underspend will be deducted from the grant allocation. The school will be required to demonstrate that appropriate Schools' Financial accounting procedures have been adhered to. In addition, the school will, on completion of the scheme (or at any other point the Local Authority determines), be required to submit a return setting out the costs incurred and details of the corresponding invoices which will need to be available on demand to auditors or BCC officers. Any costs not eligible will result in funding being reclaimed from the School.

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 the school and funded from its own delegated budget.

4.3 Legal Implications

This report exercises legal powers which are contained within Section 14 of the Education Act 1996 and Section 22 of the School Standards and Framework Act 1998, by which the Authority has a responsibility to provide places and maintain schools - this includes expenses relating to premises.

4.4 Public Sector Equality Duty

A Full Equality Analysis (EA0001202) was carried out in May 2016 for Education and Skills Infrastructure's Education Development Plan and Schools' Capital Programme 2016-2017.

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.

- 4.5 In accordance with the revised thresholds for the Birmingham Business Charter for Social Responsibility this grant funding agreement will not require the recipients to become Charter signatories, although they will be encouraged to do so voluntarily. They will however be required to comply with the Council's Living Wage Policy.

5. Relevant background/chronology of key events:

- 5.1 The Local Authority has a 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).
- 5.2 Long-term projections of births provided by the Office of National Statistics (ONS) suggest that the current trend of an increasing birth rate will continue. The implications will be an ongoing need to provide additional school places. An updated Education Sufficiency document from November 2015 highlights the impact of increased birth rates and cohort growth on the demand for school places across Birmingham. The latest position on the demand for school places was presented to the Education and Vulnerable Children Overview and Scrutiny Committee in September 2015.
- 5.3 In addition to sustained birth rate increase, each cohort of Birmingham children has increased annually in recent years as a result of net migration into the City: more children arrive in our schools than leave them. Pressure for school places is severe and reactive measures have been implemented over a number of years to accommodate the growth in demand for school places.
- 5.4 The Schools' Capital Programme 2016-2017, approved by Cabinet on 28th June 2016 identified funding that would increase the capacity of Birmingham City Council schools to help address the current shortfall of pupil places. This scheme at St Thomas More Catholic Primary School will help fulfil the Council's statutory obligation to provide sufficient school places, promote diversity and increase parental choice as well as maximising the impact on pupils' learning outcomes and addressing barriers to learning. The Head Teacher and governors participated in the design process as strategic partners of BCC and as representatives of the end users.
- 5.5 Following publication of sufficiency requirements, St Thomas More Catholic Primary School submitted an expression of interest to increase their Published Admission Number (PAN) by 105 pupils to enable them to move from a 1.5FE to a 2FE primary school. The proposed works will create the additional pupil places by erecting a 2 classroom extension and associated ancillary space together with some re-configuration of existing space. Works will comply with the latest EFA Building Bulletin guidelines for primary accommodation. The scope of works for the School is detailed in Appendix A.
- 5.6 Under the Landlord Approval and Dual Funding arrangement set out in the Schools' Capital Programme 2015-17 approved by Cabinet on 27th July 2015 and the Governance Framework for School Led Basic Need Projects, St Thomas More School appointed a project management company to work with the school to agree the scope of the project. A competitive tender process was carried out by the project management company and a contractor has been appointed based on value for money, compliance, deliverability and response to brief. The project manager and contractor have been appointed in line with the Catholic Archdiocese framework.
- 5.7 Work will be programmed and phased to have minimal impact on the children's education

whilst the School remains operational. The appointed project manager will manage the Construction, Design and Management (CDM) on behalf of the school and arrangements will be agreed by the CDM Principal Designer and the Contractor to ensure that absolute health and safety provisions are in place.

5.8 A Planning Application was submitted in April 2016 and approval was granted on 5th July 2016. Work is due to commence in December with completion expected in March 2017.

6. Evaluation of alternative option(s):

6.1 The option of doing nothing would mean the City Council would fail to meet its statutory obligation in providing additional school places.

7. Reasons for Decision(s):

7.1 Cabinet Members to note the content of the report.

Signatures:

Cabinet Member, Children, Families and Schools: Cllr Brigid Jones

..... Date:

Cabinet Member, Value for Money and Efficiency: Cllr Majid Mahmood

..... Date:

Strategic Director, People: Peter Hay

..... Date:

List of Background Documents used to compile this Report:

Education Sufficiency Document – November 2016

Schools Capital Programme 2016-17 - Cabinet 28th June 2016.

Education & Vulnerable Children Overview and Scrutiny Report on Sufficiency – Sept 2015

List of Appendices accompanying this Report (if any):

Appendix A FBC

Appendix B Risk Assessment

Appendix C Stakeholder Analysis

Appendix D Milestones and Resources

| | | | |
|-----------------------|------|--------------|------------|
| Report Version | V1.5 | Dated | 13/12/2016 |
|-----------------------|------|--------------|------------|