

Cabinet – 27 July 2011

Grace Academy Darlaston – contract award

Portfolio: Councillor A Andrew, Deputy Leader, Regeneration
Councillor R Andrew, Children's Services

Service: Regeneration - Property Services
Children's Services

Wards: Darlaston south

Key decision: Yes

Forward plan: No

1. Summary of report

- 1.1 The cabinet meeting of 13 January 2010 approved delegated authority to the Executive Director for Regeneration or Executive Director Children's Services for the signing of the Outline business case for the indicative funding allocation
- 1.2 The Cabinet meeting of February 2010 approved the appointment of the preferred bidder for both Shelfield and Darlaston Academies. A contract award has subsequently been placed for Shelfield Academy following approval of the outline business case and that project is under construction.
- 1.3 Cabinet is now asked to approve the final business case and contract award to Kier Education for the construction of the new Grace Academy Darlaston.

2. Recommendations

- 2.1 That Cabinet approves the final business case and the award of the contract to the preferred bidder Kier Education.

3. Background information

- 3.1 The Expression of Interest (EOI) for Grace Academy Darlaston was approved by Cabinet 16 January 2008. This document outlined the proposal to open an Academy on the Darlaston Community Science College site. The sponsor is the Grace Trust which works to promote the well being of children and young people, especially those disadvantaged by their life experiences and circumstances.

- 3.2 The Cabinet meeting of April 2009 approved the statutory proposal to close Darlaston Community Science College on 31 August 2009, subject to the signing of the indicative Funding Agreement by the Secretary of State for the opening of an Academy on 1 September 2009. Grace Academy Darlaston opened as planned on 1 September 2009.
- 3.3 The EOI identified the Academy, its size, sponsor, likely site and the indicative funding envelope approved by the DCSF (now DfE)
- 3.4 The Procurement process as prescribed by Partnerships for Schools (PfS) designates the Council as the procurement body for construction of the Academy buildings. The Council is required to procure both consultants and contractors and deliver the project within the funding envelope approved by PfS in the Outline Business Case (OBC). The OBC was approved by cabinet on 13 January 2010.
- 3.5 Since January 2010, the approved bidder Kier Education has been developing the proposals in line with PfS timescales to develop a full business case and enable a contract award

4. Resource considerations

4.1 Financial:

The contractor's proposals in the FBC will deliver the proposal for £22,010,325. The PfS national framework requires that contractors deliver within the allocated budget.

4.2 Legal:

The procurement route is strictly prescribed by PfS with little opportunity for derogation.

4.3 Staffing:

There are no staffing implications with this report

5. Citizen impact

The provision of the New Academy building will contribute to the improved learning of the Children and Young people at Grace Academy Darlaston.

6. Community safety

The proposed designs for the Academy will provide increased onsite car parking allocation for the school.

7. Environmental impact

A BREEAM (British Research Establishment Environmental Assessment Method) workshop will be undertaken with all stakeholders and the building will be designed to achieve a minimum BREEAM rating of very good

8. Performance and risk management issues

8.1 **Risk:** The project has been subject to a detailed risk review

8.2 **Performance management:** Subject to successful contract award, construction is scheduled to commence in summer 2011 and buildings completed to enable an opening in February 2013, with demolition of the current building to follow. Delivery of the contract will be monitored through monthly Project Board meetings with the contractor and by frequent site visits.

9. Equality implications

Kier Education have provided a copy of their Equalities and Health and Safety policies and these are in line with the Council's policies and are integral to the Key Performance Indicators (KPIs) of the contract. These items will be monitored throughout the contract.

10. Consultation

Consultation with various stakeholders has and will continue to take place (Ward Members, The Academy, Walsall Children's Services Serco, Leisure Services, Planning and Building Control)

Background papers

- Report to Cabinet February 2010 Appointment of Preferred Bidder
- Report to Cabinet January 2010, Approval of Outline business case
- Full business case

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Tim Johnson
Executive Director
Regeneration

18 July 2011



Councillor A Andrew
Deputy Leader
Portfolio holder: Regeneration

18 July 2011



Councillor R Andrew
Portfolio holder: Children's Services

18 July 2011



Walsall Council

Grace Academy Darlaston

Final Business Case

Version History				
Date	Editor	Version	Status	Reason for change
01/06/11	EF	1.0	Draft	Draft Issue to PfS
02/06/11	EF	2.0	Draft	Updated to reflect PfS Comments
27/06/11	EF	3.0	Draft	Submission for Peer Review

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EXECUTIVE SUMMARY

Introduction

This document outlines the details of the Local Competition carried out, the affordability of the final solution and the arrangements in place for contract administration and monitoring, and gain DCSF approval to proceed with contract award of the Design and Build contract and the delivery of the school.

Overview and Commitment

Section 1 and **Appendix 1** of this FBC describe the Scheme and confirm the commitment of all parties to the solution developed by the Selected Panel Member.

The Scheme involves Grace Academy Darlaston only.

The design developed by the Selected Panel Member has been signed off by the Sponsor/Academy Trust.

The Sponsor/Academy Trust and Local Authority (LA) can confirm that the standard Development Agreement, developed by PfS, has been agreed and is ready to sign.

The Funding Agreement, Deed of Gift and all associated documents have been signed and the Academy Trust is in place.

The Local Competition

Section 2 and **Appendix 2** of this FBC describe the details of the Local Competition carried out.

Kier Education was appointed Selected Panel Member (SPM) on 15th February 2010, with the SPM letter being issued on 29th March 2010 as per the batched procurement for the Shelfield Academy.

Contract Award is programmed to occur on 8th July 2011.

The LA and the Selected Panel Member have agreed arrangements for the delivery of the non sample school.

The Academy building will have sprinklers.

The Selected Panel Member has prepared a design that will achieve a minimum of 60% Carbon Reduction, and this has been demonstrated by the Carbon Calculator.

Facilities Management

Section 3 and **Appendix 3** of this FBC detail the proposals for the provision of Life Cycle and Hard FM.

The Academy Trust has set out their strategy for delivering life cycle and hard FM services. These will be delivered by the existing hard and soft FM services procured by the Predecessor School when the Academy opened in its existing buildings in January 2009. The Academy Trust will continue to outsource hard and soft FM services when the new Academy buildings are operational and in occupation.

ICT Procurement

Section 4 and **Appendix 4** of this FBC describe the ICT procurement carried out, and the interface with the procurement and delivery of the building.

The Academy Trust has procured the ICT provision and selected ATKINS Technologies to deliver the services.

PfS have reviewed the delivery approach for the ICT provision and confirmed that it is acceptable.

A detailed risk register for the ICT project has been developed and a clear strategy to manage / mitigate ICT risks has also been put in place.

Affordability

Section 5 and **Appendix 5** of this FBC set out the affordability position of the whole scheme.

The FBC provides a separate cost analysis reconciled against the OBC for both the design and build and ICT elements of the project.

The analysis indicates that the Selected Panel Member's proposals are affordable within the funding allocation.

Design and Construction

The Selected Panel Member's solution for the Scheme has been fully costed. The cost has been checked against the rates included in PfS's National Framework Agreement.

The capital costs fit within the funding approved at OBC.

Facilities Management

Life Cycle and Hard FM costs have been estimated for a 25 year period. The Academy Trust has confirmed their commitment to meeting these costs through

the General Annual Grant (GAG).

ICT

The FBC sets out the cost per pupil in relation to a learning environment, managed service platform.

Capital Costs - The designs for the Academy have been fully costed and identify what is to be delivered through the £1450 + VAT per pupil of funding.

We can confirm that the capital costs fit within the Funding Allocation Model (FAM) agreed with PfS.

The estimated annual cost is on average £138,000 excluding staff costs and assuming full student numbers of 1500 are reached and maintained in the first 5 years.

The maintenance and lifecycle costs of the ICT works will be met by the school's revenue budget and Devolved Capital Funding.

Design and Build Contract and Development Agreement

Section 6 and **Appendix 6** of this FBC detail any derogations from the Design and Build Contract(s) and Development Agreement used with the PfS National Framework.

The LA has drafted and agreed the Design and Build Contract with the Selected Panel Member. The contract has been reviewed and all derogations have been approved by PfS.

All land transactions associated with the project and Reviewable Design Data have been agreed.

The LA and Academy Trust have agreed the Development Agreement and it is ready to sign. The agreement has been reviewed and all derogations have been approved by PfS.

Readiness to Deliver

Section 7 and Appendix 7 of the FBC sets out the personnel of the Project Team to illustrate that the Local Competition has been resourced appropriately. It also sets out the arrangements for supervising the delivery of the Design and Build and ICT contracts, and confirms that the necessary statutory approvals are in place.

The LA has put in place resources for the duration of the project, including post contract, to monitor and maintain ongoing relations with the Selected Panel Member and ensure that performance is continually reviewed.

All necessary statutory approvals have been granted.

A risk workshop has been held and a risk strategy developed.

1 OVERVIEW AND COMMITMENT

Section 1 and **Appendix 1** describe the Scheme and confirm the commitment of all parties to the solution developed by the Selected Panel Member.

1.1 Strategic Overview

Grace Academy Darlaston sits within a defined strategic framework for the development of a greater diversity of provision in the secondary sector in Walsall as set out in the Strategy for Change. The project contributes to the corporate plan and develops the position of the Academy as set out in the Expression of Interest.

The key strategic objectives are set out in the Expression of Interest. Following further discussion, an adjustment was made to post-16 numbers prior to the Trust entering into the Funding Agreement. This change was agreed with DFE as part of the Funding Agreement. There are no other changes to the EoI.

The Academy Trust works to promote the well-being of children and young people, especially those disadvantaged by their life experience or circumstances. The Trust is committed to the transformation of learning and the regeneration of communities particularly through its focus on the development of extended school provision achieved with multi-agency cooperation and seeks to bring its vision into Walsall through the Grace Academy Darlaston.

Grace Academy Darlaston will engage with its community and be inclusive to all learners. The adoption of Walsall Council's admission arrangements means that the Academy will continue to serve the local community. The already strong community links will be further developed and sustained. It is intended that the Academy will be an Extended School and will reach out to the community by creating a comprehensive range of community services.

The Post 16 provision will be extended in order to offer the best and widest range of opportunities in the context of Walsall's 14-19 action plan and in line with the government's agenda for increasing participation. There will be an emphasis on collaboration and partnership working.

1.2 The Scheme

This proposal is for Grace Academy Darlaston and is sponsored by Grace Academy. The project will be delivered through the Partnerships for Schools National Framework as the non-sample school of a batched contract scheme, and will be funded by DfE. It replaced Darlaston Community Science College on 1st September 2009, with a specialism in Business and Enterprise.

- Sponsor/Academy Trust: Grace Academy
- Predecessor School: Darlaston Community Science College
- Opening Date for Academy: 1 September 2009
- Academy Specialism: Business and Enterprise
- Age Range: 11-19
- Capacity: 1,500
- Completion of New Buildings: February 2013
- Completion of External Works: September 2013

The Education Brief, including the curriculum model and accommodation schedule, has been developed and signed off by the Project Steering Group (PSG) and

subsequently the Design User Group, and by the Department for Children, Schools and Families (DCSF). The accommodation schedule details a total area that is within the BB98 gross internal floor area stated in the Funding Allocation Model (FAM).

The design and construction works will be procured by the Council through the Partnerships for Schools (PfS) National Framework.

1.3 Sponsor/Academy Trust and LA Commitment

The Sponsor/Academy Trust has been fully involved in the work to develop the detailed designs through the Local Competition and confirms that the designs support the Education Brief developed for the Academy.

The Sponsor/Academy Trust and LA can confirm that the standard Development Agreement, developed by PfS, has been agreed and is ready to sign.

1.4 Summary

The Scheme involves Grace Academy Darlaston as a non-sample scheme in a batched procurement, which also includes the sample scheme, Shelfield Community Academy.

The design developed by the Selected Panel Member has been signed off by the Sponsor/Academy Trust.

The Sponsor/Academy Trust and LA can confirm that the standard Development Agreement, developed by PfS, has been agreed and is ready to sign.

The Funding Agreement, Deed of Gift and all associated documents have been signed and the Academy Trust is in place.

The following documents are attached at **Appendix 1::**

- Appendix 1A - A letter of support from the Sponsor/Academy Trust
- Appendix 1B - A letter of support from the LA
- Appendix 1C - Papers and minutes of LA Cabinet meetings confirming approval for the project

2 THE LOCAL COMPETITION

Section 2 and **Appendix 2** of this FBC describe the details of the Local Competition carried out.

The Scheme is a non-sample scheme as part of a Batched Scheme and includes a design and construction project for the new build project for Grace Academy Darlaston.

The FBC demonstrates that the process followed to appoint a Selected Panel Member:

- was in compliance with the standard procedures and processes established by PfS for the National Framework;
- allowed for a sufficiently robust analysis of the proposed solutions of the two bidders; and
- was well resourced and the LA's costs of the procurement process have been minimised and documented.

2.1 Selection of Panel Member for Sample Scheme

The project is a non sample scheme and is the second of two in the D&B Batched Contract with Kier Education. The first scheme was the Shelfield Academy which is in construction.

The ITT for the sample scheme was issued by Walsall Council on 7th September 2009 and both Kier Education and Willmott Dixon had twenty one weeks to develop their proposed designs with a deadline for the ITT submissions being set as 1st February 2010. Both bidders undertook regular consultations with the Trust and Walsall Council. Consultations with the DUG occurred every two weeks; both bidders had the same level of consultation to ensure a fair competition.

Upon review of the resultant bids, the following scores were agreed with Walsall Council and the Trust:

ITT Section	Weighting	Kier Overall Score	Kier Weighted Score	Willmott Dixon Overall Score	Willmott Dixon Weighted Score
Design	40%	122	24%	104	19%
Works	25%	48	16%	39	12%
Handover	20%	6	9%	5	8%
Pricing	10%	11	11%	10	10%
Total		187	60%	158	49%

The ITT evaluation process was considered to be fair and auditable. As such, based on the ITT evaluation scoring results, Navigant (LA Advisors) recommended to the LA that the Bidder with the highest score; Kier Education should be selected as the Preferred Bidder. Kier Education was appointed Selected Panel Member (SPM) on 15th February 2010, with the SPM letter being issued on 29th March 2010.

2.2 Development of Proposals for Grace Academy Darlaston

The ITT for Grace Academy Darlaston was issued by Walsall Council on 25th March 2010 and Kier had until the 5th July 2010 to respond with their ITT submission. Kier undertook regular consultation with the Academy Trust and Walsall Council. Due to the Comprehensive Spending Review, the project was frozen for a period. This delayed Kier's submission of their ITT response until October 2010.

Fortnightly meetings were held to manage the design process. Colin Way of Seymour Harris was the CDA for the project. He developed the options appraisal and design brief based on the Education Brief and site constraints. He attended the DUG meetings providing a guide through the design process and also evaluated Kier's design proposals. As well as these sessions, commercial meetings were held to ensure value for money, as well as manage the D&B Contract process. The following attendees were present at the core design meetings:

Jason Brown	Project Manager – Walsall Council
Denis O'Rourke	Service Manager - Walsall Children's Services, Serco
Steve Chase	CEO – Grace Foundation Trust
Nicholas Marshall	Principal – Grace Academy Darlaston
Adam Davies	ICT Manager - Grace Foundation Trust
Fabrice Vinson	Project Director – Navigant Consulting
Colin Way	Architect – Seymour Harris Architecture
Andy Webb	Preconstruction Manager – Kier Moss
Renza La Sala	Architect – Sheppard Robson

The Invitation to Tender (ITT) is a standard template formed by PfS, but was revised to reflect the specific requirements for Walsall Council and the Academy Trust. The template includes the instructions to Kier and the required structure of their responses.

The response followed the format of Kier's Contractor's Proposals. This was reviewed by Navigant, the Trust and Walsall Council. Comments were collated and submitted to Kier for response. This formed the backbone of subsequent engagement.

The principal supply chain members are as follows;

Sheppard Robson	Lead Architects
Sheppard Robson	Landscape Architects
Isis Concepts Ltd	FF&E Designers and Suppliers
Couch, Perry Wilkes	M&E and Structural Engineers

The following table is a summary milestone programme for the Darlaston Academy project which was agreed by the Trust, Walsall Council and Kier Education:

Planning Approval	21 st April 2011
Submit FBC to PfS	1 st June 2011
PfS Review of FBC	2 nd June - 22 nd June 2011
FBC Approval	22 nd June 2011
Award D&B Contract	8 th July 2011

2.3 Development of Non Sample Schools

Not applicable

2.4 Procurement Costs

The table below contains the procurement costs to date for the Darlaston Academy:

	Procurement Item	Provider	Cost
1	Project Management Fees	Walsall Council	In-house costs
2	Technical Advisor Fees from OBC approval onwards	Navigant Consulting	£128,332
3	Feasibility Study RIBA A/ B	Navigant Consulting (Seymour Harris)	£84,458
4	Site Investigation Surveys	Walsall Council	£50,306
5	Clerk of Works	Adrian Carroll	In-house costs
6	CDM Co-ordinator	AECOM	£6,500
7	Legal Support	Pinsent Masons	£30,000

2.5 Carbon Reduction

Kier Education has, as part of their ITT response, provided a completed DfE Carbon Calculator for Grace Academy Darlaston. They have also confirmed that the overall carbon emissions for the scheme can be reduced by 61.47% compared to a building constructed to 2002 Building Regulations. This will allow the project to benefit from the additional funding provided by the DCSF. The completed calculator can be found at Appendix 2 of this FBC.

2.7 Summary

The Local Competition was carried out in accordance with the agreed procedures. Three Panel Members returned PITT submissions, and the LA short-listed Kier and Willmott Dixon.

Kier Education was appointed Selected Panel Member on 29th March 2010.

Contract Award is programmed to occur on 8th July 2011.

The Academy building will have sprinklers.

The Selected Panel Member has prepared a design that will achieve a minimum of 60% Carbon Reduction, and that this has been demonstrated by the Carbon Calculator.

The following documents are attached at **Appendix 2**

- Appendix 2A - A detailed programme of work going forward (Gantt chart, including ICT development and procurement)
- Appendix 2B - The Carbon Calculator

3 FACILITIES MANAGEMENT

Section 3 and **Appendix 3** of this FBC detail the proposals for the provision of Life Cycle and Hard FM.

The Academy Trust has agreed to retain existing hard and soft FM services procured by the Predecessor School when the Academy opened in its existing buildings in September 2009. The Academy Trust will continue to outsource hard and soft FM services when the new Academy buildings are operational and in occupation.

3.1 Summary

The Academy Trust has set out their strategy for delivering life cycle and hard FM services. These will be delivered by existing hard and soft FM services procured by the Predecessor School when the Academy opened in its existing buildings in September 2009. The Academy Trust will continue to outsource hard and soft FM services when the new Academy buildings are operational and in occupation.

The following documents are attached at **Appendix 4**:

- NOT USED

4 ICT PROCUREMENT

Section 4 and Appendix 4 of this FBC describe the ICT procurement carried out, and the interface with the procurement and delivery of the building.

The ICT capital budget for hardware (£1,450+VAT/pupil) is delivered to Sponsor/Academy Trust to procure ICT solution.

4.1 ICT Procurement

The FBC demonstrates that the process being followed to appoint an ICT Provider:

- a. is in compliance with the standard procedures and processes established by the Department for Education ICT Framework Lot 2;
- b. allows for a sufficiently robust analysis of the proposed solutions of the bidders;
- c. is well resourced and the costs of the procurement process have been minimised.

The ICT supplier for the whole of Grace Academy will be appointed after a tender process conducted through the Department for Education ICT Framework Lot 2. The tender process carried out is detailed below.

An Expression of Interest was sent out to all the appropriate Lot 2 companies on the Department for Education ICT Framework Lot 2. A positive response was received from fifteen of the companies. The ICT ITT document was sent to the fifteen companies who had expressed an interest in tendering.

ITT responses were received from the following seven companies – Research Machines, Northgate Managed Services, XMA, European Electronique, Civica, Zentek and Redstone.

The ITT documentation required the bidders to provide a fully priced managed solution for the whole of Grace Academy

The responses are currently being evaluated by the Evaluation Panel which consists of representatives from Grace Academy and Atkins.

The ITT responses are being evaluated against the criteria set out in the ITT document and scored from 0 to 5. The following table is used to illustrate the meaning of each score:

Score	Meaning
1	Very poor, warrants rejection
2	Weak
3	Average and acceptable
4	Better than average
5	Outstanding

The ITT responses were evaluated on the following categories as prescribed by the Department for Education ICT Framework Lot 2:-

Ref	Evaluation Criteria	Weighting
1.0	Educational Transformation	15
	Meeting Customer requirements	
	Enabling educational transformation	
	Providing innovative solutions	
2.0	Value for Money	15
	Pricing methodology	
	Delivering value for money	
3.0	Service Transfer	10
4.0	Contract Management	15
	Structure	
	Process	
	Management Information	
5.0	Risk management	5
	Managing service risks	
6.0	Data Management and Security	10
7.0	Supply Chain	10
	Integration of design	
	Integration of delivery	
	Proposed supply chain	
8.0	Technical Compliance	5
9.0	Technical Design	5
10.0	Training	5
11.0	Environmental Sustainability	0
12.0	Quality	5
Total		100

Agreed weightings for individual questions will be applied to the scores and an Excel model will be used to calculate the overall scores of the bids.

After the written responses have been scored, a number of the most appropriate bidders will be invited to a bidder interview. At the interview all of the invited suppliers will be required to make a presentation and answer standard questions.

The selected ICT Provider will be chosen as the most economically advantageous tender based on the above criteria.

Records of the evaluation process and interviews will be kept as part of the evaluation to ensure a clear and transparent process and an evidential basis to substantiate the decision made and give accurate feedback to bidders.

Unsuccessful bidders will be verbally debriefed with indications of their strengths and weaknesses. The selected ICT Provider will also be informed of the weaknesses in their bid, which needed addressing.

The timetable for the entire procurement process is as follows:

Procurement Stage	Target Date
Issue ITT	11 April 2011
Bidders day	20 April 2011
Tenders received	13 May 2011
Final Stage Interviews	13/14 June 2011
Appoint preferred supplier	24 June 2011
Award of Contract	11 July 2011
Handover Period alongside existing supplier	26 July 2011 to 31 August 2011
Commencement of Service	1 September 2011

4.2 Interface with Design and Construction Contract

The alignment of and the Design and Construction is highlighted as one of the top 10 risks to the Scheme. In order to mitigate this risk the decision was taken to appoint the ICT Preferred Bidder at an early stage in the design process. This will enable the ICT Provider and the D&B team to develop the designs and room layouts together from an early stage.

A detailed ICT matrix was included as part of the ICT tender documentation. This document will form the relationship between the ICT Bidder and the D&B Contractor.

The ICT Consultants have been working closely with the Academy Trust and the D&B contractor to ensure that the ICT solution is tightly integrated with the proposed construction. This has included detailed discussions of proposed room layouts and FF&E proposals.

At an early stage in the design process the D&B contractor and the ICT Preferred Bidder will hold an ICT and Mechanical & Electrical co-ordination workshop. This will include a line by line discussion of the Responsibilities Matrix in order to ensure that all parties are aware of their respective responsibilities and any interface issues.

A detailed risk register for the ICT project has been developed indicating a clear strategy to manage / mitigate ICT risks.

Going forward the D&B Contractor, ICT Advisor and ICT Provider will all sit on the Core Design Team, which will enable any interface issues to be ironed out as they arise.

4.3 Summary

The Sponsor/Academy Trust is procuring its ICT provision from the DfE ICT Framework Lot 2, using its advisors, Atkins. The contract is due to be awarded in July 2011/

PfS has reviewed the delivery approach for the ICT provision and confirmed that it is acceptable.

A detailed risk register for the ICT project been developed and a clear strategy to manage / mitigate ICT risks has also been put in place.

The following documents are attached at **Appendix 4**:

- 4A. ICT Risk Matrix (identifying the top 10 risks)
- 4B. Letter from PfS confirming that delivery approach for ICT provision has been reviewed and is acceptable
- 4C. Grace Academy Darlaston Responsibility Matrix
- 4D. ICT Cost Model

5 AFFORDABILITY

Section 5 and **Appendix 5** of this FBC set out the affordability position of the whole scheme.

5.1 Design and Construction

Walsall Council confirms that it has checked Kier's costs against the agreed rates in the National Framework Agreement, and confirms that the overall solution is on market, representing good value for money.

The table below demonstrates that the project is affordable and within the funding available.

Category	Approved OBC Estimate	Cost of Solution from Selected Panel Member	Variance
Construction Costs	14,376,665	14,862,900	486,235
External Works	1,525,200	3,426,602	1,901,402
Abnormals	1,630,760	835,400	-795,360
Fees	2,102,587	1,821,778	-280,809
Inflation to Building start 3Q10 (pubsec index 164)	-359,465	172,500	531,965
FFE	1,812,828	553,644	-1,259,184
ICT Infrastructure	337,500	337,500	0
Carbon Reduction Grant	584,250	0	-584,250
D&B Contract sub-total	22,010,325	22,010,325	0
Project Support Funding	200,000	200,000	0
Mineshaft Treatment	175,000	175,000	0
ICT Hardware	2,175,000	2,175,000	0
VAT on ICT Hardware	435,000	435,000	0
Total	24,995,325	24,995,325	0

5.2 Lifecycle/Hard FM costs

The following costs are drawn from the Contractor's scope of works, and are in line with expectation.

Budget Areas Costs	Annual Cost per m ² (£)
Life cycle costs	22.01
Hard FM costs	15.05
Soft FM Costs	23.21
Utilities	9.88

5.3 ICT

The ICT project will be delivered within the available funding, utilising a fully managed ICT service with five year potential contract term (3 years plus option for 2 year

extension) under the DfE ICT Framework, including provision for refresh to sustain a comprehensive service beyond this term.

The Trust's ICT Advisor will check the selected ICT Provider's costs against the DfE ICT Framework, and confirm that the model solution is 'on market'.

The capital costs of the proposed ICT provision will be met by the DfE £1450/pupil funding allocation agreed with PfS £2,175,000 (plus VAT), this will be procured via the Academy's service provider, with an agreed proportion for integrated ICT access control being placed into the building contract.

Breakdown of £1450 per pupil

Item	Value (£)
Network Infrastructure	310,025
Server Infrastructure	552,701
Desktop Services Implementation	585,162
Specialism/Innovation Fund	50,000
MLE Integration	25,000
Tech Training	50,000
Change Management & CPD	50,000
Decant of legacy from old to new build	30,000
Managed Service Setup	138,002
Project Management (included in above)	0
Project Directory	84,111
Refresh Pot carried over	300,000
Total	2,175,000

The maintenance and lifecycle costs of the ICT works will be met by the school's revenue budget and Devolved Capital Funding.

The revenue costs include Academy based ICT technicians, either employed by the Trust or the MSP, in addition, the Academy also has access to the MSPs technical support team.

The Academy Trust has confirmed its commitment to meeting these costs through the General Annual Grant (GAG).

5.4 Other sources of funding

No additional sources of funding are being used.

5.5 FBC Required KPI Data

Not Applicable

5.6 Summary

The FBC provides a separate cost analysis reconciled against the OBC for both the design and build and ICT elements of the project.

The analysis indicates that the Selected Panel Member's proposals are affordable

within the funding allocation

Design and Construction

The Selected Panel Member's solution for the Scheme has been fully costed. The cost estimate has been checked against the rates included in PfS's National Framework Agreement.

The capital costs fit within the funding approved at OBC.

Facilities Management

Life Cycle and Hard FM costs have been estimated for a 25 year period. The Sponsor/Academy Trust has confirmed his commitment to meeting these costs through the General Annual Grant (GAG).

ICT

The FBC sets out the cost per pupil in relation to a learning environment, managed service platform.

Capital Costs - The designs for the Academy have been fully costed and identified what is to be delivered through the £1450/pupil funding.

We can confirm that the capital costs fit within the Funding Allocation Model (FAM) agreed with PfS.

Ongoing Costs - ICT costs have been estimated for a 25 year period. The estimated annual cost is on average £138,000 excluding staff costs and assuming full student numbers of 1500 are reached and maintained in the first 5 years. The Sponsor/Academy Trust has confirmed this commitment to meeting these costs through the General Annual Grant (GAG).

The following documents are attached at ***Appendix 5***

- Appendix 5A - Financial and Technical Proformas

6 DESIGN AND BUILD CONTRACT AND DEVELOPMENT AGREEMENT

Section 6 and **Appendix 6** of this FBC detail any derogations from the Design and Build Contract(s) and Development Agreement used with the PfS National Framework.

6.1 Summary

The LA has drafted and agreed the Design and Build Contract(s) with the Selected Panel Member. The contract has been reviewed and all derogations have been approved by PfS.

All land transactions associated with the project and Reviewable Design Data have been agreed.

The LA and Academy Trust agreed the Development Agreement and it is ready to sign. The agreement has been reviewed and all derogations have been approved by PfS.

The following documents are attached at **Appendix 6**:

- Appendix 6A - Schedule of agreed derogations to the Design and Build Contract
- Appendix 6B - Schedule of agreed derogations to the Development Agreement

7 READINESS TO DELIVER

Section 7 and Appendix 7 of the FBC sets out the personnel of the Project Team to illustrate that the Local Competition has been resourced appropriately. It also sets out the arrangements for supervising the delivery of the Design and Build and ICT contracts, and confirms that the necessary statutory approvals are in place.

7.1 Project Management Through the Local Competition

The LA maintained a fully resourced project management regime for the successful delivery of Scheme.

Role on Project	Position	Name	Time Commitment (days/month)
Owner	Executive Director for Children's Services	Pauline Pilkington	0.5 Day
Project Director	Head of Property Services	Kevin Kendall	3 Days
Project Manager	Design Project Manager	Bernard Rose	15 Days
Technical Advisors	Navigant Consulting	Fabrice Vinson Julian Webb	4 Days 4.5 Days
LA Design Champion	Head of Property Services	Kevin Kendall	2 Days
Client Design Adviser	Seymour Harris Architecture	Colin Way	4 Days
ICT Advisers	Serco - Walsall Council	Stephen Read	1 Day
Legal Adviser	Pinsent Mason	Steven Langton	2 Days
CDM Coordinator	AECOM	John Webb	2 Days

In addition, PfS has provided support during the Local Competition, and has monitored progress to ascertain whether the requirements of the PfS National Framework have been met. The PfS Project Director is Franziska Empl.

7.2 Supervising and Monitoring the Delivery of the D&B Contract

The table below outlines Walsall Council's project team commitment in place throughout the next phase of the framework process. The LA has put in place resources for the duration of the project, including post contract to monitor and maintain ongoing relations with the Selected Panel Member and ensure that performance is continually reviewed. The LA has approved the budget to support this phase.

Role on Project	Position	Name
Owner	Executive Director for Children's Services	Pauline Pilkington
Project Director	Head of Property Services	Kevin Kendall

Role on Project	Position	Name
Senior Project Manager	Design Project Manager	Bernard Rose
Contract Admin/Technical Advisors	Project Director Senior Consultant	Fabrice Vinson Jason Hendricks
Walsall County Council Design Champion	Design Project Manager	Bernard Rose
Client Design Adviser	Project Architects	Colin Way
ICT Advisers	Serco - Walsall Council	Stephen Read
Legal Adviser	Pinsent Mason	Steven Langton
CDM Coordinator	AECOM	John Webb

The Project Director, Project Manager, CDM Coordinator and client representatives will remain involved throughout the next phase and will be supplemented by Contract Administration specialist resources Navigant Consulting.

Monthly progress meetings with Kier Education and their relevant supply chain members will take place with Walsall Council and the Academy Trust. Kier will be required to provide detailed update reports to these meetings, including all aspects of the construction phase progress, programme, financial, Health & Safety updates and any other project issues as required.

Kier will be required to hold a minimum weekly meeting with the Local Authority and/or the Academy Trust representative to discuss programmed work plans and any site specific issues for the forthcoming works schedule.

Existing project liaison processes and governance groups will remain in place throughout the construction phase and an agreed change control process will be maintained. All proposed amendments to the Contractors Proposals will need to be authorised directly by the Local Authority's Project Manager and a representative of the Academy Trust, to ensure that cost, material specification and quality can be effectively managed throughout the life cycle of the construction phase.

7.3 Supervising and Monitoring the Delivery of ICT

The alignment of the processes for both the ICT and the Design and Construction procurement require careful co-ordination, with the delivery of the ICT Infrastructure being the responsibility of Kier and the ICT hardware procurement the responsibility of the Academy.

The ICT Scope within the Design and Build Contract with Walsall Council will require Kier to deliver the ICT Infrastructure (funded at £225 per pupil, based on 1500 pupils). The ICT Equipment/Hardware (funded at £1,450 per pupil, based on 1500 pupils) will be procured by the Academy, using the Academy Trust's procurement processes.

Walsall Council will advise in detail, the following matters in the Authorities Requirements:

- What information Walsall expects to provide Kier, including the ICT Infrastructure specification, provided by the Academy Trust ICT specialist team, and the timing of such;
- What information Walsall expects from the Academy and the timing of such;
- What meetings, communications and procedures relating to ICT interface matters

required for the project; and

- What access requirements are needed from Kier throughout the project construction programme to enable the Academy and its contractors to access the infrastructure to install the ICT equipment.

The design and specification for the ICT equipment/services and passive infrastructure is the responsibility of the Academy. The Academy Trust ICT specialists will be fulfilling the role of ICT advisors.

As the procurement for the building and ICT equipment are two separate entities, interface issues between the two needs to be carefully considered.

Walsall Council and the Academy will ensure that the two procurement processes are aligned. The responsibilities matrix is in place and has been agreed by all parties. This matrix sets out the responsibilities between the Contractor and the Academy in managing the ICT provision and programme.

A forward plan will be developed in relation to ICT to identify touch points in the design and delivery process where decisions may need to be subject to design review. Walsall recognises that the Design and Build Contract requires that all items to be included in the works are specified and costed by Kier at ITT stage and contractually confirmed at Contract Award. Any review of requirements will be subject to formal change management procedures under terms of the Design and Build Contract and will require a cost neutral approach. Walsall recognises its obligations under the contract and will seek to minimise any variations and achieve a cost neutral solution. Any cost increases as a result of design changes instructed by Walsall will be borne by the Authority.

The programme of work includes the procurement of ICT infrastructure, and interface with the progression of the Design and Build phase of the Academy project. Responsibility for the interface between the build programme and ICT works will be jointly held by the Local Authority and the Sponsor.

7.4 Statutory Approvals

All necessary statutory approvals have been granted. Planning Permission was approved on 21st April 2011. Walsall will be taking on the risk of Judicial Review.

7.5 Risk

A risk workshop has been held and a risk strategy for the delivery phase has been developed.

The Risk Register details:

- The risks identified
- Who is responsible for the mitigation
- Measures being taken to mitigate each risk

7.6 Summary

The LA has put in place resources for the duration of the project, including post contract, to monitor and maintain ongoing relations with the Selected Panel

Member and ensure that performance is continually reviewed.

All statutory necessary statutory approvals have been granted.

A risk workshop has been held and a risk strategy developed.

The following documents are attached at **Appendix 7**:

- Appendix 7A - Budget for delivery
- Appendix 7B - Planning Permission
- Appendix 7C - Risk Register (detailing top 10 risks going forward)
- Appendix 7D - Cashflow

APPENDIX 1 – OVERVIEW AND COMMITMENT

- A letter of support from the Sponsor/Academy Trust
- A letter of support from the LA
- Papers and minutes of LA Cabinet meetings confirming approval for the project



**Project Director
Partnerships for Schools
Fifth Floor
8-10 Great George Street
London
SW1P 3AE**

25 May 2011

Dear Sirs,

Grace Academy Darlaston

We are pleased to provide this letter as a supporting document to the Final Business Case for Grace Academy Darlaston. The Final Business Case has our full support and we endorse the submission of the document to Partnerships for Schools.

We write to confirm our commitment to working with Walsall Local Authority and Kier Education to deliver the Academy building project.

We have been fully involved in the procurement process and confirm that the designs developed support the education vision that has been developed for the Academy.

We can confirm that we have agreed the content of the Development Agreement with Walsall Local Authority, and are ready to sign it.

We look forward to the approval of the FBC and to the work starting on site.

Yours faithfully,

**CEO / Sponsors Representative
Grace Academy / Grace Foundation**

**Director / Company Secretary
Grace Academy & Grace Foundation**



Walsall Council

Property Services

Our Ref: BR/LP
Date: 1st June 2011
Please ask for: Bernard Rose
Direct Line: (01922) 471246

Franziska Empl
Assistant Project Director
Partnerships for Schools
Fifth Floor
8-10 Great George Street
London
SW1P 3AE

Dear Sirs,

Darlaston Grace Academy

Walsall Council Local Authority is pleased to submit the Final Business Case for the Darlaston Grace Academy. We provide this letter as a supporting document to the Final Business Case.

We write to confirm our commitment to working with Grace Academy Trust and Kier to deliver the Academy building project.

We believe that we have fully engaged with the Grace Academy Trust to develop the Final Business Case and that the designs developed support the education vision developed by the Grace Academy Trust.

We can confirm that we have agreed the content of the Development Agreement with Grace Academy Trust, and are ready to sign it. We have also agreed the Design and Build Contract with Kier. We expect the Design and Build Contract to be signed on 8th July 2011.

If you have any further queries or points of clarification, please do not hesitate to contact Kevin Kendall on 01922 471259. Otherwise we look forward to the approval of the FBC and to the work starting on site.

Yours faithfully

Pauline Pilkington
Executive Director of Children's Services

Cabinet – 16 January 2008

Consideration of Academy Status Schools in Walsall

Portfolio:	Councillor Zahid Ali, Children's Services
Service:	Education Walsall
Wards:	All Walsall wards but particularly Darlaston, Pelsall and Rushall
Key decisions:	No
Forward plan:	No

Summary of report

Whilst no key decisions are required at this stage, cabinet approval is sought for the submission of 'Expressions of Interest' to be submitted that will allow a formal feasibility study (funded by the DCSF) to be undertaken for both Darlaston Community Science College and Shelfield Community Sports College.

The Department for Children Schools and Families (DCSF) has been in negotiation with the Council, Education Walsall and two sponsors with regard to opening two new Academy schools. These new Academies would be constituted as 'Community Academies' and would be part of an overall Local Authority (LA) strategic secondary provision. A new Academy at Darlaston (potentially opening September 2009) would be sponsored by the Grace Academies, a charity founded and run by Mr Bob Edmiston (a local businessman) who is very keen to support local community provision. The second proposed Academy would be located at the current Shelfield site (potentially opening September 2008) and is supported by the Ormiston Trust (again a West Midlands based charity that has interests in social cohesion and youth development). Both sponsors have sponsored at least two other Academies in the West Midlands.

This report outlines the potential impact of a future decision to support these two new Academies and seeks the Cabinets approval for a formal 'Expression of Interest' which will then allow a 'Feasibility Study' (fully funded by the DCSF) to be undertaken.

Recommendations

1. That cabinet receive the report and be aware of potential implications for the Council
2. That cabinet support the submission of a formal 'Expression of Interest' for Darlaston Community Science College for Academy status to allow a formal feasibility study to be undertaken by the proposed sponsor, the DCSF and Education Walsall (on behalf of Walsall Metropolitan Borough Council - WMBC)

3. That cabinet support the submission of a formal 'Expression of Interest' for Sheffield Community Sports College for Academy status to allow a formal feasibility study to be undertaken by the proposed sponsor, the DCSF and Education Walsall (on behalf of WMBC).

Resource and legal considerations

Finance

Revenue

All education revenue funds (with the exception of money for statementing) and pupil related grants for Walsall will be reduced as a result of the LA maintained schools becoming Academies with the new Academies receiving the sums directly. The money removed from Council allocations and grants will be spread across a number of services provided by the Council and the education contractor. In addition to the traditionally traded services the Council and the education contractor could offer to sell more services to the new Academies to reduce the impact of the loss of revenue and grant allocation. The existing Walsall Academy does not buy any services from the Council or education contractor. LA supported 'community' Academies will, however, have Local Authority representation on their governing bodies that may result in them purchasing services from the Council and or the education contractor.

The pre 16 pupils in the two schools discussed in this report represent 5% of the total pupil population of Walsall so pupil related grants and parts of grants will be reduced by this sum.

Walsall's total Dedicated Schools Grant (DSG) is £166m. This sum is divided between money directed to schools through the Individual Schools Budget (ISB) (£154.8m) and a centrally retained sum of £11.2m. The centrally retained sum is used by the Council and the education contractor to provide services to schools.

Darlaston's full year budget share (without grant) is £3.6m and Sheffield's £4.5m. These sums will be removed from Walsall's DSG and paid directly to the schools.

In addition a sum of between £560K and £720K will be removed from the centrally retained part of the DSG. The uncertainty about the extent of the reduction is around which lines of expenditure are included in the sums to be allocated directly to Academies. The DCSF will provide Walsall with a central spend calculator that will clarify this area of uncertainty.

Capital

DCSF will make fixed capital sums available for the new Academies. The Council will be required to either manage the capital projects within those fixed sums or meet the additional costs for its own resources.

After achieving academy status the schools will receive all of their capital monies directly.

People

The employment of staff in Academies is the entire responsibility of the governors. It is not a delegated responsibility as in Community schools. All Health and Safety, equality and employment issues with regard to staff and students becomes the sole responsibility of the Academy governors. In initial discussions and negotiations with the sponsors and the DCSF of both proposed Academies any LA support is conditional on i) the full adoption of local LA Admission arrangements, ii) the full adoption of national Terms and Conditions of Employment of staff, iii) LA holiday patterns and iv) full engagement in LA protocols for inclusion and support for vulnerable pupils as a 'non negotiable' requirement. The same conditions could also be made a requirement in terms of LA governor representatives on the governing body, engagement in the regeneration agenda and the sharing of information for monitoring and planning purposes

Governance and performance issues

Risk Management

There is a loss of direct control by the council of property in schools that become Academies. Whilst this is the case, it is also true to say that this is only for the life of the Academy and there are conditions in the agreement that ensure the property returns to council control if the school closes and can ensure that the property can only be used for specified purpose. In mitigation, the loss of direct control is balanced by transfer of liabilities and the influence of LA representatives on the board of governors.

There is also the potential in the case of Darlaston to invoke the 'exceptional circumstances' clause of the Academies provision to move forward the re-building of the school ahead of the current Building Schools for the Future (BSF) planned date. This could result in a new build of the school considerably ahead of current planning, possibly with a building project start in 2009 and completion by September 2011.

Performance Management

Evidence from the Academies and Specialist Schools Trust and the DCSF would indicate a rapid and significant improvement in both KS3 and KS4 results with in 3 years.

Legal

Constitutionally schools that become Academies cease to be LA schools. However the family of secondary schools (Headteachers) have explicitly expressed a desire to work together and retain the concept of a family of Walsall secondary schools.

At a later date Cabinet will be required to formally support the specific proposals for each proposed Academy upon completion of the feasibility study. This will then 'trigger' the legal process for the closure of the existing schools to begin.

Consultation

Who has been consulted? All secondary school Headteachers, both collectively and individually. All secondary school governors were invited to attend a briefing/consultation event. The governors of Darlaston and Shelfield schools. The Learning and Skills Council. Discussions have also taken place with the Church of England Diocesan Director of Education.

Who needs to be consulted? Primary and special school Headteachers and governors, governor groups, parents, staff and teaching unions, Diocesan Directors of Education (Catholic and Church of England), Black Country Challenge, Locality and ward councillors

Impact

Service Impact

Issues for the service:

- reduction in DCSF revenues and grant income to WMBC as Academies would receive grant funding directly
- reduction in capital funding to WMBC as Academies would receive grant funding directly
- central services for schools would be in direct competition with third party suppliers with regard to all current statutory services including school improvement, statutory HR and statutory finance, etc. This could lead to reduction in service activity and thereby reductions in staffing capacity and requirements in both the Council and the Contractor.

Council Impact

Council would need to develop an explicit strategic policy with regard to secondary school provision that engages with the secondary Headteachers' vision and draft framework.

The Council would need to get a new message across to the media in terms of supporting new 'community' Academies (retaining influence, improving provision as part of a council plan to further develop and improve provision more rapidly)

Politically the situation has moved with regard to academies. LA engagement means that influence is now available where previously isolation of the LA was the agenda with the original academies programme. There are now opportunities to both shape the new academies and at the same time be actively involved in their running. However politically the cost of this engagement is the loss of direct control of assets and the potential reduction in direct revenue and capital funding of schools (though the resource remains with in Walsall schools) that may impact upon service personnel levels centrally.

Citizen Impact

There is the potential to more rapidly improve secondary education provision (and achievements) in socially challenged areas such as Darlaston particularly in respect of facilities. With community Academies there is also the potential for greater levels of community engagement. However the recent experience of Walsall Academy may still lead to some misconceptions about the new academies programme and the potential for local engagement and influence.

The range of choice and the diversity of provision for the various communities that makes up Walsall Borough in terms of secondary education are potentially both broadened and strengthened. There would become a mixed economy of secondary provision that could include Faith Schools (potentially including mixed Faith), Selective Grammar Schools, Foundation Schools, Community Schools, Trust Status Schools and 'community' Academies supported by the LA.

Environmental impact

Darlaston Community Science College would be closed, a new Academy opened, the old building demolished and a new building erected on the current site. The new building would be built to the latest building and environmental standards. There is the opportunity to link community sports and leisure facilities for community use with the Academy development in the neighbouring Herbert's Park playing fields with the very real possibility of Multi Use Games Areas and an all weather pitch for football, hockey and other field games such as rugby.

Shelfield Community Sports College would be closed, a new Academy opened, parts of the old building demolished and new buildings erected on the current site. Much of the most recent building at the school would be retained and some of the older provision refurbished and updated. Any new building would be built to the latest building and environmental standards. The draft Expression of Interest would also indicate increased sport and leisure provision for the community

Equality implications

Both proposed Academies would be mixed 11 to 19 comprehensive schools that would adopt WMBC admission policies, protocols and practices and would use a 'closest to the school gate' principle for admitting to the four 'fair banding' ability bands. Both would be 'local schools serving local communities'. Both schools will i) adopt local LA Admission arrangements, ii) adopt national Terms and Conditions of Employment of staff, iii) adopt LA protocols for inclusion and support for vulnerable pupils as a requirement of LA support.

Background papers

- 1) Draft Expression of Interest for Darlaston Community Science College.
- 2) Draft Expression of Interest for Shelfield Community Sports College

Author

A E Cledwyn-Davies

Director for Learning, Secondary & Leadership, Education Walsall

☎ 01922 686369

✉ cledwyn.davies@we.serco.com


Signed



Executive Director: David Brown

Date: 7 January 2008

Signed:



Managing Director, Education Walsall

Date: 7 January 2008

Signed:



Portfolio Holder: Councillor Zahid Ali

Date: 7 January 2008

Cabinet – 3 February 2010

Walsall Academies programme – appointment of preferred bidder.

Portfolio: Councillor A Andrew, Deputy Leader and Regeneration
Councillor R Walker, Children's Services

Service: Regeneration - Property Services

Wards: Rushall , Darlaston South

Key decision: No

Forward plan: Yes

1. Summary of report

- 1.1 In April 2009 cabinet approved the delegation of the signing of the Outline Business Case (OBC) for Shelfield Community Academy, and the Cabinet meeting of January 2010 approved the delegation of the signing for the Outline Business Case (OBC) Grace Academy Darlaston, to the Executive Director Children's Services and Executive Director Regeneration.
- 1.2 Cabinet is advised that the signed Outline Business Case (OBC) for Shelfield Community Academy is now in place, and designs are being undertaken for the final proposals.
- 1.3 Cabinet is now asked to approve delegated authority to the Executive Director for Regeneration or Executive Director Children's Services for the appointment of the preferred bidder, to continue with the designs and preparation of prices for both Shelfield Community Academy and Grace Academy Darlaston, and prepare all other relevant information to enable the Final Business Case (FBC) to be completed.
- 1.4 It is intended to inform future cabinet meetings on the progress of both projects, and at the appropriate stage on each scheme seek approval for Final Business Case (FBC) by requesting further delegated authority for officers to approve the Final Business Case, and enter into contract with the successful Design and Build Contractor.

2. Recommendations

That Cabinet approves delegated authority to the Executive Director for Regeneration and the Executive Director Children's Services in consultation with the Leader of the Council for the appointment of the preferred bidder, to develop detailed proposals to enable a final business case to be submitted to Partnership for Schools (PfS).

3. Background information

- 3.1 The Expression of Interest (EOI) was approved by Cabinet on 16 January 2008. This document outlined the proposal to open two Academies; Sheffield Community Academy and Grace Academy Darlaston. The sponsor for Sheffield Community Academy is the Ormiston Trust and the sponsor for Grace Academy Darlaston is Grace Academy. Both Sponsors work to promote the well being of children and young people, especially those disadvantaged by their life experiences and circumstances.
- 3.2 The EOI identified the Academy, its size, sponsor, likely site and the indicative funding envelope approved by the DCSF.
- 3.3 The Procurement process as prescribed by the Partnerships for Schools (PfS) designates the Council as the procurement body for the construction of the Academy buildings. The Council is required to procure both consultants and contractors and deliver the project within the funding envelope approved by PfS in the OBC. Completed buildings are then leased to the Academies for 125 years.
- 3.4 Both Sheffield Community Academy and Grace Academy Darlaston are now operational in the existing former school buildings.
- 3.5 The Contract document to be used under the Partnerships for Schools (PfS) procurement framework is the, "Design & Build Contract Lump Sum Option (for use with Framework incorporating Batched Schools Options)", and the "Design & Build Contract Lump Sum Option (for use with framework)".
- 3.6 The batched contractual approach indicated above is based on the sample scheme. Sheffield Community Academy was chosen to be the sample scheme following consultation with both Academies following an appraisal process which took into account a number of issues including academy transfer date, site viability, programme delivery and any associated project risks.
- 3.7 The use of the PfS batched procurement option allows for 3 additional non sample Academies to be added to the framework. Grace Academy Darlaston will be one of the 3 non sample schemes and will use the batched contract "Design & Build Contract Lump Sum (for use with framework)".
- 3.8 The Sheffield Community Academy Outline Business Case (OBC) was submitted to Partnerships for School (PfS) in Aug 2009 and approved; this enabled the Invitation to Tender (ITT) process to proceed. Two bidders were selected from three to take part in a design competition to produce proposed designs for the Sheffield Community Academy. The process of engagement takes place over a 14 week period, in which time each bidder presents their design to a controlled group including representatives from Walsall Council, Walsall Children's Services (Serco), Sheffield Community Academy and the Sponsor Ormiston Trust.
- 3.9 The shortlisted bidder engagement process will cease February 2010 and a preferred bidder will be selected, to work up their proposed design for the (sample scheme) Sheffield Community Academy to enable a full planning

application to be submitted for the scheme. Once planning approval is achieved and all the required contractual documentation are in place the Final Business Case (FBC) will be submitted to Partnership for Schools (PfS) for approval, prior to commencement of works on site.

- 3.10 Under the framework requirements the process of design development can not commence upon the non sample scheme (Grace Academy Darlaston) until after the selection process, has been completed upon the sample scheme (Shelffield Community Academy).
- 3.11 There are approximately 4 months between the design development two Academies schemes. Once design development is completed on Grace Academy Darlaston and planning approval received, all the relevant information including contractual documentation will be completed for Final Business Case approval from Partnerships for Schools (PFS), prior to commencement on site.
- 3.12 Both Academies will require detailed planning applications to be submitted, these applications will be submitted by the preferred bidder. The developments will then take place subject these applications being approved.

4. Resource considerations

4.1 Financial:

- 4.1.1 The allocated approved funding for Shelffield Community Academy is £23,587,363, and the proposed allocated funding for Grace Academy Darlaston is £22,908,673. (Note this figure can move up or down according to the price index)

4.2 Legal:

- 4.2.1 Legal Services have been consulted and have assisted in the appointment of Martineau Johnson for the Shelffield Community Academy and Pinsent Mason for Grace Academy Darlaston. Both legal consultants will advise during the framework contract procurement process. The route is strictly prescribed by PfS with little opportunity for derogation.
- 4.2.2 Corporate procurement has also been consulted on the Partnerships for Schools (PfS) procurement processes.

4.3 Staffing:

- 4.3.1 There are no staffing implications with this report.

5. Citizen impact

The provision of the New Academy will contribute to the improved learning of the Children and Young people at Shelffield Community Academy, stakeholders and pupils are current engaged in the consultation and development procedures with the Sorrell Foundation.

6. Community safety

The proposed designs for the Academies will provide increased onsite car parking allocation for the school which will reduce the need to park on adjacent roads.

7. Environmental impact

A BREEAM (British research establishment environmental assessment method) workshop will be undertaken with all stakeholders and the buildings will be designed to achieve a BREEAM rating of 'very good'.

8. Performance and risk management issues

8.1 Risk:

A risk register is in place to enable all the risks to be determined and managed, this will be recorded using the corporate risk assessment/management forms.

8.2 Performance management:

The project is part of the Transforming Learning programme and progress is routinely reported to the programme board.

9. Equality implications

The successful bidder (Main Contractor) will be expected to provide a copy of their Equalities and Health policy and this will be approved to ensure that it is in line with the Council's policy. Indeed, some of these items are integral to the Key Performance Indicators (KPIs) of the contract. These items will be monitor throughout the contract.

10. Consultation

- 10.1 Consultation with various stakeholders has and will continue to take place (Academy, Walsall Children Services, Leisure Services, Planning and Building Control). Further consultation with the local community will continue as the scheme develops.

Background papers

- Report to Cabinet Nov 2009 Procurement of the Construction for Grace Academy Darlaston
- Report to Cabinet April 2009 Procurement of the Construction for Shelfield Community Academy
- Report to Cabinet April 2009 Darlaston Community Science College: Determination of Statutory Proposal
- Report to Cabinet January 2008 Consideration of Academy Status Schools in Walsall.

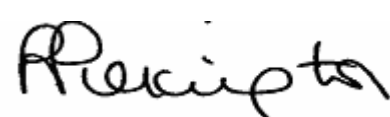
- Report to Cabinet June 2008 Shelfield Sports and Community College – Proposed Academy
- Report to Cabinet December 2008 Shelfield Sports and Community College: Determination of Statutory Proposal

Author

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Tim Johnson
 Executive Director
 Regeneration
 25 January 2010



Pauline Pilkington
 Executive Director
 25 January 2010



Councillor A Andrew
 Deputy Leader
 Portfolio holder: Regeneration
 25 January 2010



Councillor R Walker
 Portfolio holder
 25 January 2010

Cabinet – 24 April 2009

Darlaston Community Science College: determination of statutory proposal

Portfolio:	Councillor Zahid Ali, Children's Services
Service:	Walsall Children's Services - Serco
Wards:	All Walsall wards but particularly Bentley and Darlaston North and Darlaston South
Key decision:	Yes
Forward plan:	Yes

1. Summary of report

- 1.1 This report provides information to enable Cabinet to decide whether it wishes to approve the statutory proposal to close Darlaston Community Science College on 31 August 2009, subject to the signing of a Funding Agreement by the Secretary of State for the opening of an academy on 1 September 2009. (For clarity this means that the closure would be followed immediately by the opening of the Academy with no disruption to the education of the students at the school. Should the Academy not be established, Darlaston would continue as a community school.) There are substantial potential risks to this proposal which include those associated with abnormal ground conditions, risks to the approved capital programme and the possibility of a school budget deficit. These risks will continue to be monitored and mitigated as the project proceeds.

2. Recommendations

- 2.1 That Cabinet approve the statutory proposal to close Darlaston Community Science College on 31 August 2009 followed by the opening of an academy on 1 September 2009 subject to the signing of a funding agreement by the Secretary of State.
- 2.2 That Cabinet approve the grant, at peppercorn rents, of the required short term lease, occupational license and 125 year lease of the land shown for illustrative purposes only, edged bold on plan EPMS 3234 (**Appendix 4**) and extending to 8 hectares or thereabouts, and delegates approval of final terms and the final plan to the Executive Director of Children's Services in consultation with the portfolio holder.

3. Background information

- 3.1 On 22 October 2008, Cabinet approved the publication of a statutory proposal to close Darlaston Community Science College on 31 August 2009 subject to the signing of a Funding Agreement by the Secretary of State for the opening of an Academy on 1 September 2009, this being the representation consultation period.
- 3.2 A statutory notice was published on 16 January 2009. In response to direction from DCSF resulting from a national issue this notice was withdrawn and a new one was published on 30 January.
- 3.3 Details of previous reports on this matter are provided in the 'Background Papers' section.

4. Resource considerations

4.1 Financial:

Revenue

- 4.1.1 As an Academy, Darlaston would receive its revenue budget from the DCSF, the amount being calculated using the Walsall scheme.

Community Academies assume some but not all responsibilities from the Local Authority and their budgets reflect these additional responsibilities.

To reflect not having to provide the new academies revenue budget and some central services, Walsall's Dedicated Schools Grant would be reduced by the sum provided to Darlaston Academy. The full sum that will be paid to the new Academy, if it opens, will be £3.95 million. This sum is the existing schools budgets and the cost of services they will no longer receive from the Council.

- 4.1.2 The Council and the education contractor can offer to continue to sell services to the academy including the additional central support services for which the academy would hold a direct budget. Local Authority supported 'community' academies have Local Authority representation on their governing bodies. Some academies purchase some or all of their services from the Local Authority. Sheffield Community Academy has continued to purchase some services from the Local Authority and education contractor, but Walsall Academy does not purchase any of these services.

Capital

- 4.1.3 The DCSF will make a fixed sum available for the proposed new academy and the Council will be required to either manage the capital project within that fixed sum or meet the additional costs from its own resources. Partnership for Schools has indicated that the capital allocation is likely to be in the region of £30 million; however, this will be revised to reflect the recently updated location factor for Walsall. This factor takes account of regional variations in

construction costs. If the cost of the project were to exceed the capital allocation, a further report would be brought to Cabinet.

4.1.4 The capital project for the proposed academy would be taken forward through the national framework developed by Partnership for Schools.

4.1.5 There will be an expectation from the sponsor and Partnership for Schools that the Council will make good any health and safety issues before the proposed academy opens and that any serious condition items of an urgent nature are resolved. These matters would be identified through a survey which is being undertaken in April and a schedule of necessary works would be identified and agreed. The Council would have to meet the cost of addressing them as it is considered by Partnership for Schools that these would be the responsibility of the Council as they relate to the condition of the accommodation for the existing Darlaston School. At this stage it is not possible to estimate the likely cost of these works. Details of any necessary works would be reported to Cabinet and approval sought for any capital expenditure. Any such works would be progressed by Property Services and funded through the 2009/10 modernisation strand in the education capital programme. Minor general works will be funded through Darlaston's devolved formula capital.

4.1.6 If Darlaston becomes an academy, future capital monies would be received directly from the DCSF.

4.1.7 Financial Risks:

There are a number of financial risks for the Council and these are set out below together with a risk mitigation proposal:

4.1.7.1 **Sprinkler system**

The capital funding envelope from Partnership for Schools (PfS) does not normally fund sprinkler systems. It is the Council's policy to install sprinkler systems in all new build schools within its property portfolio. However on status change the Council will continue to own the school which will be leased to the sponsor. The estimated cost of installing sprinklers is circa £300k. The proposal is for sprinklers to form part of the tender package for the school build with a price for sprinklers separately identified. If tenders including sprinklers are lower than the PfS funding allocation, PfS has agreed in principle that sprinklers can be funded out of the funding envelope. If tenders come in higher than the funding envelope the sponsor will then be asked to make a decision on how they wish to proceed. This of course may have insurance implications for the sponsor.

4.1.7.2 **Ground conditions**

There is a risk that abnormal ground conditions will result in higher tender costs than the PfS affordability envelope. Commissioned site surveys will be required in order that an estimate of abnormal costs can be completed. If this results in estimated costs higher than the standard abnormal allowance, PfS has recently agreed that they will consider funding the estimated shortfall out of the Funding Allocation Model (FAM). PfS will not however,

provide an unqualified agreement to fund all costs. However they have said that as long as the Council/Technical Advisor have done everything they can to mitigate these costs, they will consider the additional funding. There remains a risk that the Council could still face substantial costs.

4.1.7.3 Affordability gap

Walsall MBC's submission to PfS for National Framework User Project Support Funding detailed that estimated costs to set up academies at Shelfield and Darlaston would be £1.098 million. This bill is met by £0.4 million of funding from PfS, £0.4 million from the mainstream capital programme and £0.3 million from the education capital programme.

4.1.7.4 Potential deficit budget

Actions have been taken to ensure the school is not over spent at the proposed closure date (31 August 2009); however, the risk of a small shortfall needs to be considered. Steps are being taken using powers set out in the Scheme for Financing Schools to minimise the risk of a potential budget deficit.

4.1.7.5 Compromise agreements

The DCSF expects the Local Authority to contribute 50% of the cost of any compromise agreements. All staff have the right to TUPE and no compromise agreements can be made without the Local Authorities agreement.

4.1.7.6 Potential works to George Rose Park

To offset the loss of the park area, see 4.1.11, the Council may be required to enhance the remaining Park facilities e.g. fencing, car park and footpaths.

Site and Property

4.1.8 To enable the academy to open in September 2009, and to allow time for the detailed design work and funding package for the new buildings to be finalised, the Council will initially grant the academy a short lease. Under this lease, which shall be at a peppercorn rental, the academy shall be responsible for maintaining the premises in no worse condition than at the commencement of the term.

4.1.9 Once the project has reached the construction phase, a Development Agreement will be entered into regulating the provision of the new school. Under this Agreement, the short lease shall be surrendered in favour of an occupational license to the academy. This will enable the Council and its contractors to have control of the wider site for construction purposes whilst leaving the academy with the ability to operate the school from the existing premises.

- 4.1.10 This license arrangement will continue until 1 year after completion of the construction contract to encompass the Defects Liability Period in the Design & Build Contract, at which point the license shall terminate and a 125 year lease shall be entered into between the Council and the academy. This lease will again be at a peppercorn rent but will place full responsibility for repairs and insurance on the academy.
- 4.1.11 The current school site is approximately one third of the recommended size for the school and in order to enable the proposed academy to be able to deliver the sport and PE curriculum it will be necessary for the Council to transfer an additional area of playing fields. It is proposed, subject to consultation, to meet this requirement by realigning the boundary with the adjoining George Rose Park and enlarging the school site. This would increase the size of the site to approximately two-thirds of the minimum recommended size. The consultation process has included discussion with the three Ward Members, the Academy Trust and the Friends of the Park, followed by a presentation to the Local Neighbourhood Partnership (LNP). The LNP supported the proposal subject to investment in the remaining area of the park and an appropriate pricing structure for the use of the facilities. This proposed change of use would be advertised in the press.
- 4.1.12 The 125 year lease will be at a peppercorn rent but will place full responsibility for repairs and insurance on the academy. As terms for the lease agreements and the site boundaries have yet to be finalised, it is recommended that approval of terms and the final plan be delegated to the Executive Director of Children's Services in consultation with the portfolio holder.
- 4.1.13 The proposed licence and 125 year lease shall be in a standard form agreed with the DCSF and the funding bodies. The initial short lease is currently being negotiated between the Council and the Academy but will broadly reflect the conditions in the standard form documents.

4.2 Legal:

- 4.2.1 The closure of Darlaston Community Science College in order to enable the school to become an academy is subject to statutory procedures. Following approval by Cabinet, on 30 January 2009, a notice was published. During the six week representation period which followed publication of the notice, seven representations were received.
- 4.2.2 Cabinet must now 'determine' or decide the proposal by considering whether it wishes to proceed. A decision to close Darlaston would be subject to the signing of a Funding Agreement for the proposed academy by the Secretary of State. A copy of the complete proposal is attached as **Appendix 1**.
- 4.2.3 **Appendix 2** provides details of the statutory guidance to be considered by decision-makers when considering the closure of a school. This guidance states that: "If provision for pupils at a school proposed for closure is dependent on the establishment of an academy, any approval of the closure proposals

should be conditional on the Secretary of State making an agreement for an academy, but there should be a general presumption in favour of approval”.

4.2.4 Details of the representations received and comments on them are provided in **Appendix 3**. One of the representations was received after the 16 January, when the first notice was published, but before 30 January when the final notice was published. A copy of these letters has been made available to members of the Cabinet.

4.2.5 The following bodies may appeal against a Local Authority decision:

- the local Church of England diocese;
- the Bishop of the local Roman Catholic diocese;
- the Learning and Skills Council where the school provides education for pupils aged 14 and over; and
- in the case of **foundation** and **voluntary** schools only - the governing body or trustees of the school that is proposed for closure.

4.2.6 Appeals must be submitted to the Local Authority within 4 weeks of the Local Authority’s decision. On receipt of an appeal the Local Authority must then send the proposals, and the comments and objections received, to the Schools Adjudicator within 1 week of the receipt of the appeal. The Local Authority should also send a copy of the minutes of the Local Authority’s meeting or other record of the decision and any relevant papers.

4.3 **Staffing:**

4.3.1 The staff employed at Darlaston are employees of Walsall Council. In an academy, the staff are employed by the governors (trustees). In circumstances where a school closes and reopens as an academy, staff are ‘TUPEd’ across to the new employer on the same terms and conditions of service.

4.3.2 The sponsor has confirmed that the national terms and conditions of service would apply to staff employed at the proposed academy.

4.3.3 Existing staff would be ‘TUPEd’ to the new employer and there should not be any redundancies.

4.3.4 It is understood that the sponsors are considering compromise agreements with a small number of staff. The DCSF meet 50% of the cost of any compromise agreements. No compromise agreements involving the Local Authority in expenditure can be made without their agreement.

5. Citizen impact

- 5.1 There is the potential to rapidly improve secondary education provision in the Darlaston area and there is also the potential for greater levels of community engagement.
- 5.2 The sponsor for the proposed academy is the Grace Foundation. In the Expression of Interest, the Grace Foundation states that its aims for the proposed academy are:
- to transform the educational offer for the students and community in Darlaston;
 - to enhance and develop the quality and focus of leadership at all levels;
 - to raise attainment throughout the academy and eradicate poor performance at all key stages, especially targeting areas of weakness both generally and for individual students;
 - to improve the quality of teaching and learning; and
 - to raise aspirations and significantly increase participation rates at ages 16 and beyond.

The Expression of interest also states that community cohesion will be built and strengthened through engagement with parents and by the provision of an academy built to serve the needs of the local community.

- 5.3 During the consultation period, some concerns were expressed about the content of the Religious Education curriculum at the proposed academy. Walsall's Standing Advisory Council on Religious Education develops an Agreed Syllabus for Religious Education that is used by community and voluntary controlled schools. In the Expression of Interest the sponsor stated that "the RE curriculum will be drawn up by the academy and will have regard to the current Walsall Agreed Syllabus".

Also in the Expression of Interest (EOI), that was signed off by the Local Authority and Sponsor in July 2008, the proposals set out below were included.

The Academy places a high value on the ethos and values being established as the foundation for the conduct of the learning processes and as underpinning policies, procedures, decisions and the manner in which adults and students interact.... The spiritual, moral, social and cultural development of all pupils will be important and the Academy will seek to develop in students self worth, a work ethos and achievement, social responsibility and commitment to the wider community. Staff will be expected to fully support the ethos of the school, and to set an example of the highest standards of conduct, dress, and values. Pupils will be required to abide by a code of conduct, and to meet defined standards in terms of dress, attitude and behaviour.

6. Community safety

- 6.1 There are no direct implications for community safety.

7. Environmental impact

- 7.1 If Darlaston Community Science College is closed and a successor academy opened, it is envisaged that the current buildings would be demolished and replacement accommodation be provided. Any new building would be built to the latest building and environmental standards and will incorporate the use of sustainable resources wherever possible; designs will incorporate developments to reduce the impact on the environment.

8. Performance and risk management issues

8.1 Risk:

- 8.1.1 There is a loss of direct control by the Council of property in schools that become academies. This would apply for the life of the academy and there would be conditions in the agreement to ensure that the property would return to the Council if the academy closes and can ensure that the property can only be used for specified purposes.
- 8.1.2 The loss of direct control would be mitigated by the transfer of liabilities and by the influence of a Local Authority representative on the board of governors.

8.2 Performance management:

- 8.2.1 Evidence from the DCSF and the Academies and Specialist Schools Trust suggests that there is likely to be a rapid and significant improvement in Key Stage 3 and GCSE results within three years.

9. Equality implications

Admissions

- 9.1 The sponsor has confirmed that the proposed academy would not be selective in any way and that it would apply Walsall Council's standard admissions policy. The sponsor has also confirmed that the proposed academy would act in accordance with all relevant provisions of the School Admissions Code and the School Admissions Appeals Code published by the DCSF as they apply at any given time to maintained schools. The proposed academy's admissions arrangements and any changes would be subject to formal consultation in line with the requirements of the Codes and relevant admissions legislation, which at the date of this document is section 89 of the School Standards and Framework Act 1998 as amended, and Regulations under that section. It has also been confirmed that the proposed academy would have regard to and have an independent appeal panel which acts in accordance with the Secretary of State's guidance on exclusions.

- 9.2 The sponsor has confirmed that all students who have a place at Darlaston when the proposed academy opens would automatically be enrolled at the academy.
- 9.3 The sponsor has confirmed that the proposed admission arrangements for the proposed academy would be the same as the current arrangements for Darlaston Community Science College.
- 9.4 Discussions between Walsall Children's Services - Serco, Walsall Local Authority, and the Grace Foundation have led to a clear agreement that the proposed academy would serve the same community as Darlaston Community Science College.
- 9.5 The admission arrangements for the 2010/11 school year for community and controlled schools in Walsall were determined by Cabinet on 18 March 2009. In the case of Darlaston, this determination would be superseded should the school be closed and a successor academy be opened. However, in practice the arrangements would be the same in view of the sponsor's commitments detailed above.

SEN

- 9.8 The sponsor has confirmed in the Expression of Interest that the proposed academy would meet the requirements of the SEN Code of Practice and that the principles of inclusion will underpin all developments in curriculum, teaching and learning within the new academy.
- 9.9 A SEN Improvement Test has been completed and this demonstrates that the proposed academy would lead to significant educational benefits for children and young people with SEN.

10. Consultation

- 10.1 Consultation on the proposal to close Darlaston Community Science College in order to enable it to reopen as an academy, subject to the signing of a funding agreement by the Secretary of State commenced on 5 September and ended on 10 October 2008. A report on the outcome of this consultation was considered by Cabinet on 22 October 2008.

Background papers

Cabinet Report 16 January 2008: Consideration of Academy Status Schools in Walsall.

Cabinet Report 16 July 2008: Structures of Secondary Schools.

Cabinet Report 22 October 2008: Darlaston Community Science College: outcome of consultation on proposed academy.

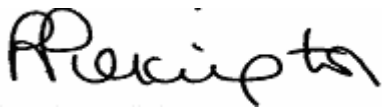
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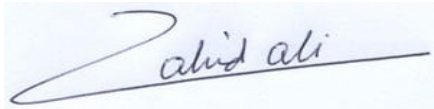
With contributions from Property Services, Legal Services, BSF, HR and Finance Teams



Pauline Pilkington
Interim Executive Director
Children's Services
Date: 8 April 2009



Tony Stainer
Managing Director,
Children's Services – Serco
Date: 8 April 2009



Signed:
Portfolio Holder: Councillor Zahid Ali
Date: 8 April 2009

SECTION 15 PROPOSAL TO DISCONTINUE A SCHOOL

**PROPOSAL TO DISCONTINUE DARLASTON COMMUNITY SCIENCE
COLLEGE FROM 31 AUGUST 2009**

COMPLETE PROPOSAL

January 2009

1.Contact details

1. The name of the local education authority or governing body publishing the proposals, and a contact address, and the name of the school it is proposed that should be discontinued.

Local Authority:

Walsall Metropolitan Borough Council

Contact address:

Walsall Children's Services – Serco, Education Development Centre, Pelsall Lane, Rushall,
Walsall WS4 1NG

School:

Darlaston Community Science College, Herberts Park Road, Darlaston, WS10 8QJ

DCSF number 335 4100

2.Implementation

3. The date when it is planned that the proposals will be implemented, or where the proposals are to be implemented in stages, information about each stage and the date on which each stage is planned to be implemented.

It is proposed to close Darlaston Community Science College from 31 August 2009 subject to the signing of a funding agreement by the Secretary of State for the opening of a successor academy from 1 September 2009.

4.Consultation

5. A statement to the effect that all applicable statutory requirements to consult in relation to the proposals were complied with.

All applicable statutory requirements to consult in relation to this proposal have been complied with.

6. Evidence of the consultation before the proposals were published including—

- (a) a list of persons and/or parties who were consulted;
- (b) minutes of all public consultation meetings;
- (c) the views of the persons consulted; and
- (d) copies of all consultation documents and a statement of how these were made available.

- (a) a list of consultees is provided as Appendix A
- (b) minutes of public consultation meetings are provided as Appendix B
 - (i) Student Council
 - (ii) Staff
 - (iii) Governors
 - (iv) Parents
 - (v) Community
- (c) the views of the persons consulted are provided in Appendix C

- (d) a copy of the consultation document for the proposed academy is provided as Appendix D.

The consultation documents together with a letter of explanation were made available to the Consultees as detailed in Appendix A. Copies were also made available at Darlaston Community Science College, the local community centre, local libraries and on-line. A large print version was also available on request. The letters and consultation documents detailed the dates, times and locations of meetings for the student council, staff, governors, parents and members of the community. Consultation documents were also available at the consultation meetings. Detailed notes were made at all of the meetings. All consultation responses have been retained.

7.Objectives

8. The objectives of the proposal.

The objective of the proposal is to close Darlaston Community Science College in order to enable a successor academy to be opened. The proposed academy would occupy the Darlaston site and buildings.

9.Standards and Diversity

10. A statement and supporting evidence indicating how the proposals will impact on the standards, diversity and quality of education in the area.

Standards:

Standards at Darlaston Community Science College are poor, the lowest in the borough, with only 15.1% of students achieving 5+A*-C including English and mathematics in 2008 against the government's minimum benchmark figure of 30%.

The school was placed in Special Measures following an Ofsted inspection in November 2007 and as a result of subsequent monitoring visits by Ofsted it was judged that progress since then was inadequate, despite the effective additional support from the LA and from the Black Country Challenge Advisor. Behaviour, ethos and the relevance and challenge of the curriculum are weak.

It is envisaged that the pace of improvement will accelerate and be sustained as a result of the curriculum developments, the consistent behaviour management system, and the revised leadership structure planned for the proposed academy. The provision of improved replacement accommodation and facilities at an earlier date than would otherwise have been possible would also contribute to improvements in these areas.

Diversity

There are 19 secondary schools in Walsall comprising 8 community schools, 1 VA Church of England school, 2 VA Catholic schools, 2 VA non-denominational selective single-sex grammar schools (one for boys and one for girls), 4 Foundation schools and 2 academies. The proposed closure of Darlaston Community Science College and the proposed opening of an academy would broaden diversity by reducing the number of community schools by one and increasing the number of academies to three.

Quality of education

The quality of education in the area is improving slowly but remains low compared to LA and national levels. There is low take-up of further education and training and employment levels locally are low. It is envisaged that as a result of the opening of the proposed academy, there will be an increased pace of improvement because of the greater levels of community engagement (including the involvement of employers) planned by the sponsor and also the provision of replacement school accommodation the standard of which will enhance learning. This is intended to raise aspirations and self-esteem for this community of learners and to

improve local access to learning for pupils and adults, including parents and carers. The proposed academy intends to draw on Trust Funds to equalise opportunity, particularly for the children and young people from families of low income, in the current challenging economic climate, thereby giving access to wider opportunities. Partnership between the proposed academy and other 14-19 providers will provide exciting pathways of learning for all learners within the developing boroughwide collaborative provision.

11.Provision for 16 -19 year olds

12. Where the school proposed to be discontinued provides sixth form education, how the proposals will impact on—

- (a) the educational or training achievements;
- (b) participation in education or training; and
- (c) the range of educational or training opportunities,

for 16-19 year olds in the area.

Darlaston Community Science College provides sixth form education, and it is envisaged that 16-19 year old students would benefit from the proposed closure and opening of a successor academy with provision for 16-19 year olds.

- (a) It is expected that educational or training achievements would improve as a result of the proposed curriculum developments planned for the proposed academy and the provision of replacement accommodation and facilities.
- (b) Participation in education or training: the Expression of Interest for the proposed academy indicates 350 places for 16-19 year olds; this number is still the subject of discussion. The broader curriculum offer is expected to result in an increase in staying-on rates. The minimum age at which young people can leave learning is being raised to 17 from 2013 and to 18 from 2015 and this is expected to result in increased staying-on rates in schools in addition to increased participation in other settings.
- (c) The range of educational or training opportunities is expected to be greater at the proposed academy. It is planned to offer a broad curriculum which includes a wider range of both academic and vocational courses at a variety of levels, thereby enabling the needs of students to be better met. These opportunities will be further enhanced through partnership with other 14-19 providers in the local area. All other Walsall secondary schools have sixth form provision and a wide range of opportunities are available at Walsall College.

13.Need for places

14. A statement and supporting evidence about the need for places in the area including whether there is sufficient capacity to accommodate displaced pupils.

The supply of secondary school places in the area would not be affected by the proposal to close Darlaston Community Science College as replacement places would be created by the opening of the proposed successor academy. The current level of places needs to be retained in order to meet the projected demand for secondary school places in the area; the proposed replacement academy would have an equivalent number of 11-16 places and an increased number of post 16 places.

The proposed closure of Darlaston Community Science College is in order to enable a successor academy to be opened and it is subject to the signing of a funding agreement for the proposed academy by the Secretary of State. All pupils on roll at Darlaston would transfer to the proposed successor academy; no pupils would be displaced.

If any parents do not wish their child to transfer to the proposed academy, a place would be

offered at an alternative school within the area. It is thought that such requests would be minimal (if any) and there is sufficient capacity to accommodate pupils at other schools.

15. Where the school has a religious character, a statement about the impact of the proposed closure on the balance of denominational provision in the area and the impact on parental choice.

Darlaston Community Science College does not have a religious character and there would be no impact on the balance of denominational provision in the area or on parental choice regarding this.

16. Current School Information

17. Information as to the numbers, age range, sex and special educational needs of pupils (distinguishing between boarding and day pupils) for whom provision is made at the school.

Pupil numbers (October 2008)										
Year 7	Year 8	Year 9	Year 10	Year 11	Total Y7 - 11	Year 12	Year 13	Year 14	Total Post-16	Grand Total
134	159	178	176	187	834	68	32	8	108	942
Gender										
Males		53% (496)			Females			47% (446)		
Special Educational Needs										
No SEN		School Action			School Action Plus			Statement of SEN		
No.	%	No.	%	No.		%		No.	%	
710	75.4%	165	17.5%	49		5.2%		18	1.9%	

18. Displaced Pupils

19. Details of the schools or further education colleges which pupils at the school for whom provision is to be discontinued will be offered places, including—

- any interim arrangements;
- where the school included provision that is recognised by the local education authority as reserved for children with special educational needs, the alternative provision to be made for pupils in the school's reserved provision; and
- in the case of special schools, alternative provision made by local education authorities other than the authority which maintains the school.

All pupils on roll at Darlaston Community Science College would transfer to the proposed successor academy; no pupils would be displaced.

Darlaston Community Science College does not include provision that is recognised by the local authority as reserved for children with special educational needs.

20. Details of any other measures proposed to be taken to increase the number of school or further education college places available in consequence of the proposed discontinuance.

The proposed closure of Darlaston Community Science College and the proposed opening of an academy would not impact on the supply of school places in the area. In view of this, it is not proposed to take any measures to increase the number of school or further education college places.

21.Impact on the Community

22. A statement and supporting evidence about the impact on the community and any measures proposed to mitigate any adverse impact.

The proposed closure of Darlaston Community Science College and the proposed opening of an academy would not have an adverse impact on the local community.

Secondary school provision would be retained in the local area as the proposed academy would occupy the buildings of the predecessor school (pending the completion of replacement buildings) on the Darlaston site. The admission arrangements for the proposed academy would be in line with the current admission arrangements for Darlaston Community Science College and for community schools in Walsall. In view of this, parents' opportunity to obtain a place for their child would not be affected by the proposed closure of Darlaston and the opening of an academy.

The proposed academy would be a key player in the local community and a focal point for regeneration of the area. It plans to develop as a full service extended school and encourage community use of all its facilities.

23. Details of extended services the school offered and what it is proposed for these services once the school has discontinued.

Darlaston Community Science College offers a limited range of extended services and opportunities for pupils include after school clubs, study support and sporting activities. There is no provision for adult or family learning although people are signposted to other provision in the local area.

The proposed academy would be a key player in the local community and a focal point for regeneration of the area; it expects to operate flexible and extended hours in order to maximise impact on the regeneration of a vibrant community.

The proposed academy would offer as wide a range as possible of extended school activities and would build on existing links with the community and business. Community use of all its facilities and sports provision would be encouraged and a wide and stimulating community education provision would be available on site. There would be consultation with the local community to establish how local needs could best be met.

24.Travel

25. Details of length and journeys to alternative provision.

Journeys from home to school would not be affected by the proposed closure of Darlaston Community Science College and the proposed opening of an academy. All pupils would transfer to the proposed academy which would occupy the buildings of the predecessor school ie Darlaston.

26. The proposed arrangements for travel of displaced pupils to other schools including how they will help to work against increased car use.

In the event that any parents request a place at an alternative school, transport advice will be made available in order to minimise increased car use.

27.Related Proposals.

28. A statement as to whether in the opinion of the local education authority or governing body, the proposals are related to any other proposals which may have been, are, or are about to be published.

The proposed closure of Darlaston Community Science College is not related to any other proposals which have been, are, or are about to be published.

29.Rural Primary Schools

30. Where proposals relate to a rural primary school designated as such by an order made for the purposes of section 15 of the EIA 2006, a statement that the local education authority or the governing body (as the case may be) considered—

- (a) the likely effect of discontinuance of the school on the local community;
- (b) the availability, and likely cost to the local education authority, of transport to other schools;
- (c) any increase in the use of motor vehicles which is likely to result from the discontinuance of the school, and the likely effects of any such increase; and
- (d) any alternatives to the discontinuance of the school,

as required by section 15(4) of the EIA 2006.

Not applicable.

31.Maintained nursery schools

32. Where proposals relate to the discontinuance of a maintained nursery school, a statement setting out—

- (a) the consideration that has been given to developing the school into a children's centre and the grounds for not doing so;
- (b) the local education authority's assessment of the quality and quantity of the alternative provision compared to the school proposed to be discontinued and the proposed arrangements to ensure the expertise and specialism continues to be available; and
- (c) the accessibility and convenience of replacement provision for local parents.

Not applicable.

33.Special educational provision

34. Where existing provision for pupils with special educational needs is being discontinued, a statement as to how the local education authority or the governing body believes the proposal is likely to lead to improvements in the standard, quality and/or range of the educational provision for these children.

Darlaston Community Science College does not include provision that is recognised by the local authority as reserved for children with special educational needs ie there is no designated SEN provision at the school. Normal admission arrangements for children with statements of SEN apply in line with the School Admissions Code and the SEN Code of Practice.

In October 2008, 75.4% of the pupils had no SEN, 1.9% had a statement of SEN, 5.2% were at School Action Plus and 17.5% were at School Action.

It is believed that the proposal is likely to lead to improvements in the standard, quality and range of educational provision for pupils with SEN currently attending Darlaston Community

Science College in the following ways.

Access to education and associated services would be improved through the full inclusion of all pupils in the life of the academy within the context of the national curriculum, the school curriculum as a whole and the SEN Code of Practice. Curriculum pathways tailored to the needs of SEN pupils would offer a differentiated and individualised curriculum with greater emphasis on supporting the core skills of literacy and numeracy in Key Stage 3 and functional preparation for the world of work in Key Stage 4. This individualised approach would see pupils with additional needs slotted into closely tailored curriculum models within the proposed academy.

Support structures would be significantly enhanced through the provision of an holistic approach to inclusion and the greater use of HLTAs to construct learning with pupils and innovative approaches to using TAs. SEN review procedures would be used to identify any barriers in the way of students' learning and plan appropriate, reasonable action, and ensure that all students have appropriate learning targets which are challenging.

The proposed academy plans to further develop Darlaston's extended school provision and offer as wide a range as possible of extended school activities and would build on existing links with the community and business. This would result in access to an increased range of services and opportunities for pupils with SEN and their families. Out of school hours support would include holiday clubs and homework clubs.

In line with Walsall's Accessibility Strategy, the replacement accommodation planned for the proposed academy would be designed to ensure that it was compliant with DDA requirements and other accessibility requirements set out in Part M of the Building Regulations. Accessibility levels would be much higher than at present with wheelchair access to all teaching areas, lifts as appropriate, and accessible and disabled wc and changing facilities.

The overall facilities and equipment would be significantly improved as a result of the proposed investment in replacement accommodation. Additional funding is made available to new academies and all pupils would benefit from this investment in resources.

Consultation Document

Consultation on:	A Proposal to Discontinue Darlaston Community Science College from 31 st August 2008 in order to establish an Academy to open on 1 September 2009
Deadline:	All responses must be received by 10th October 2008
Consultees:	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Parents of all pupils at Darlaston Community Science College <input checked="" type="checkbox"/> Parents of children offered a year 7 place at Darlaston Community Science College in September 2009 <input checked="" type="checkbox"/> Headteacher, Governors and Staff of Darlaston Community Science College <input checked="" type="checkbox"/> Student Council at Darlaston Community Science College <input type="checkbox"/> Headteachers of all Walsall Schools <input checked="" type="checkbox"/> Councillor Z Ali, Portfolio Holder for Children's Services <input checked="" type="checkbox"/> Ward Councillors <input checked="" type="checkbox"/> All Walsall Councillors <input checked="" type="checkbox"/> Chair of Darlaston Local Neighbourhood Partnership <input checked="" type="checkbox"/> Professional Associations and Trade Unions: ATL, NAHT, NASWUT, NUT, PAT, SHA, TGWU, UNISON and GMB/APEX <input type="checkbox"/> Education Welfare Officers for Darlaston Community Science College <input type="checkbox"/> Education Walsall OMB <input type="checkbox"/> Finance Resource Consultants for Darlaston Community Science College <input type="checkbox"/> School Improvement Advisors for Darlaston Community Science College <input type="checkbox"/> Denis O'Rourke, Head of Education Asset Management <input checked="" type="checkbox"/> The Officer responsible for school organisation in neighbouring LAs (please bring this letter to the attention of any school that may be affected) <input checked="" type="checkbox"/> Diocesan Schools Commission – Fr Marcus Stock <input checked="" type="checkbox"/> The Church of England Diocese of Lichfield – Colin Hopkins <input type="checkbox"/> Paul Goddard-Patel, Governor Support <input checked="" type="checkbox"/> Bruce George MP, Walsall South Constituency <input checked="" type="checkbox"/> David Brown –Director of Children's Services , Walsall Council <input checked="" type="checkbox"/> Paul Sheehan – Chief Executive, Walsall Council <input checked="" type="checkbox"/> Jane Evans – Director of Commissioning Walsall tPCT <input checked="" type="checkbox"/> Henry Seaton – Black Country LSC (Walsall) <input checked="" type="checkbox"/> Mike Bell – Black Country LSC
Public Access:	<p>Darlaston Library Pleck Library Wednesbury Library Darlaston Town Hall Moxley Community Centre Education Walsall Website www.educationwalsall.com (access through the School Organisation link)</p>
Responses to:	<p>Susan Lupton Strategic Leader School Organisation, Admissions, Capital and Asset Management Walsall Children's Services Education Development Centre Pelsall Lane Rushall Walsall WS4 1NG</p>

KEY: ☐ Distributed by email ☒ Distributed by mail

Consultation Meeting Notes

Location:	Darlaston Community Science College
Meeting with:	Student Council
Date:	25 September 2008
Time:	1.35 pm

PRESENT:

Walsall Children's Services - Serco	Darlaston Community Science College	Others
Avril Walton – AW	Deputy Head Teacher	Bob Edmiston – Grace Academies – BE
Keith Warburton - KW	60 Students	Tracie Edmiston – Grace Academies – TE
Kate Mann – KM	Teacher responsible for student council	David Wooton – Executive Head Teacher Grace Academies – DW
Tom Williams – TW		Steve Chase – Grace Academies - SC
		Tony Gee – Vice Principal Grace Academy Solihull - TG
		Rachael Edwards – Grace Academy – RE
		4 Students from Grace Academy Solihull - ST

KW opened the meeting and outlined the process of consultation. DW from Grace Academy gave a presentation on existing academies and BE outlined the proposal for Grace Academy. The students from Grace Academy Solihull were then asked questions by the Student Council, without the sponsors present before the sponsors returned to answer specific questions. Questions were posed by the school council unless stated otherwise.

Questions, Comments and Responses

➤ How long is the school day?

ST We start at 8.30 and end at 3.20 but we're encouraged to stay for an hour once a week as well.

➤ **How many lessons are there per day?**

ST 6

➤ **What are extended hours for? Is it optional?**

ST The extended hours are for homework and clubs. It is optional to attend.

➤ **How long is break and dinner?**

ST Break is 15-20mins and lunch is 30mins

➤ **How long is each lesson?**

ST 55mins with a 5 min change over time.

➤ **Can you explain the lockers system?**

ST Everyone has a free locker to put your books in.

➤ **Have your grades benefited from the new school?**

ST Yes
TG How do you know?
ST I was predicted As and Bs and I have achieved As

➤ **What options do you have for GCSE?**

ST BTECs, Law at GCSE and A level, Spanish, Child Development, Dance. You get 4 options and that must include business or ICT.

➤ **What options do you have in 6th form?**

ST	Not Sure
TG	There are a large range of AS and A level subjects tailored for what you want to do, if there were enough children who wanted to study a subject then we would arrange a teacher for the course.

➤ **Is the uniform policy strict?**

ST	There are rules such as no trainers, piercings must be studs and your top button must be done up.
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➤ **What sport is on offer?**

ST	Everything you want to do and we compete with other schools.
TG	Fitness rooms can be used and the gym is included in the GCSE syllabus.

➤ **Is there a swimming pool?**

ST	No
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➤ **Do you enjoy your new school? Is it stricter?**

ST	Yes and you get used to the rules and learn that your attitude matters.
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➤ **Do you always have to wear your jacket?**

ST	Yes
TG	You have to wear it when moving around the school but you are allowed to take it off in class.

➤ **Do you have detentions?**

ST	Yes
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➤ **Do you have a studio?**

ST Yes we have a radio station, music practice rooms and media suite.

➤ **What are the after school activities like?**

ST Lots of sports, the gym, IT, dance and language clubs.

➤ **What sports facilities do you have?**

ST 2 astro turf pitches, a gym, 2 sports halls, and basketball courts.
TG We have full size floodlit astro turf pitches for use by the community and it is as busy at night as during the day. We also have a media suite and radio station that can now broadcast on licence into the community. Unfortunately this didn't open on the 1st day, it took time.

➤ **Do you have any fights?**

ST Some but they get sorted out pretty quickly.
TG We do have some fights with 1500 children it's expected, but every time there is a fight we look at how to resolve it. We used to have lots of buildings but now we only have one and there are less places for fights to happen.

➤ **Do you have graffiti or damage?**

ST Not really although some toilet doors did get kicked in then replaced.

➤ **What is the reward system? Do you get to go on trips?**

ST We have a credit system and credits are deducted for bad behaviour. We have been on trips to China, Barcelona and Zambia to set up a Christian radio station.

➤ **Do you have sports teams?**

ST Yes rugby, football, hockey and netball

➤ **What are the changing rooms like?**

ST 2 lots of changing rooms for boys and girls with showers and lockers.

➤ **Are there isolation rooms for when you misbehave?**

ST Yes when you get at C4

➤ **What is the credit punishment system?**

ST C1 is a warning and lose 1 credit, C2 lose 2 credits and a 15 min detention, C3 sent out of class and lose all credits and C4 sent to isolation.
The credits are used for competitions between colleges and for rewards.

➤ **How long did it take to get everything built?**

ST About a year
TG The new school was built on the school field and it took about 2 years in total.

➤ **Are you allowed phones or MP3 players at school?**

ST You aren't allowed them around school and you'd have to keep them in your locker until the end of the day.

➤ **Are lockers ever broken into?**

ST No

➤ **What is the PE kit?**

ST White t-shirt and black shorts.

➤ **Is the school religious?**

ST There is a religious ethos but it isn't forced on you and you don't have to be a Christian.

BE and DW returned to take questions from the school council.

➤ **What plan do you have for the school in the short term?**

BE We would have to use the existing buildings in the short term and upgrade before the new building was in place. There are no plans at the moment and it depends on contractors, we would have to keep people safe from the building work possibly using temporary buildings.

DW An academy isn't just a new building though it's also a new curriculum and new way of working.

BE In Solihull we were in the new building on the 1st day but at the Coventry academy we had to use the same building. But it is not just the building, previously the school would have 100 applications for places per year and this year they had 180 applications and 15 transfers. There's also a big buzz amongst the children and staff with a new ethos and new uniform. There is a new commitment from parents, staff and students to push aspirations of children and give the children a chance to achieve great things.

➤ **Will we have new teachers? Will our old teachers be re assessed?**

DW Yes and some will want to transfer. In other academies it has been ½ and ½.

➤ **Is that our uniform?**

DW All Grace Academies have the same uniform that is simple and affordable for your parents with business style jackets rather than blazers.

➤ **Would it have Darlaston on it?**

DW No just the Grace Academy uniform.

➤ **Are the ties clipped on?**

DW No they're real ties.

➤ **Do you have homework over weekends?**

ST Not enough to stop you from socialising although it may take you
1 night if you saved it all up.

➤ **Are girls allowed to wear make up?**

ST No

➤ **Do you have to have the same bags and coats?**

DW No you don't have to use the same bags but we use lockers
during the day.
BE You also don't carry cash it is all on a card for your lunch and
vending machines, and if you get free school meals it goes
straight on.
DW It is also a swipe card to access the building.

➤ **Do you have form groups?**

DW We have 5 colleges and tutor groups within these made up of
pupils from all ages.

➤ **Are you allowed to dye your hair?**

DW Yes

➤ **Are you allowed off site for lunch?**

DW No everyone stays on site and we push healthy eating. The menu at school is selected by the student council.

➤ **Teacher – the student council seems excited and there have been suggestions of new buildings or new rooms before from Walsall Children’s Services and the children have been let down. Have we any assurances that you will deliver this?**

BE We have been to see the DCSF about the state of the building and would apply for additional funds due to the poor condition despite improvements over the last 12 months. The DCSF then give the Grace Academy a budget for the transition period to help improvements before using a separate budget for the new building.

➤ **What is the uniform for the 6th form?**

DW Smart business dress

➤ **Would Y11 see any change in the 6th form?**

DW Yes

➤ **Is the school definitely going to become an academy?**

DW No today is a day for the sponsors and Walsall Children’s Services to ask consultees if you want an academy to replace Darlaston CSC. So it is very important that your parents attend the meeting tonight and fill in a consultation response form or attend the meeting on the 6th October at Salisbury Primary School.

The Deputy Head thanked the students from both schools for attending before KW closed the meeting.

Consultation Meeting Notes

Location:	Darlaston Community Science College
Meeting with:	Staff
Date:	25 September 2008
Time:	3 pm

PRESENT:

Walsall Children's Services - Serco	Darlaston Community Science College	Others
Avril Walton – AW	65 Staff of Darlaston Community Science College	Bob Edmiston – Grace Academies – BE
Keith Warburton - KW	Union representatives	Tracie Edmiston – Grace Academies – TE
Kate Mann – KM		David Wooton – Executive Head Teacher Grace Academies – DW
Sophia Modiati - SM		Steve Chase – Grace Academies - SC
Tom Williams – TW		Rachael Edwards – Grace Academy – RE

KW opened the meeting and outlined the process of consultation; AW then outlined the closure process and announced the further meeting at Salisbury Primary School on 6th October. BE introduced the Grace Academy Proposal and DW gave a presentation on the Grace Academy. Questions were posed by the staff unless stated otherwise.

Questions, Comments and Responses

- **We're in special measures at the moment what happens if we close on the 31st August and re open on the 1 September?**

AW The new school would not be in special measures.

- **Why? How would anything be any different?**

DW The new school would be a new legal entity with new practices and also some staff may not stay.

BE We would also be appointing a new head and during the transitional period we would work with the new head to develop a new curriculum for the new school. DW was appointed 5 terms before the Solihull Academy opened, so once there is a funding agreement we can start recruiting.

➤ **If a decision isn't made until January then that is not 5 terms.**

BE Yes but the Solihull Academy was our 1st one and we now have the staff on board that can help with the process and there will be training laid on for existing staff.

➤ **Still if the decision isn't made until January and staff start on the 1st September when will training start?**

DW We will look to appoint staff as soon as we can and we will work with the school and the council to get that done. The speed of the developments is an issue but we would start training ASAP.

➤ **Would we have some level of input?**

DW Yes and there would be some similarities but with shared practices of other Grace Academies

➤ **This is a very short timescale**

BE There are some cross academy roles, and therefore 2 sites for 1 teacher to work at. We agree it would be difficult due to the timescale but we would try to get it done before September and we do have more experience on this one compared to our previous academies.

➤ **Can we have clarification on the TUPE process due to the possibility of appointing a new head?**

AW	TUPE transfer applies to all staff but there is a legal requirement that the Head and Deputy Head Teacher have to be nationally advertised.
BE	At the other Academies not all staff transferred as some chose not to and some left due to previous plans.

➤ **Will this operate on a like for like basis?**

DW	A process will be agreed with the unions on transplanting staff to the new academy, as the new academy would have a new structure and therefore new opportunities.
BE	Salaries will be protected but the existing structure may be difficult to carry over.

➤ **How long does salary protection last for?**

DW	3 years which is a statutory requirement but it hasn't been an issue in the other academies due to new practices of development to best use experience.
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➤ **What about staff with poor attendance or long term sick leave?**

DW	TUPE still applies
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➤ **In terms of quality of staff, would all staff be transferred?**

DW	We will be looking at quality but competency applies as in any other school.
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➤ **Learning Mentor - Will the emotional support for SEN pupils continue?**

DW	We like to concentrate on the whole person and to have happy, fulfilled, engaged and challenged pupils.
BE	We have a pastoral manager per year group and some private youth workers to assist staff. In Solihull the work of the academy has helped reduce police incidents with school children by 30%

➤ **Learning Mentor - Would we be able to develop our work?**

DW We have all sorts of mentors and HLTAs to allow staff development.

➤ **Learning Mentor - Will there be an increase in wages for LSAs?**

DW Funding is always tight and we aim to pay on the national pay structure

➤ **I only started 11 months ago and used to work for local government, what if I transfer across but am unhappy and go back to the LA?**

SM Your continuity of service should be protected.
AW We will take legal advice and get back to the Head.

➤ **Facilities Manager - Most Schools allow the community to use their facilities, how will that work with staffing to allow access?**

DW We may have to work out a roster

➤ **Facilities Manager - Would there be a change of hours for shift work?**

DW I don't know how it is managed at the other academies I would have to find out.
BE There must be some kind of shift work to allow weekend access. It would probable be a 2 stage process with new arrangements required for the new building as the current building may not be suitable for use by the community.

➤ **We pay into LGPS would it be the same?**

DW Pensions would be the same as we would act as an admitted body into the scheme.

➤ **What happened to the previous head of business studies at the other Academies?**

DW At the other schools there was no head of faculty and we had to appoint a new one.

➤ **I consider the video to be propaganda and would want to see a structure of the curriculum and pastoral structure of the existing academies?**

DW We take issue with the suggestion that the video is propaganda. We will allow visits to the other academies and provide information on their organisation.

➤ **What would the working hours be?**

DW There would be the same working conditions of 12-65hrs, although at the existing academies we tend to start earlier with 6 hr teaching days and we have an early finish on Fridays.

➤ **NUT – We would like to thank you for entering into this consultation process although at the last scrutiny meeting councillors were told that this academy was the only option as the DCSF would step in if an academy wasn't considered. We also consider the academy ethos to be the same as any other community school. Clearly the Grace Academy is good at recruiting but what about the children who do not get a place as the catchment area shrinks? Grace Academy also spent £32 million on the Solihull building would it be the same amount of investment here?**

BE The local authority are responsible for our admissions so if the catchment area decreases it is only due to an increase in demand, not any changes to the admissions policy. The budget for the buildings is set pro rata by the size of the school. The budget at Solihull was increased for the abnormalities in the building as it is under the flight route of the local airport, and in this case there may be other abnormalities and an offset for inflation.

DW There are some good community schools in Walsall but academies have more flexibility and can initiate changes quicker.

➤ **GMB – Have you got figures for your staff turnover rates? Will the facilities staff still remain in house?**

DW The staff turnover at Solihull was low in the 1st year and some staff moved on in their 2nd year but we don't have exact figures. We have a contractor to run facilities in Solihull and Coventry, so there could be a later TUPE transfer for facilities staff.

➤ **Facilities Manager - Why were the facilities contractors not mentioned earlier and staff not told facilities staff may be working for a contractor?**

BE There wasn't the immediate change but with the new site we had new requirements and required a new facilities contract. You would then have the same TUPE rights into the new job.

Facilities Manager - If the new building takes 3 years to build and then I had to be transferred onto a new contract then I may as well look for a new job now.

➤ **NASUWT – We have reservations about academies but we are happy to hear that you are allowing TUPE but what about the new governance arrangements for the academy? Will the staff be on the same blue book conditions?**

DW We don't want to have a 2 tier system within the staff, with some people on different terms of service to others. We also want a local governing body although it may have a different structure including: sponsor governors, parent governors, local business governors and co opted governors. Staff would be involved in the governing body.

➤ **NASUWT – In Walsall we have both national and local arrangements**

SC If these conditions were contractual then this would transfer under TUPE but if it were a custom then we would negotiate with the unions.

➤ **NASUWT – At your Coventry Academy part of the discussion was to have unified conditions across all academies?**

DW If it were possible and practicable we think this would work well.

- **We are wondering that if Darlaston CSC were operating under the same flexibility what we could achieve? We are also worried about being under special measures and there is a lot of uncertainty in the school. We are worried about the rushed timescale and we don't want to rush something that may impact on staff morale. With this short timescale by the time a decision is made it may be too late to find another job.**

DW We want to engage with colleagues and unions as soon as possible.

BE we came to the school a year ago to express our interest at becoming an academy so this isn't our timescale. We would also ask staff to give it a try as you have nothing to lose.

- **You're in the driving seat and if the timescale were made a bit longer then it would allow people time to move if they wish to. At the moment we only have 2 terms before we become an academy.**

BE We are not totally in the driving seat as we are operating on a government timescale. We would hate to lose out on funding due to a change in politics or economic downturn. We know that this isn't a perfect situation with the building and timescale but we want to make sure that we are one of the few academies granted per year.

- **This will have a negative impact on morale of the staff and the results at the end of the year.**

DW We need to start working with people and engage with the staff if the process goes ahead

- **Have any other sponsors come forward?**

AW There was another sponsor who came forward but the school felt it wasn't the right sponsor and they withdrew due to the negative response.

- **With our local government we can vote them out but what happens if we are not happy with the sponsors?**

BE If we were failing to do our jobs then the government would step in and make changes, but up until now we have not been failing. We have already said that we want to sponsor the academy and have proven we have the capability to do so.

➤ **What will happen to students who don't get in?**

BE In our other academies our success has led to local schools raising their standards and we would not be willing to be less successful in order to be less popular.

DW In Solihull unfortunately the local authority has created a catchment that is now too large for the number of places available as we had 500 applicants for 210 places.

➤ **We work as contract catering within the existing school, what would happen with the new academy?**

AW You are employed under a council contract and the sponsors would need to consider whether to continue with the council contract. If Grace Academy decided not to continue with the contract then the council would find you employment elsewhere.

BE At our other academies we received presentations from 4 companies and chose the best contract for healthy food and later won an award for healthy eating in the area.

➤ **As the site manager I live in the school house but have private access would I get the house on TUPE?**

DW I don't know.

AW The school's house is from the council so we would have to confirm the details with them.

BE In Solihull we had 3 houses on site and we leased 1 house and the council rehoused people in like for like houses.

I am worried that it would not be a like for like change

➤ **We are currently advertising for a new caretaker what do we tell them about the possible change in working conditions to shift work and to be taken on by a contractor at a later date?**

AW Anyone in the market for a job at the moment will be facing a similar issue. BSF schools will be undertaking a PFI that will

involve contractors taking on the role of site and facilities management and all jobs in this field are changing.

I don't think it's very fair to TUPE twice to a contractor and basically lose your job.

KW closed the meeting and thanked people for attending.

Consultation Meeting Notes

Location:	Darlaston Community Science College
Meeting with:	Governors
Date:	25 September 2008
Time:	6 pm

PRESENT:

Walsall Children's Services - Serco	Darlaston Community Science College	Others
Avril Walton – AW	1 Staff Governor	Bob Edmiston – Grace Academies – BE
Keith Warburton - KW	6 Parent Governors	Tracie Edmiston – Grace Academies – TE
Kate Mann – KM	1 Non Teaching Staff Governor	David Wooton – Executive Head Teacher Grace Academies – DW
Tom Williams – TW	2 Community Governors	Steve Chase – Grace Academies - SC
	2 LA Governors	Rachael Edwards – Grace Academy – RE

KW opened the meeting and introduced the proposal. AW then outlined the proposal for Walsall Children's Services - Serco and the consultation process. BE outlined the proposal for Grace Academies and DW gave the Grace academies presentation.

Questions, Comments and Responses

- **You met earlier today with the student council, why not the whole student body?**

KW It was a more manageable group of students and we think that we got a good cross section of views

-
- **If the student council represents the student body is the governing body not a representation of the parents when we say that we are not in favour of the academy?**

BE We couldn't fit all the students in one place for the consultation and therefore the student council is a representation of those students. We also brought students from our existing academy in Solihull to speak with them about their experience. There is a separate meeting arranged for parents later tonight.

➤ **Who from the community was consulted? Not all community leaders were aware of the meeting**

AW We have to consult meaningfully and Walsall goes further than many other authorities consulting with parents, staff, governors and prospective parents we also post documents in the local area and public places. If you know of community leaders who have not been consulted and would like to meet with Walsall Children's Services and the sponsors then we can arrange this. We have already arranged another meeting for people to attend after Ramadan.

KW If you could give us a list of the community groups not consulted then we will contact them

AW if any groups want an additional consultation meeting they should contact em and I will arrange it.

➤ **The governors were not consulted on the possibility of an academy until half way through the process. Walsall Council's consultation is not good enough and Walsall Council makes selective consultation. The governors have had no say on any other possible sponsors and this has been forced on us. It is also inappropriate to use exam results as a yard stick to compare schools, saying this is a failing school therefore the route is an academy.
What would your admissions arrangements be?**

DW We would admit pupils as part of the local authority admissions policy.

BE There will be no differences between current admissions arrangements we would not be selective.

➤ **The consultation process is offensive that all the meetings have been crammed into 1 day. 25% of the school's population is Muslim and the meetings have been arranged in the middle of Ramadan.
I have read the consultation document and what is in it for Grace Academy?**

BE Regarding the consultation it is a council issue and to fit in with Ramadan we have arranged an additional meeting on 6 October. As for what is in it for us, we will make no money out of the academies. I have personally invested £4 million into Grace Academies as part of a total £170 million donated to charity and got nothing back. I want to give something back and do something good for the community. In Solihull we have had reports from the police that the incidence of crime involving students of the school has reduced 30%. We are interested in every part of a child's development not just their education.

- **We have seen your literature and it does not mention the governing body. As an existing governing body we have sent letters but not been allowed to attend cabinet to object. We seem to be the forgotten bit at the back end of Walsall.**
If the academy does go ahead will staff transfer to the new school?

SC Staff would transfer under TUPE to the new school.
BE The academy would have a new governing body and under TUPE rights staff would be able to transfer under current pay and conditions, although if a teacher was not performing then we would follow the national guidelines.

- **How long does TUPE last?**

SC After TUPE staff are entitled to all the protection they get under national employment law.

- **In most academies the head has been replaced.**

DW At the Solihull academy the head teacher was due to retire and in Coventry the existing head teacher was appointed. Under regulations the head and deputy head teacher have to be advertised to follow national procedure.
BE We held a meeting earlier with the union representatives and so far there have been no issues with the other academies.

- **Part of the reason that the school is in such a poor state is because it has been ignored by Walsall Council. If the school is to close on 31 August and open on 1 September what can be achieved in one day to improve the mess of a building?**

BE We will receive a budget to transform and re brand the school and it won't be done in one day, lots of work will be carried out over the summer holidays. We also have full time staff to start working now in preparation for a positive outcome.

➤ **What about resources and staff?**

DW Our final goal would be to have a brand new building but work will be carried out to improve the school in the meantime. We will also work with the staff and the head teacher to get ready for the new academy.

BE We would recruit a new head who would come on board during the transition period working on the curriculum and other education issues.

➤ **How would the new build take place?**

BE We could build on the same site but to one side with a mobile structure to allow lessons to continue as with our academy in Coventry. During this the health and safety of the students would be most important.

➤ **What is the timescale for this?**

BE 2 to 3 years

➤ **We have read in the press that the scrutiny panel said that we have to accept a new academy or close the school.**

AW When a school goes into special measures there is an assumption by the DCSF that the school will close. In this case there aren't the places available to close the school and transfer the existing pupils. Therefore closing the school is not an option and therefore the options left are to establish a new academy.

➤ **Can you give me your word that the school will not close if the academy does not proceed?**

AW No. but we don't have sufficient places in the area to accommodate pupils if Darlaston closed. The other option is to fresh start and re open the school in the same building.

➤ **Members of staff are in a number of unions, would these be honoured within the new academy?**

BE Yes there is a national right to belong to a union.

We are appalled that Walsall Council has failed this school and placed the burden on the Grace Academy

➤ **Can you guarantee that you will not change the admissions policy?**

BE We will stay as part of the local authority's admissions arrangements. We can select 10% towards our specialist places but we would only do that if all the other schools in the area did the same.

SC Academies fall under the same rules as other state schools and if we wanted to change the admissions policy we would have to undergo a consultation process.

➤ **The DVD said that facilities would be made available for the community**

BE The current facilities are pretty poor and we would petition for extra space to allow more room for additional facilities

SC We are talking to the council to discuss the playing fields and the security issues.

BE We will put the new building to one side and to accommodate the facilities we may have to build upwards.

➤ **How can the new academy be a focal point for the community and regeneration?**

BE In Solihull people have started moving into the area to get near to the school, and we cannot speak for regeneration as that is a council issue.

KW Do you want an additional meeting?

Yes

KW We will organise one tomorrow.

➤ **If the proposed academy went ahead, what would it be called?**

DW If the proposed academy went ahead it would be Grace Academy Darlaston

➤ **Are you involved with 2 academies up north in association with Reg Vardy?**

BE No

KW closed the meeting and thanked everyone for attending.

Consultation Meeting Notes

Location:	Darlaston Community Science College
Meeting with:	Parents and Community
Date:	25 September 2008
Time:	7 pm

PRESENT:

Walsall Children's Services - Serco	Darlaston Community Science College	Others
Avril Walton – AW	82 Parents	Bob Edmiston – Grace Academies – BE
Susan Lupton – SL	Bruce George - MP	Tracie Edmiston – Grace Academies – TE
Kate Mann – KM		David Wooton – Executive Head Teacher Grace Academies – DW
Tom Williams – TW		Steve Chase – Grace Academies - SC
		Rachael Edwards – Grace Academy – RE

KW opened the meeting and introduced the proposal; AW outlined the Walsall Children's Services – Serco proposal to close the school and the consultation process. BE gave an outline of the Grace Academy proposal and DW gave the Grace Academies presentation.

Questions, Comments and Responses

- **I have had 4 children attend Darlaston over the last 18 years and they have all achieved 5 GCSEs A*-C. I would like to thank the staff and think the school deserves a new building. We have been asking Walsall Council to fund this for 18 years and we feel sad that this can't be done without the private sector.**
Will all current pupils including those with behaviour problems be allowed a place? Would children with behaviour problems be allowed a place?

BE All children currently at Darlaston would be allowed to attend the new Grace Academy.

DW Grace Academy would allow all students to transfer across and we would not send children with behaviour problems elsewhere. We have lots of ways to assist and support students with behaviour issues.

➤ **How much support would be given to pupils with behaviour problems?**

DW At Solihull we provide tremendous support made up of all sorts of help.

- **Bruce George MP - Walsall has been in a transition phase and has seen the issue of good and poor results. Serco was bought in to manage the education provision in the borough and has shown steady improvement. I believe Serco can improve standards in this school. The slick presentation tonight is reminiscent of a timeshare scheme with a religious twist. I don't believe that a multi cultural society will gain anything from a school with strong Christian values. Help is also at hand for this school like BSF which will provide the money to build 5 new schools. For me the 1st two in line are Joseph Leckie and Darlaston. A new building would be useful and you have a good head although some staff may need retraining. Why doesn't Serco do more and provide more resources for Darlaston? Surely this school could achieve great improvements in standards without going down the academy route? Results in the school aren't good but it does not mean that the students are bad. So I urge you to give this consultation a great deal of thought before you make your decision.**

BE This school is currently in special measures and the results went down after a year of being in special measures. The choice today is for a Grace Academy or not. The Academy program is a government initiative and national results show improvement in those schools. Can this school wait for a possible alternative that is not on the table yet? We have waited a year and don't want to allow another class to go through this school. We want to do this for the local community and have no wish to be involved in a political debate. We will accept the outcome of the consultation as we are making an offer not forcing ourselves on the community.

Aw Walsall has been accepted onto wave 6 of BSF. This will provide the funding for 5 projects. Of these 5 projects, 2 will be rebuilds, and 3 will be refurbishments. The money to rebuild this school as an academy would be in addition to the money for BSF.

➤ **How long have we got to wait for Serco to act?**

AW No one is happy with the standards in this school. We have put in lots of support to the school; the government have put in support as have Black Country Challenge but the necessary improvement is not taking place. The academy option represents a new approach.

➤ **I have 1 child currently attending Darlaston and 1 who may attend. What does a business and enterprise specialism bring to the school that other schools don't? If we are part of the Grace Academies is it not part of a religious practice?**

BE Christian values are different to a faith school and we will teach to the national curriculum. The business and enterprise specialism will help students get used to the world of work and will allow the other academies to help each other with shared practices. The Head at our Solihull school is a Sikh and the Head in Coventry has no faith. We aim to teach the national curriculum in school including the theory of evolution. We invite the parents here to visit our other academies where the students receive an education not indoctrination.

DW All Grace Academies currently have business and enterprise specialisations and as Darlaston is currently a science college we were looking at having dual status to make Darlaston unique.

BE If this went ahead we would have 3 academies linked by the M6. The close proximity allows expert practitioners to be used in all 3 schools. This could allow transference of best practice and in the future it may even be possible to have televised lectures in all three locations.

➤ **Local Head Teacher – What about the governing body of the academy? If there was 1 staff governor and 1 parent governor would the rest be made up of members of the Grace foundation.**

You also claim that you want to get local industry involved with the school but how can you achieve this when there is no industry list? How do you plan to interact with the local primary schools?

BE We plan to have a consulting body in addition to a small governing body. As a business man I have lots of contacts in the local area. In Coventry we have links with Tesco and in Solihull links with Jaguar and the airport. We also sent a senior teacher to visit HBOS to learn about working practices. We also have links with BA who provided help for our trip to Africa and provided a course teaching the students what it is like to be a member of the

flight crew. We would also have one governor whose role is specifically to establish links with local industry.

DW If we are to be successful in secondary education we need to become involved with primary schools. The primary to secondary transition is very important and we know of the dip in achievement that can occur during that change. We aim to deliver the year 7 curriculum in a similar way to in primary curriculum. We also have lots of other ideas such as Y6 transferring to the academy once they have completed their SATs.

➤ **My child is in year 10 will their options be affected by the change?**

DW We would guarantee continuity of studies but push their curriculum as far as possible.

➤ **Where would the children go during the building project?**

DW We hope to build on the current site and would discuss with the architect how to make sure the site was safe and reduce disruption to teaching and learning. We may have to use mobile classrooms during the building. We plan to build the new building then demolish the old building and turn the land into playing fields

➤ **You said that you need 27 acres for a new school would that mean we lose our park?**

DW No the school can exist on a smaller plot.
BE The decision would be up to the council as we may have to locate sports facilities on another site but we want to make sure we get the best site with the most space.

➤ **What are the other options instead of a Grace Academy? What will the curriculum be in addition to the national curriculum? If the school proves to be very popular how will you select you pupils?**

DW We will not be changing the admissions arrangements and we can't offer much more of a curriculum now but in the new building we will be able to offer more with our new facilities and we plan to be more involved with the community.

BE In Solihull part of the community courses we provide are marriage counselling, debt management, and drugs counselling we also

make the sports facilities available to the community. The students also proposed the idea to open u at Christmas to provide a lunch for the elderly with the children waiting tables. There are lots of extra curricular activities that can be set up in conjunction with the community.

AW The option we are discussing now is the possibility of a Grace Academy but if it doesn't go ahead then there will be other options.

➤ **Parent of Y11 student- What assurances do we have that there will be no disruption to teaching?**

AW There will be no disruption as the staff who are present now will continue until the end of the year before being offered TUPE transfer. There are always changes in schools and the staff and Serco are committed to helping the students

➤ **I feel that this is a one day auction as Serco haven't helped the school one bit since the school went into special measures.**

AW The children of this school have been failed by the school, by Serco, the council, governors and staff and we need to ensure this stops now.

➤ **The governing body will not be accused of failing the school.**

One governor resigned and left the meeting

How is it that the money is available for the school once the possibility of an academy is on the table?

➤ **I object to the date and time of the consultation meetings during Ramadan as many Muslims cannot attend as they are ending their fast.**

KW We accept that and we have arranged an additional meeting on 6 October.

Serco could have started work before now and not waited for Grace Academy.

➤ **My daughter started school three weeks ago what assurances do you have that this will go forward?**

- DW Hopefully the process will go forward and when we get the new building we will be able to bring more to the table and provide more educational opportunities.
- BE The school is not working at the moment and something has to be done to ensure a better outcome for the young people of Darlaston.
-

➤ **I have been disgusted with this school in the past, as when my son came to the school there were behaviour issues but now it is better. I object to Serco telling us that the governors are failing the school and I object that Serco is a business that provides us with 1 option that brings them more money.**

➤ **What will happen to the existing staff?**

- BE They have TUPE rights of transfer. Past experience shows that most chose to transfer.
-

➤ **What caused the difference in the increase in exam results at the other schools?**

- BE Hard work within the schools and a committed motivated and well trained staff. We have established a link with Warwick University to bring in motivated newly qualified teachers and specialist graduates to teach for a year and using staff across academies to share expertise.
- DW There was also a different structure, different approaches to work, lots of training, and new leadership structures to unlock the potential of both staff and students.
-

➤ **Does the Head Teacher transfer as well?**

- DW In the transfer to an academy we would have to advertise the post as a legal requirement. In Coventry we appointed the old Head.
-

➤ **What happens if you fail?**

DW In the same way that any other school is accountable for their performance the same rules would apply.

➤ **If you fail will you back out?**

DW If we are committed then we aim to see it out and we realise that it will not be easy. If we fail then the government will step in.

BE Would you want us to keep a teacher who is failing the students? The children are the priority and the school should be a benefit to the children and the community.

➤ **In the DVD a parent of a child at the Solihull school said her son was struggling but they are now doing well but you also kept staff from the old school.**

DW Yes we gave them lots of intense training that was tailored to the individual.

➤ **If you have lots of newly qualified teachers they won't have much experience.**

DW We will give them lots of intense training and we still want experienced staff who know the community.

How can you do that but not Serco?

➤ **I think this school is a sinking ship, although the head has done a good job and the school is making improvements slowly. It is so late in the day for consultation. Why is the end of the consultation period set as the same time as the deadline for preference forms?**

EB Grace Academy is following the timeline set by the council.

- **Student - I am in Y10 at the moment and have a supply teacher for one of my lessons. If we had a new school would I have to stay with the current supply teacher?**

DW I can't speak for the head teacher but we would want the best resources for the students

KW closed the meeting and urged attendees to make a consultation response and to attend the meeting on 6 October.

Consultation Meeting Notes

Location:	Darlaston Community Science College
Meeting with:	Community
Date:	6 October 2008
Time:	7.15 pm

PRESENT:

Walsall Children's Services - Serco	Darlaston Community Science College	Others
Avril Walton – AW	79 Members of the community	David Wooton – Executive Head Teacher Grace Academies – DW
Keith Warburton - KW	Head Teacher – Darlaston Community Science College	Steve Chase – Grace Academies - SC
Kate Mann – KM	Head Teacher – Salisbury Primary	Rachael Edwards – Grace Academy – RE
Tom Williams – TW	Head Teacher – King's Hill Primary	Members of the local press

KW opened the meeting and introduced the proposal; AW outlined the Walsall Children's Services – Serco proposal to close the school and the consultation process. SC gave an outline of the Grace Academy proposal and DW gave the Grace Academies presentation.

Questions, Comments and Responses

- **Express and Star – Mr Edmiston is known for his belief in creationism and creative design will this be included in the curriculum?**

DW It would feature in the curriculum as in every school. Creationism would be taught as part of the RE syllabus and the theory of evolution or Darwinism would be taught in science lessons.

-
- **It seems as though Darlaston Community Science College has failed the children. We want to know why is Darlaston failing and how will Grace Academy turn things around?**

- DW Unfortunately I cannot comment on why the existing school is failing. To turn things around we would look to change the way the school is organised, the methods of teaching and the construct of the curriculum. There is also a difference in the way that we are funded allowing us to put more resources into the development of staff and we try to engender a culture of self belief and aspiration amongst the students.
- AW It is hard to answer why the school is failing. Ofsted inspected the school in the autumn term last year and found some aspects of the school wanting and others to be quite good. If you want to know how the school is failing the report is available online.
-

- **Parent Governor - I'm concerned about the way this proposal is put forward as if it has already been decided and this consultation is just a formality. I also have concerns about your admissions policy, how do you expect to raise standards from children with very low achievement already?**
You say you're being funded by central government, you're taking our park and with new buildings it feels like a private enterprise rather than something for the community, who are you accountable to?

- DW The funding does come from central government and as a result we are accountable to central government. BSF funding is also available in the Walsall area and that will be shared out amongst secondary schools in Walsall.
Presently Darlaston has no playing fields and they currently have to use part of the park but it is not safe and we want the school and the community to have the best facilities.
-

- **If you're only responsible to central government, what about the local community?**

- DW We hope to be a part of the community and will attend local head teacher's meetings. We are also accountable in the same way as any other school though league tables and Ofsted but directly to central government.
-

I object to you stopping discussion by not allowing follow up questions and blocking debate.

- **What if you fail?**

DW The DCSF would then step in as in any other school.

- **What happens to Grace Academy and your organisation if you fail? You have produced some impressive figures tonight but it is only for 2 years worth of results, education runs in a 5 year cycle and anyone can make up something to look good over 2 years.**

SC We can't give you 5 years of results as our academies have only been open for 2 years.

- **Is your other academy in a deprived area?**

SC It is in a very deprived area, but the school has shown steady improvement from 22% to 34% then 47% last year, and next year we're hoping that 50-60% of the children will achieve 5A* to C.

- **Another private school in the area guarantees 70%?**

DW That school would not admit children in the same way as an academy that is open to the community.

- **What if I am an atheist? What if I object to your values and standards?**

SC We take people of any faith or no faith into the school or on the staff. We have Christian values such as respect, honesty and forgiveness as in any other school.
The school will also allow you to object to the values and standards.

- **If you are not accountable to the Local Authority what guarantees do we have that you will not change the admissions criteria?**

SC We are committed to the same admissions criteria as Walsall Council. To change the admissions criteria we would have to go through a consultation process and it would finally require the signature of the secretary of state, so we can't change things over night. We will not select or become a faith school but and we will apply the common application form for Walsall.

- **There is a good majority of people who do not want this academy, but it feels like it is being forced upon us.**

SC Then please make your views known by filling in the consultation responses and there are people here taking notes of your comments. It will then be up to the council to make the decision.

- **Why is Darlaston Community Science College failing? Serco has a contract for hundreds of millions of pounds to improve education, what is Serco doing for Darlaston?
If academies are the way forward then why aren't all Walsall schools academies?
We are not being given any alternatives what is the choice?**

AW The Serco contract in Walsall is a matter of public knowledge and it is not hundreds of millions of pounds. We have been providing education in Walsall for 7 years and results have gone up dramatically. This is in part due to Serco but it is also due to the work in schools with the support of Serco. This has not worked in Darlaston and the school is now in special measures. As a result of being in special measures the DCSF have given us 2 options to shut the school or become an academy.
For the capital investment this has improved over the last 10 years but there has never been the money to rebuild a secondary school. To rebuild a secondary school costs approximately £30 million and authorities such as Walsall have never had the money.

- **What about St Thomas More, that was rebuilt?**

AW That was a school that used a PFI and as a Roman Catholic school had money from other sources. As part of BSF there will be 5 major projects within Walsall including 2 rebuilds and 3 refurbishments. The money for the Darlaston Academy would be in addition to this money

- **At the last meeting with the governors we asked for another meeting. When could that be if the deadline is Friday?**

AW The meetings were booked in advance to be included in the consultation document. If you require an additional meeting please contact me and we will try to arrange it, although it needs to happen before Friday.

-
- **Governor at Darlaston - There are concerns in the community about the timescale of the consultation. Governors received a letter last Wednesday asking who else should be consulted. At scrutiny the cabinet were allegedly told that the choice was an academy or closure. We want a choice of sponsor and to know how governors will be selected. In the DVD it said that parents voted with their feet but will parents have their say about the academy? Where are the Cabinet members tonight?**
-

- **Vice Chair of Union of Muslims – The Muslim community are against the idea of an academy with an evangelical sponsor. Would our children be able to opt out of RE?
If the majority of parents don't like the proposal will it still go ahead?**

DW At Grace Academy we teach the same RE syllabus as at any other Walsall school. We have almost the same level of diversity at our Coventry Academy where the Head Teacher is a practising Sikh.

- **You say that the current school doesn't have your values and standards, can this not be achieved by the school at the moment?**

DW I can't comment on the school at the moment, but can only say what we can do.

- **Why are the press being stopped from taking photos?**

AW There are policies within schools that do not allow photos to be taken of children at school and there are children present here tonight.

Parents commented that they gave their permission.

- **The points being made by the Grace Academy is that they have money and the current school does not have money. Is that an implication of why the school is failing?**

DW That is not the only issue as the current school has had difficulties for some time.

- **Teacher at St Thomas More – I came here tonight to find out about the new school and whether I can put Darlaston as a preference or not. I am a Northern Irish Protestant and teach at a Catholic School and nothing I have heard tonight has convinced me to put Darlaston down on the preference form. It is not about the building. The staff and Governors there have done a good job and need help and support. Some children at the current school have not had a specialist teacher in over 4 weeks. What s Grace Academy going to do for the children at that School?**

DW As we said in the presentation we will provide a fresh start, new ways of learning and a new curriculum. We don't want to criticise the current school.

I think the Grace Academy is a good idea but feel like we've been railroaded.

-
- **Parent and Representative of local Mosques – I have sent an email to 10 people at the council and have a petition against the academy. Year 5 parents have not been consulted. Where are the members of the Cabinet? Only Serco are here tonight on their behalf as partner for education. Our questions have not been answered clearly and the consultation has not been done widely. This is a failure of Walsall Council and Serco they have failed the community. We want another meeting here with the cabinet before they make their decision behind closed doors.**

-
- **Parent and Governor – We have seen the Ofsted report but since then we have a new Head Teacher and a change in teaching and new staff. The school is improving and we are trying to make things happen. The governors are making things happen by giving up their own time. We feel like the council has already made its decision to spend BSF money on other schools now that the academy offer is on the table. We have been forgotten and now we have the money from the Government we should be 1st on the list for a new school.**

SC With regards to the funding issue, the funding for BSF will have to go through a PFI in conjunction with the LA. We will get the school build sooner.

-
- **Why don't we just wait for a new school?**

SC It is only just deferring hope for future funding.

- **Exactly, my child is in school at the moment and I don't want them to have to wait for a new school**
-

- **Head at Salisbury Primary – I was concerned that as a primary head we had received no contact so I made contact, with concerns for the children's view of the academy. Today I visited the Grace Academy in Chelmsley Wood and spoke to the head for 10 mins then to the children for 2hrs about their experiences. Everything I heard was very positive. I asked about their Christian values and they are no different to those of any school in Darlaston with values of honesty, respect, tolerance and forgiveness. Having spoken to the children it appears that the sponsor's approach is similar to that of Zakat and he does not have a "hands on" roll. The children of Chelmsley Wood live in an area that used to have the highest incidence of crime in the West Midlands and they now speak with pride in their school and their community. Serco and Walsall Council's part in this has not been a positive one but we now have an opportunity for our children. Other primary Head Teachers in the area are satisfied that this is good for the children, maybe although not for the staff or the governors. I don't agree with the haste of this consultation but if it is the only offer on the table.**
-

- **Can Grace clarify details about the new building? Will it be refurbished by September 2009?**

SC	If the proposal goes ahead we will open in September 2009 with new branding and some cosmetic changes but we plan to have a new building by 2011.
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- **Walsall Council have let the school down and want to wash their hands of it. How will you improve standards in a failing school?**

DW	We would restructure, introduce new practices, we would build on the head's work introduce more training and recruit new staff if old staff leave.
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- **Would you make people redundant?**

DW	They would have the right to TUPE transfer.
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➤ **Would you replace the Head? Who would appoint them?**

DW We would have to advertise the Head's post and the governing body would appoint.

➤ **Is it true that you will have only 1 parent governor?**

DW We have a small governing body that can act quickly that will hold up to 17 members including members if the local community and commerce. But in addition to that we have a parents' forum that advise the governing body.

- **We have been told by Grace Academy that all staff will be made redundant including the Head Teacher and all staff have to reapply. And now you have only just mentioned a parent's forum with a panel of 17 governors with only 1 parent. The school won't be ready until 2011 and how much disruption will this cause to the curriculum?**

Another Parent – it's the teaching that matters not the building

➤ **You have said there will be a curriculum change, what will the new curriculum include?**

DW It says in the consultation document we will change the curriculum to personalise it to the children's needs. We intend to add new study skills, accelerated curriculum for some children and extra languages. There will also be new subjects such as business and enterprise, values and standards and citizenship.

➤ **Lots of figures have been given out that suggest that improvement only comes with money. The personalised curriculum is not useful for children who intend to go in to university where there will be no individual learning pathways.**

DW We'd have to disagree over the different curriculum at university.
SC We are funded differently to other schools and this allows us to choose where to focus the budget and tailor spending to where it is needed most.

- **There had been insufficient time to consult, this is appalling**
-

- **When will the next meetings be and where?**

AW Let us know and we can arrange to be there.

- **The consultation ends Friday and there are additional meetings required.**

SC Speak with AW to arrange a meeting
KW We can't arrange dates now as we don't have everyone's diary.

- **Can't you push the Cabinet meeting back?**

KW We will take that request back to the Cabinet.

- **Can you not extend the consultation to get the Cabinet here?**

KW We will take that request back to the Cabinet.

- **Public consultation is not consultation in this case.**
-

- **2hrs in 5 weeks is not good enough. What about letting us express our views? What have you been doing for 5 weeks?**
-

- **Ask Cllr Zahid Ali and the cabinet to be present at the next meeting**
-

KW thanked everyone for attending and closed the meeting.

Views of Persons Consulted

Consultation meetings at which representatives from Walsall Children's Services – Serco and the Grace Foundation (sponsor for the proposed academy) were present were held on 25 September 2008 with the School Council, parents (and the wider community), staff and governors. In addition, a further meeting for parents and the wider community was held on 6 October 2008. Attendance at the various meetings on 25 September comprised 60 students, 82 parents (and wider community), 65 staff and 12 governors; the meeting on 6 October was attended by 79 parents (and wider community).

The meetings took the form of a presentation by Walsall Children's Services – Serco, and an outline of the work of the Grace Foundation and details of the proposed academy were given by the sponsor. This was followed by a question and answer session.

Matters raised by attendees included:

- the consultation process
- staff training
- timescales
- TUPE
- arrangements for students with special educational needs
- community use of facilities
- pension arrangements
- terms and conditions for staff
- admission policy
- RE curriculum
- accountability of the Academy
- current Grace Academies
- Walsall Children's Services – Serco's role
- governance arrangements
- the curriculum in the proposed Academy.

The views given at these meetings are provided in Appendix B where the questions raised and observations made are detailed together with the responses given. Although a level of opposition to the proposal was voiced at the meetings this was by a small number of individuals who attended all of the meetings and was not necessarily representative of all attendees.

Approximately 1,600 copies of the consultation document, which included a response form, were issued and the document was also available on the Education Walsall website. The consultation document included detailed information about the proposed academy; this section was produced by the Grace Foundation, the potential sponsor for the proposed academy.

A total of 62 consultation response forms were returned; 41 supported the proposal, 17 were against the proposal and four responded as 'don't know'. Analysis by category of respondent is provided in the table below. The majority of comments were generally supportive of the proposal.

Category of respondent	Support the Academy	Against the Academy	Don't know	Total
Parent of a child at Darlaston Community Science College	21	4	3	28
Parent of a child at Darlaston Community Science College and a local primary school	8	1	0	9
Parent of a child at a local primary school	0	3	1	4
Parent and governor	0	2	0	2
Governor	1	1	0	2
Pupil	2	0	0	2
Staff	4	0	0	4
Others	5	6	0	11
Totals	41	17	4	62

Written responses were also received from:

- a pupil who states that she speaks on behalf of the Darlaston's student council and notes "Following the meeting with the student council and the Grace foundation I strongly agree that the academy is the right way for Darlaston" and "Students of Darlaston agree that the grace academy is possibly the best way of bringing the standards up, and surely that is what really matters."
- A representative from the NUT who notes 'By their nature they will become divisive and have more interest in cooperating with their two other academies in Coventry and Solihull rather than neighbouring secondary schools. I have undertaken a ballot of teaching staff at an open meeting. Twenty four staff returned ballot papers. Three were in favour of becoming an academy. Eighteen were against. Three were Don't Knows. I am informed that a further seven ballot papers were completed with five against and a further two don't Know".
- A representative from the Muslim Welfare Society (Darlaston and Wednesbury) who states in a letter dated 6 October 2008 addressed to Mr Sheehan, Chief Executive of Walsall MBC, "I have been asked to write to you on behalf of the mosques and my local community, in order to express a few of our concerns regarding the manner in which this consultation is being conducted. The actual face to face consultation was to be held on 25 September 2008. The whole of the parent and community consultation being a total of one and a half hours long. Only after our insistence was a second public consultation offered. This second consultation being held at Salisbury Primary School on 6 October 2008." He then lists his detailed concerns.
- A petition containing approximately 191 signatures against the proposal together with a letter from the Muslim Welfare Society was delivered to the Council on 10 October 2008 by the Chair of Governors of Darlaston Community.
- A local vicar and Chair of Governors at a local primary school wrote stating: "I share the concerns about 1. The lack of local accountability, and the principles under which Academies operate. 2. The patchy record of Academies ie those have been running longer than Grace Foundation have been managing them. 3. The fact that their success – if it is – may be built on the back of other local schools which have to absorb the more difficult students...despite these reservations, I am sympathetic to any plan to give our local youngsters a better education and change in life. If it has to be by an Academy, then so be it".

All parents, staff, members of the student council and governors were sent an invitation to the consultation meetings together with the consultation document. In view of this and the coverage in the local media, there was a very high level of awareness of these meetings. In this context, the relatively low attendance at the consultation meetings and the small number of consultation responses received is generally viewed as indicative of support for school organisation proposals. In the past where proposals have been unpopular, attendance at consultation meetings has been very high and a large number of consultation responses were received.

**PROPOSALS TO REPLACE
DARLASTON COMMUNITY SCIENCE COLLEGE
WITH AN ACADEMY SPONSORED BY GRACE FOUNDATION
from 1st September 2009**

CONSULTATION DOCUMENT

**These proposals are linked
and this is a consultation on both proposals**

September 2008

**Proposals to replace
Darlaston Community Science College
with an Academy sponsored by Grace Foundation
from 1st September 2009**

Section One

Introduction

This is a public consultation on two proposals, firstly to discontinue Darlaston Community Science College from 31 August 2009. Secondly to consider the proposal from Walsall Council and Grace Foundation (in an Expression of Interest approved by the Secretary of State at the Department of Children, Schools and Families) to open an Academy to replace Darlaston Community Science College from 1 September 2009. These two proposals are linked and so will run in parallel.

The consultation period will last until 10th October 2008. No decisions will be taken by Walsall Council until 22nd October 2008, following full consideration of consultation responses. There will be consultation events as follows:

School	Date	Students	Staff	Governors	Parents and the wider community
Darlaston Community Science College	Thursday 25 September 2008	1.35 – 2.40pm	3.00 – 4.30pm	6.00 – 7.00pm	7.00 – 8.30pm

You are strongly encouraged to attend these events in order to help you decide on your responses to the questions on the Consultation Response Form at the end of this document.

This document has been produced jointly by Walsall Children's Services and the proposed sponsor for the Academy, Grace Foundation. Section 2 of this document has been produced by Grace Foundation and is designed to summarise the Sponsor's Vision for the proposed Academy at Darlaston.

Darlaston Community Science College

Darlaston Community Science College provides secondary education for pupils between the ages of 11 and 18 years; the school has specialist status for science. In November 2007, there were 1053 pupils on roll; 106 of these pupils were in the sixth form. The number of Year 7 pupils admitted to Darlaston Community Science College each year is 245. The College was placed in special measures as a result of an inspection by Ofsted which took place in November 2007. With regard to the overall effectiveness of the school it was judged that the school was "failing to give its pupils an acceptable standard of education and the persons responsible for leading, managing or governing the school are not demonstrating the capacity to secure the necessary improvements". As a result of monitoring visit carried out by Ofsted in May 2008, it was judged that progress since being subject to special measures was inadequate.

What are the proposals?

The first proposal is to discontinue Darlaston Community Science College from 31 August 2009. This discontinuation date would be necessary if an Academy were to be opened in the buildings currently occupied by Darlaston Community Science College, whilst a building programme for the proposed academy were completed. The second proposal is to open an Academy sponsored by Grace Foundation from 1st September 2009.

Why is it proposed that Darlaston Community Science College becomes an Academy?

The government is encouraging a greater diversity of school types and as part of this is promoting different types of schools, including the creation of academies. Academies are a key part of Government policy for the improvement of secondary education. This is part of an overall strategy for Children's Services and Education within Walsall. Walsall Council (the Local Authority) and the governors of Darlaston Community Science College have been exploring the possibility of the school becoming an Academy and Grace Foundation has come forward as the sponsor. The government's Office of the Schools Commission introduced the sponsor to Walsall Local Authority. The sponsor visited the school and has met with senior politicians and officers. Walsall Council supported the submission of a formal 'Expression of Interest' in order to allow a formal feasibility study to be undertaken. Officials from the Department for Children, Schools and Families have confirmed that the Expression of Interest has been approved by ministers to enter the feasibility stage and as part of this there is consultation on the proposal to discontinue Darlaston Community Science College and to open an Academy. The feasibility stage will continue until a decision has been made regarding the continuation of Darlaston Community Science College and the funding agreement for the proposed Academy has been signed.

How would this affect pupils at Darlaston Community Science College?

Grace Foundation, sponsor for the proposed Academy, has confirmed that all pupils on roll at Darlaston Community Science College on 31 August 2009 would be offered a place at the proposed Academy. This would include pupils who have been offered a Year 7 place at Darlaston Community Science College from September 2009.

All pupils would continue to be educated on the Darlaston Community Science College site.

How would this affect staff at Darlaston Community Science College?

All staff employed at Darlaston Community Science College would be covered by the Transfer of Undertakings Protection of Employment (TUPE) Regulations.

How would this affect the governing body at Darlaston Community Science College?

If it is decided to discontinue Darlaston Community Science College, the remit of the existing governing body would end on 31 August 2009. However, the school community would continue to be represented on the governing body of the proposed Academy which would include one governor elected by parents; in addition, one governor would be appointed by the local authority. The majority of the governors would be appointed by the sponsor Grace Foundation and would include representatives from business and the local community.

What would the proposed Academy be like?

Please see Section 2 for further details on the proposed Academy, which has been prepared by the proposed sponsor, Grace Foundation.

The following table compares key aspects of how a Community School and an Academy operates:

<u>Feature</u>	<u>As a community school</u>	<u>As an Academy</u>
Governance	Mix of LA, parents and co-opted governors	Mix of Sponsor, Foundation and co-opted governors plus LA and parent governors and DCSF representation.
Funding	Directly from Walsall Metropolitan Borough	Directly from the DCSF equivalent to the level of funding provided for other Walsall schools
Admissions	Follows Walsall Metropolitan Borough admissions policy	The Academy determines admissions policy and intends to follow Walsall Metropolitan Borough admissions policy
Behaviour	Part of a borough wide cooperative managed move system	The Academy intends to participate in the borough wide cooperative managed move system
Curriculum	Follow national curriculum	Follow national curriculum in English, maths, science and ICT

Would the Council fund the proposed Academy?

No, the running costs for academies are provided by the Department for Children, Schools and Families are equivalent with the funding for maintained schools in the local authority where the Academy is based.

What would happen to the buildings and site?

The existing buildings and site would continue to be used and the Council's interest would be protected through leases and licences. The Department for Children, Schools and Families (DCSF) is considering what buildings and site improvements are required in order to meet the needs of the proposed Academy, and has indicated that if the proposals are approved to move into implementation, DCSF would provide funding for a building programme for the proposed academy, which would be procured through the Partnerships for Schools (PfS) National Academies Framework.

How can I make my views known?

As noted above, consultation meetings will be held for parents and the wider community, staff, governors and the Student Council at Darlaston Community Science College. In recognition of the wide interest in this proposal, a consultation meeting will also be held for the wider community. Details of all these meetings are provided below.

School	Date	Students	Staff	Governors	Parents and the wider community
Darlaston Community Science College	Thursday 25 September 2008	1.00 – 2.00pm	3.00 – 4.30pm	5.00 – 6.00pm	7.00 – 8.30pm

In order to provide information on all aspects of the proposed changes at Darlaston Community Science College, there will be parallel consultation on the proposals to discontinue Darlaston Community Science College and to open an Academy. Representatives of the Grace Foundation, the sponsor will be at these meetings as well as representatives from Walsall Children's Services.

Although it may not be possible for everyone to attend these meetings, the attached consultation response form provides an opportunity to comment on the proposal.

Please do complete the consultation response form. We do want to hear your views. Unfortunately it will not be possible to send individual replies to consultation responses; however, issues raised will be included in a report on the outcome of consultation which will be considered by Walsall Council (Cabinet).

All responses should be received by 10 October 2008. A report on the response to the consultation will be considered by Walsall Council (Cabinet) on 22 October 2008.

What happens next?

The timetable below is provisional and is dependent upon decisions at each stage; however, every effort will be made to keep to it.

5 September 2008	Consultation starts
10 October 2008	Consultation ends
22 October 2008	Walsall Council (Cabinet) considers response to consultation and decides whether to proceed with the proposal
7 November 2008	Statutory notice published, 6 weeks representation period
January 2009	Consideration of proposal by Walsall Cabinet and final decision taken
January 2009	Notification of decision to pupils, parents, staff and governors at the schools

Where can I get more information?

More information is available from:

Avril Walton
Assistant Managing Director – Management and Development
01922 686283
avril.walton@walsallcs.serco.com

This document is available in large print. Please contact:

Tom Williams
Tel 01922 686354
thomas-williams@walsallcs.serco.com

Section Two

The Grace Academy - Darlaston Proposal

This section of the document has been produced by Grace Foundation, the potential Sponsor for the Academy.

Background

Grace Foundation in cooperation with Walsall Council is proposing to sponsor the new Academy school under the Government's "Academies" initiative.

Sponsorship arrangements would be via Grace Foundation, an educational charity set-up and funded by Mr. Robert Edmiston, Chairman of IM Group based in the West Midlands. Mr. Edmiston, a wealthy businessman is involved in worldwide charitable work and his involvement in this project is to benefit the community of Darlaston, an area of Walsall which has faced particular challenges over many years.

The proposed Darlaston Academy would be the third Academy sponsored by Grace Foundation. The first, Grace Academy Solihull, opened in September 2006 as a key part of the local regeneration programme. The Academy has brought about a transformation in educational outcomes and standards for students, had a significant positive impact on the community of Chelmsley Wood in north Solihull and is extremely popular with parents in the community being hugely oversubscribed for the places available. The Academy has had many successes with improving examination results (GCSE results improved by 13% in 2008), winning major national awards and becoming one of the top 300 Most Improved Specialist Schools in the country. The second, Grace Academy Coventry, opened in existing buildings in the Wood End area of the city in September 2008 with no disruption to student learning and progress and is proving both popular and innovative.

The proposal for an Academy at Darlaston is an exciting opportunity to form a strong and powerful partnership between successful educationalists and proven business leaders to provide a brand new contemporary secondary school in the west of Walsall that would have a positive impact on the education of many young people in the area.

What is the Academy proposal?

The proposal is to build a new type of school called an Academy to replace the present Darlaston Community Science College.

The school would have 240 students in each year group from years 7 to 11.

To enhance the learning opportunities in the area the Academy would include a new sixth form centre which would admit up to 175 students in each year group.

The Academy would directly serve the community of Darlaston, and have a non selective admissions policy that is consistent with the Walsall Council Co-ordinated Scheme for Admissions.

The Academy would have a Business and Enterprise specialism and is considering options for a second specialism.

Initially the Academy would open in the existing school buildings in September 2009 whilst a building programme, funded by the DCSF and procured through the Partnerships for Schools National Academies Framework, were completed.

The transition would be carefully managed in order to maintain progress and remove uncertainty for students, staff and parents.

What is the proposed Timescale?

The project Feasibility Phase would take between 5 and 7 months to complete. The result of this Feasibility Phase, if successfully approved, would be a Funding Agreement with the Secretary of State for Education which would be expected in early 2009.

The Funding Agreement would be followed by an Implementation Phase with the proposed Academy opening in September 2009 in the existing school buildings and with anticipated completion of the building programme for the proposed academy by Autumn Term 2012, or possibly earlier.

How would the proposed Academy be funded?

Capital Funding

If the proposals move forward into implementation, capital funding for a building programme for the proposed academy would be provided by the DCSF. The building programme would be procured through the Partnerships for Schools (PfS) National Framework.

Revenue Funding

Revenue funding (the day to day funding of the Academy) equivalent to the level of funding provided for other Walsall schools, would come directly from the DCSF. Additional funding is expected from other grants and through links with business and enterprise as the Academy develops its specialism.

Mr. Edmiston Chairman of IM Group, would Sponsor the Academy through the charity Grace Foundation, the proposed Academy (the third Academy sponsored by Grace Foundation) is considered in agreement with DCSF as a multi-sponsorship arrangement, under a single Academy Trust model which would cover three Grace Academies, Solihull, Coventry and Walsall.

Grace Foundation would use its endeavours to encourage appropriate sponsorship funds to be held as an investment endowment by the Trust. The Academy Trust would be able to then spend the income generated from such funds to counter the impact of deprivation and disadvantage on education and to promote educational improvement work within the communities served by each of the Academies.

The Vision for the Proposed Academy at Darlaston

Grace Academy – “*your future . . . our commitment*”

What is the Academy Mission?

Core Principles

The Academy's vision is founded on the core principle of “students being at the heart of all we do”.

“Our vision is to develop well educated considerate and caring citizens with a strong sense of values, who would succeed in and contribute to modern society”.

What are the main aims of the proposed Academy?

To transform the educational offer for the students and the community in Darlaston

To raise attainment throughout the Academy and eradicate poor performance at all Key Stages

To improve the quality of teaching and learning

To raise aspirations and significantly increase participation rates at age 16 and beyond

What is the Academy Ethos?

The Academy would have an ethos underpinned by Christian values and standards, and would welcome students and staff of all faiths or those with none and would teach respect and understanding of other faiths and beliefs.

It would place great emphasis on the support and development of the whole individual through its ethos and in line with the key principles of the Every Child Matters (ECM) agenda.

We would seek to develop in students self worth, a commitment to work and achievement, social responsibility and commitment to the wider community. In line with current legislation there would be a daily act of collective worship that would be wholly or mainly of a Christian nature.

The proposed Academy would create an environment of learning excellence for 11-19 year olds where enterprise would be encouraged with a view to preparing students for life

The Academy ethos and values would act as the foundation for the learning process and underpinning policies, procedures and the manner in which adults and students interact.

Staff would be supportive of the values and standards of the Academy; this would be demonstrated by their dress, care, commitment and conduct.

Students would agree a code of conduct, and would be expected to meet clear standards in terms of dress, attitude, conduct and behaviour.

Intensive support and guidance, including a structured behaviour code would create a positive learning environment which is challenging and caring, with high expectations.

Students, through an innovative curriculum, would develop into enterprising and responsible young people with a determination to succeed. Students would be encouraged to engage in independent learning and to develop their own ideas and opinions.

The Academy would establish best practice to accomplish these goals and would be at the 'cutting edge' of developments in society, technology, teaching, management and leadership practice.

The Academy would provide excellent facilities and would become a focal point for the community and providing significant opportunities for students, parents and other members of the local community to fully utilise the Academy.

The Academy would have a strong and productive partnership with parents, guardians and carers, who in supporting the Academy's aims, would develop positive relationship to achieve the best of every student's potential.

The Academy would, where appropriate, co-operate and partner with other schools and colleges in the area to provide the best possible education and learning opportunities for students, staff and the community of Darlaston.

Effective learning is dependent on the full engagement of students in the learning process The Academy would. Support the development of young people who are at ease with themselves and others, literate, numerate and skilled in ICT, are better able to meet the challenges of a rapidly changing world and ready to make a full and continuing contribution to their community and its economic and social success.

What about the proposed Business and Enterprise Specialism?

The proposed specialism would provide an innovative and creative solution to skills development in the Darlaston area. Business and Enterprise would be taught as a discrete subject area and throughout the whole curriculum. Innovative programmes of Enterprise and Business activities would take place using virtual and real entrepreneurial activities.

The Academy would establish close links with the local business community and include mentoring students, coaching entrepreneurial activities and contributing to the wider curriculum. Students would experience aspects of 'real life' business including work visits, work shadowing, work experience and work related learning as an integral part of curriculum provision in the 14-19 age range.

Further consideration would be given during feasibility to determine a second specialism to sit alongside Business and Enterprise. The predecessor school has a Science specialism and the Academy would consider, in the context of the recent Ofsted inspection and Special Measures and following consultation with local stakeholders if this remains the best option.

How the specialism would be evident in the life of the Academy?

Business and Enterprise, alongside Information and Communications Technology, would enhance an innovative curriculum giving students excellent preparation for life beyond school both in academic and vocational areas. The Academy would develop innovative practice in the delivery of the traditional curriculum subjects. Lessons would focus on the relevance of the subject to issues in business and enterprise.

Experiences in these areas would give the students an excellent understanding of key issues in living and prepare them to participate in and contribute to modern society.

Students would be encouraged in innovative educational and social enterprise projects driven by social conscience and expressed by the formation of international links on a project basis to assist young people in developing countries.

How the specialism would be evident in the life of the community the Academy serves?

The nature of the specialism would be extended into the community it would serve as well as the curriculum.

Working in line with the principles of 'Extended Schools' – a range of services and activities to help meet the needs of its students, their families and the wider community would be developed and may include:

Opportunities for Lifelong Learning

Information Resources and ICT

Sporting Activities

Community Support and Advisory services

Study Support

Extended School facilities e.g. Connexions Centre (or similar)

What will the Curriculum of the proposed Academy look like?

Every student at the Academy would have access to a full National Curriculum entitlement and significant enrichment activities.

Key Stage 3

Throughout Key Stage 3 the curriculum provision would be broad and balanced enabling students to move through to Key Stage 4 with a maximum range of options. All students would follow a core curriculum throughout the Academy in English, Maths, Science, Business and Enterprise and ICT which would guarantee standards.

Key Stage 4

In Key Stage 4 diversity and choice would run alongside core subjects including Mathematics, English, Science, Information and Communications Technology, Business, Religious Education and Physical Education. The diversity and choice would provide

students with the opportunity to study a range of vocational and academic courses with a Business and Enterprise focus.

14 – 19

Alongside other provision there would be vocational and work related routes available for all 14-19 students.

Post 16

At the Post-16 level (which some would enter before 16), the Academy would develop a range of accredited pathways at Levels 1, 2 and 3 including A and A/S level, Diplomas, GCSE's and BTEC's with a wide range of work related learning opportunities and potentially the International Baccalaureate. As part of the provision the Academy would work collegiately with other schools, colleges and training providers.

Standards

Standards would be raised through high expectations based on prior attainment, and a personalised learning approach. Targets founded on comprehensive data would be tracked and supportive action taken. A broad and engaging personalised curriculum based on the ethos and specialism of the Academy would be a unique feature of the Academy. Self-evaluation supported by external validation and strengthened by collegiate working with other schools and Academies would chart the way forward.

Key Skills

Transformation in the Academy would focus on the core employability skills of Literacy and Numeracy and the ability to utilise ICT. Creating students who are better able to meet the challenges of a changing world and ready to make full contribution to their community

ICT

The effective use of ICT would be a unique aspect of the Academies success, within the specialism and as a learning tool through a virtual portal and a learning gateway to facilitate open access all hours learning.

Personalised Learning

Personalisation would be a key approach to learning in the Academy and the concept of deep learning would underpin the delivery of learning. This would involve personalised pathways and progress and testing when ready

Flexible curriculum

Flexible approaches to delivery would be explored in terms of structuring the year, day and time slots for learning.

PSHE

Underpinning the curriculum at all stages would be a weekly programme of personal, social, moral, cultural and health education designed to further understanding and appreciation of values and standards.

Health related fitness

It is intended that the Academy should be self sufficient in terms of its sports infrastructure and that this should also add to the general amenities in this part of the Borough where there are few all-weather sports surfaces available.

RE curriculum

The R.E. curriculum would be drawn up by the Academy and would have regard to the current Walsall agreed syllabus.

Gifted and Talented students

Exciting and stimulating provision would be made for both Gifted and Talented students and those with learning difficulties. The Academy would have extensive extra curricular opportunities and also an Effective Learning Centre at the heart of the school in order to ensure that all students have the best opportunity to access the curriculum.

Special Needs

The principles of Inclusion would underpin all developments in curriculum, teaching and learning within the proposed new Academy. The Academy's policy would fully meet the requirements of the SEN Code of Practice and would seek to bring 'best practice' into the Academy. Close attention would be given to curriculum philosophy, structures and delivery to ensure that these are fully inclusive and their rationale understood by all members of staff.

The Academy would cater for students of all abilities and provide a curriculum model and learning experiences which extend the skills, knowledge and capacity of students, throughout the ability range. Students with learning or behavioural needs together with those students with specific learning difficulties would, wherever possible, have their needs met in a mainstream setting with support but the Academy would also have the facility of targeted withdrawal within its Effective Learning and Student Support Centres.

Individual Learning Plans would guide targeted and personalised intervention in leaning from a diverse variety of Academy staff to include, Teaching Assistants, HLTA's and Special Needs teachers and also through a wide range of external integrated support services providing 'holistic' support for students in line with the ECM agenda.

Behaviour and Inclusion

The Academy would be an inclusive school and committed to supporting all students through appropriate packages and a clear approach to behaviour management which all students would be expected to follow. All students would transfer to the Academy with a 'clean sheet' and the chance for a fresh start. The Academy would work cooperatively with local behaviour partnerships in attempting to limit the number of exclusions.

How the Academy would be different?

Academies are publicly funded independent schools. Their independent status allows them the flexibility to be innovative and creative in their curriculum, staffing and governance. Academies, therefore, work in different ways to traditional Local Authority schools. The proposed Academy would provide a unique and powerful partnership between professional educationalists and proven business leaders, in order to transform the opportunities for local students. The Academy would be different through it's:

Ethos – emphasis would be placed on the development of the values of students together with the raising standards of students' academic performance.

Curriculum delivery – Innovative curriculum models and approaches would deliver engaged student learning through an individual and personalised approach alongside the provision of high quality teaching, enabling students to develop their own ideas and opinions.

The Academy Day – in order to enhance the exciting opportunities offered to its students and to access its full range of facilities and experiences the Academy would operate an extended week and increase formal learning time to 29 or 30 hours per week.

Stage related learning

Students in the Academy would be placed in pathways based on ability and their individual learning styles. Learning would be stage rather than purely age-related. The Academy would address the personalised learning needs of students by a flexible and creative approach to students with special educational needs and those who are gifted and talented. This innovative approach would facilitate new approaches to teaching and learning the curriculum diet for all students would reflect their learning needs

Lead Lessons

Lead lessons would be a key concept – which would inspire and engage learners and provide development for staff.

Personalised Learning Programmes – each student would have innovative learning plan and individualised academic, vocational and community focused targets which would be monitored throughout their time at the Academy.

Specialism – in Business and Enterprise This would provide new educational opportunities featuring innovative approaches to education and development for both students and members of the community.

Facilities – would be focused on new ways of teaching and learning and the needs of the local community.

Independence – would allow innovation but its commitment to work within the Walsall Local Authority arrangements would provide security and support.

Sixth Form provision – would provide enhanced learning opportunities for local students.

How will the proposed Academy be Governed and Accountable?

The Academy would be an independent charitable company. There would be a Local Governing Body, which would include Sponsor and Foundation Governors, a representative Governor from Walsall Council, an elected Parent Governor and Co-opted Governors from business and the community, plus DCSF observers.

The Academy would be accountable in ways common to all schools under the Education Act. The Academy would be subject to Ofsted Inspection and would participate in SAT's tests and other external examinations.

The Academy is also accountable directly to the Secretary of State for Children, Schools and Families through the Funding Agreement. The Secretary of State has powers to terminate the Academy Funding Agreement if the Academy does not continue to have the characteristics of an Academy or does not continue to operate within the terms of the Funding Agreement.

How would the proposed Academy work with other schools and the wider community?

How the proposal would ensure the effects on other schools are positive

There would be strong and collaborative links with other Academies and schools in the Midlands.

The Academy would work in partnership with other Walsall schools and would serve its own distinct community.

The Academy would play its part with other schools in the area working collaboratively to raise attainment for all students. This could include the West Area 14-19 Collaborative, School forums and groups, the Behaviour Improvement Collaborative and the Excellence in Walsall Network of Schools.

The Academy would also work closely with local Primary Schools in the area to ensure that students are given the best choices and most appropriate learning pathways and opportunities for their education, aiming in the future to develop an Educational Improvement Partnership

Links to Colleges, Further and Higher Education providers would be strengthened and build on the existing links with the Universities of Warwick, Wolverhampton and other local FE / HE providers.

How the Academy would work with the wider community?

The Academy would be a key player in the local community and a focal point for regeneration of the area. The Academy would work hard to actively encourage community use of all its facilities, sports provision and a wide and stimulating community education provision would be available on site.

The Academy would be developed as a full service extended school and would build on the existing links with the community and business.

The Academy would be designed to provide opportunities to significantly improve community facilities based in part upon the views of the local community as well as providing a stimulating learning environment. This would be done by opening up the facilities for lifelong learning opportunities through a co-ordinated programme of community learning provision in consultation and collaboration with other providers.

Additionally, the Academy would encourage the use of the extensive facilities including sports facilities, business conference facilities, support services for Information and Communication Technology, its boardroom and its assembly area would be suitable for larger gatherings. The Academy expects to operate flexible and extended hours in order to maximise the impact on the regeneration of a vibrant community.

Will the proposed Academy have a uniform?

The new Academy would have a uniform which is smart, affordable and based on business dress. Uniform would be compulsory for all students 11 to 16 and for those in 6th Form there would be an expectation of appropriate business dress to reflect the specialism of the Academy.

Students would wear uniform at all times, to develop a sense of belonging to the Academy from the first days. Care would be taken to ensure that the cost to parents of providing a uniform is minimised

What would be the Transition arrangements?

The Academy recognises that it would be essential that transition to the proposed Academy was effectively managed to ensure that any potential disruption to the education of the children presently attending Darlaston Community Science College and those transferring from local Primary schools in the area is minimised.

The Academy intends to be a warm, caring and welcoming environment and would expect this to be clearly seen.

What about students that currently attend Darlaston Community Science College?

All students attending Darlaston Community Science College at the time would be offered a place at the proposed new Academy and would be guaranteed places.

If any parents of students currently attending Darlaston Community Science College did not want their child to go to the Academy, the Academy would seek in partnership with the Local Authority (LA) to respect the parent's choice. The LA would work with students and their parents to seek an alternative placement at the best time so as to minimise the disruptive impact of changing schools.

For those students reaching crucial examination years, the Academy would minimise the risks of any potential disruption. Additional staff would be recruited leading up to and during the transitional period to support transition.

What about staffing the proposed Academy?

All involved in the Academy proposals are acutely aware that high quality education is dependent on providing staff with a secure and stable environment in the long term.

Existing staff at Darlaston Community Science College would have full TUPE (Transfer of Undertakings Protection of Employment) rights to transfer across to the new Academy should they wish. The Academy would have a commitment to work closely with its staff and would be committed to offering excellent opportunities for professional training and development for all staff.

Apart from normal staff changes due to retirement, promotion and relocation, it would be expected that all staff would remain and transfer to the Academy.

The Academy would invest heavily in transformational training through CPD to enable staff to provide highly effective learning experiences for students through the motivation

provided by inspirational teachers and leaders. All staff would have entitlement to a personal programme.

The Academy would recognise and work in partnership with Professional Associations and Unions on behalf of their members.

Professional Associations, Trade Union Associations and all the staff will be invited to give their views as part of this consultation exercise.

The staffing of the Academy is a complex undertaking and the Academy recognises that many details could only be responded to and resolved in full after the Funding Agreement is signed and the project is implemented.

What about the Building of the proposed new Academy?

Proposed location

It is proposed to build the new Academy on the site of the current Darlaston Community Science College.

Safety of students and staff during construction

Student and staff safety would be paramount. The contractor, Academy Board and the Local Authority would all have statutory responsibilities to ensure the health and safety on the site.

Environmental impact of the construction

Due regard would be paid to minimising the impact on the environment, the Academy and the local community during the construction phase. Environmental, traffic and other surveys and studies would be carried out by the Local Authority as part of the Feasibility phase to support the design and construction process. The main contractor would be expected to work to all statutory building guidelines. The Academy building would be subject to the statutory planning process and as such these issues would be considered during the application for planning permission by the Local Authority.

What is the proposed Academy's Admissions policy?

The proposed Academy would not be selective in any way; it would apply the Walsall Council standard Admissions policy.

The Academy would be an "admissions authority" and would act in accordance with all relevant provisions of the School Admissions Code and the School Admission Appeals Code published by the Department for Children, Schools and Families ("the Codes") as they apply at any given time to maintained schools and with equalities law and the law on admissions as they apply to maintained schools.

The Academy admissions arrangements and any changes would be subject to formal consultation in line with the requirements of the Codes and relevant admissions legislation, which at the date of this document is section 89 of the School Standards and Framework Act 1998 as amended, and Regulations under that section.

The Academy would be a community school and would be fully inclusive.

The intake of the Academy would be built on the profile of the local community and would therefore reflect the educational attainment and potential of the local area.

If the Academy were to be approved there are no plans for selection on the basis of specialism. Should other schools in the area adopt policies for selection on the basis of their specialism, then the Academy would consider the matter further in consultation with the Local Authority and other admissions authorities.

There are no plans for selection based on ability, student and parent interview or faith. The Academy would not require students to sit a test before being offered a place.

Parents would apply in the same way as they would for any Local Authority school. The applications of parents not offered a place for their child would be judged against the published oversubscription criteria by the Academy and Local Authority.

Where can I get more information on the proposal for a new Academy?

More information is available from:

David Wootton – Executive Principal Grace Academies

Tel 01675 435540

davidwootton@graceacademy.org.uk

Further general information on existing Grace Academies can be accessed at www.graceacademy.org.uk



**PROPOSALS TO REPLACE
DARLASTON COMMUNITY SCIENCE COLLEGE
WITH AN ACADEMY SPONSORED BY GRACE FOUNDATION
from 1st September 2009**

CONSULTATION RESPONSE FORM

This is a public consultation on two proposals. One is to discontinue Darlaston Community Science College from 31 August 2009 and the second one is to replace the school with an Academy sponsored by Grace Foundation. The consultation period will last until 10 October 2008.

A consultation document has been published and is available from Walsall Children's Services, Darlaston Community Science College, and the local library. It is also available on the Walsall Children's Services website:-www.educationwalsall.com and can be accessed through the School Organisation section.

All interested parties are invited to make their views known by using this form to comment on the proposals.

The form should be returned by **10 October 2008** to:

Susan Lupton
Head of Planning and Development Services
Walsall Children's Services, Serco
Education Development Centre
Pelsall Lane, Rushall
Walsall, WS4 1NG

Name _____ (optional)

Address _____

Please tick any of the following descriptions that apply to you
This will help analyse the response for Cabinet to consider

I am a parent of a child at Darlaston Community Science College _____
I am a parent of a child at a local Primary School _____
I am a Governor at Darlaston Community Science College _____
I am a member of Staff at Darlaston Community Science College _____
I am a pupil at Darlaston Community Science College _____
Other (please specify) _____

1. The Consultation Process

1a Have you seen a copy of the consultation pack?

Yes []

No []

Do Not Know []

1b Have you found this document helpful?

Yes []

No []

Do Not Know []

1c Do you feel this document fairly and fully sets out the reasons behind the proposals?

Yes []

No []

Do Not Know []

1d Have you been to any of the consultation meetings?

Yes []

No []

1e Do you feel that you have been appropriately consulted on the proposals?

Yes []

No []

No opinion []

2. The Proposal

2a Do you agree with the proposal to open an Academy in Darlaston?

Yes []

No []

Do Not Know []

If you have answered YES or NO please give reasons (this is optional and so you do not have to give reasons)

2b Do you understand that the proposed Academy will replace Darlaston Community Science College?

Yes []

No []

Do not Know []

If you have answered YES or NO please give reasons (this is optional and so you do not have to give reasons)

2c If the Academy were to proceed what would be your greatest concerns?

CONCERNS

2d If the Academy were to proceed what would be the advantages?

ADVANTAGES

2d The proposed Academy is actively seeking ways to provide community facilities. Are there any particular facilities you feel are needed in the community and would like to see included in the Academy?

COMMENTS

3. ANY OTHER POINTS

3a Are there any specific questions that you would like to ask us or comments that you wish to make? (Please list).

Thank you for taking the time to complete this consultation response form. All responses will be made available to councillors to assist in their decision making on these matters. Issues raised will be included in a report on the outcome of consultation which will be considered by Walsall Council (Cabinet).

Comments and objections made during this consultation period will not automatically go forward into the statutory phase of the process.

Where specific queries are received, we will not answer you directly, but we will try to compile a Questions and Answers sheet covering all of them that we will distribute to all respondees.

Closing a Maintained Mainstream School

A Guide for Local Authorities and Governing Bodies

Extracts from DCSF Guidance Document

EXTRACT A

There are 4 key issues which the Decision Maker must consider before judging the respective factors and merits of the statutory proposals:-

- Is any information missing? If so, the Decision Maker should write immediately to the proposer specifying a date by which the information must be provided;
- Does the published notice comply with statutory requirements? (see paragraph 4.8 below);
- Has the statutory consultation been carried out prior to the publication of the notice? (see paragraph 4.9 below); and
- Are the proposals “related” to other published proposals? (see paragraphs 4.10 - 4.14 below) and should therefore be considered together.

Does the Published Notice Comply with Statutory Requirements?

4.8 The Decision Maker should consider whether the notice is valid as soon as a copy is received. Where a published notice does not comply with statutory requirements - as set out in The School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2007 (SI:2007 - 1288) (as amended) - it may be judged invalid and the Decision Maker should consider whether they can decide the proposals.

Has the Statutory Consultation Been Carried Out Prior to the Publication of the Notice?

4.9 Details of the consultation should be included in the proposals. The Decision Maker must be satisfied that the consultation meets statutory requirements (see Stage 1 paragraphs 1.2 – 1.6). If some parties submit objections on the basis that consultation

was not adequate, the Decision Maker may wish to take legal advice on the points raised. If the requirements have not been met, the Decision Maker may judge the proposals to be invalid and should consider whether they can decide the proposals. Alternatively the Decision Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole.

Are the Proposals Related to Other Published Proposals?

4.10 Paragraphs 9 and 19 of Schedule 2 to the EIA 2006 provide that any proposals that are “related to” particular proposals (e.g. for a new school, school closure or proposals by the LSC to deal with inadequate 16-19 provision proposals) must be considered together. Where the proposals are related to the establishment of a new school, and the schools adjudicator must decide the new school proposals (see paragraph 4.4 above) the schools adjudicator must decide the related proposals together. Paragraphs 4.11 – 4.14 provide statutory guidance on whether proposals should be regarded as “related”.

4.11 Generally, proposals should be regarded as “related” if they are included on the same notice (unless the notice makes it clear that the proposals are not “related”). Proposals should be regarded as “related” if the notice makes a reference to a link to other proposals. If the statutory notices do not confirm a link, but it is clear that a decision on one of the proposals would be likely to directly affect the outcome or consideration of the other, the proposals should be regarded as “related”. Proposals for a school competition should be considered together with proposals for any school closure where there is a clear link.

4.12 Where proposals are “related”, the decisions should be compatible e.g. if one set of proposals is for the removal of provision, and another is for the establishment or enlargement of provision for displaced pupils, both should be approved or rejected.

4.13 Where proposals for a closing school are “related” to proposals published by the local LSC, which are to be decided by the Secretary of State, the Decision Maker should defer taking a decision until the Secretary of State has taken a decision on the LSC proposals. This applies where the proposals before the Decision Maker concern:

- a. the school that is the subject of the LSC proposals;
- b. any other secondary school, maintained by the same LA that maintains a school that is the subject of the LSC proposals; or
- c. any other secondary school in the same LA area as any FE college which is the subject of the LSC proposals.

4.14 The proposals will be regarded as “related” if their implementation would prevent or undermine effective implementation of the LSC proposals.

EXTRACT B

Types of Decision

4.63 In considering proposals for a school closure the Decision Maker can decide to:

- reject the proposals;

- approve the proposals;
- approve the proposals with a modification (e.g. the school closure date); or
- approve the proposals subject to them meeting a specific condition (see paragraph 4.64).

Conditional Approval

4.64 The regulations provide for a conditional approval to be given where the Decision Maker is otherwise satisfied that the proposals can be approved, and approval can automatically follow an outstanding event. Conditional approval can only be granted in the limited circumstances specified. Conditional approval cannot be granted where proposals are decided under Paragraph 19 of Schedule 2 (i.e. where there are no objections) – see paragraph 4.3 above. For school closures the following conditions can be set:

- a. the making of any agreement under section 482(1) of the 1996 Act for the establishment of an Academy, where the proposals in question provide for some or all of the pupils currently at the school which is the subject of the proposals to transfer to the Academy;
- b. the agreement to any change to admission arrangements specified in the approval, relating to another school;
- c. where the proposals depend upon conditions being met, by a specified date, for any other school or proposed school, the occurrence of such an event.

4.65 The Decision Maker **must** set a date by which the condition should be met but will be able to modify the date if the proposers confirm, before the date expires, that the condition will be met later than originally thought. The proposer should inform the Decision Maker and the Department (School Organisation Unit, DCSF, Mowden Hall, Staindrop Road, Darlington, DL3 9BG) or by email to school.organisation@dcsl.gov.uk when a condition is met. If a condition is not met by the date specified, the proposals should be referred back to the Decision Maker for fresh consideration.

EXTRACT C

Statutory Guidance – Factors to be Considered by Decision Makers

4.15 Paragraphs 8(6) and 17 of Schedule 2 to the EIA 2006 provides that both the LA and schools adjudicator are required to have regard to guidance issued by the Secretary of State when they take a decision on proposals. Paragraphs 4.16 to 4.62 below contain the statutory guidance on considering proposals for school closure.

4.16 The following factors should not be taken to be exhaustive. Their importance will vary, depending on the type and circumstances of the proposals. All proposals should be considered on their individual merits.

EFFECT ON STANDARDS AND SCHOOL IMPROVEMENT

A System Shaped by Parents

4.17 The Government's aim, as set out in the Five Year Strategy for Education and Learners and the Schools White Paper *Higher Standards, Better Schools For All*, is to create a school system shaped by parents which delivers excellence and equity. In particular, the Government wishes to see a dynamic system in which:

- weak schools that need to be closed are closed quickly and replaced by new ones where necessary;
- the best schools are able to expand and spread their ethos and success; and
- new providers have the opportunity to share their energy and talents by establishing new schools - whether as voluntary schools, Trust schools or Academies - and forming Trusts for existing schools.

4.18 The EIA 2006 amends the Education Act 1996 to place new duties on LAs to secure diversity in the provision of schools and to increase opportunities for parental choice when planning the provision of schools in their areas. In addition, LAs are under a specific **duty** to respond to representations from parents about the provision of schools, including requests to establish new schools or make changes to existing schools. The Government's aim is to secure a more diverse and dynamic schools system which is shaped by parents. The Decision Maker should take into account the extent to which the proposals are consistent with the new duties on LAs.

Standards

4.19 The Government wishes to encourage changes to local school provision which will boost standards and opportunities for young people, while matching school place supply as closely as possible to pupils' and parents' needs and wishes.

4.20 Decision Makers should be satisfied that proposals for a school closure will contribute to raising local standards of provision, and will lead to improved attainment for children and young people. They should pay particular attention to the effects on groups that tend to under-perform including children from certain ethnic groups, children from deprived backgrounds and children in care, with the aim of narrowing attainment gaps.

4.21 Decision Makers should be satisfied that when proposals lead to children being displaced, any alternative provision will meet the statutory SEN improvement test (see paragraphs 4.55 to 4.61).

4.22 Where a school is to be closed so that it may be amalgamated with a more successful and/or popular school, the Decision Maker should again normally approve these proposals, subject to evidence being provided by the LA and other interests that the development will have a positive impact on standards.

Fresh Start and Collaborative Restarts

4.23 Fresh Start and Collaborative Restart provide for poorly performing schools which are struggling to improve, to close and be replaced with new school provision, usually on the same site. When considering the closure of any school causing concern and, where relevant, the expansion of other schools, the Decision Maker should take into account the popularity with parents of alternative schools.

4.24 For all closure and Fresh Start proposals involving schools causing concern,

copies of the Ofsted monitoring letters for the relevant schools should be made available. The Decision Maker should have regard to the length of time the school has been in special measures, needing significant improvement or otherwise causing concern, the progress it has made, the prognosis for improvement, and the availability of places at other existing or proposed schools within a reasonable travelling distance. There should be a presumption that these proposals should be approved, subject only to checking that there will be sufficient accessible places of an acceptable standard available in the area to meet foreseeable demand and to accommodate the displaced pupils.

Academies

4.25 Academies are publicly-funded independent schools established in partnership with business and voluntary sector sponsors. They will normally replace one or more poorly-performing schools or will meet demand for new school places in diverse communities where there is only limited access to free high quality school places. Academies may be established in rural as well as urban areas. All Academies should contribute to a strategic approach to diversity in their area. The involvement of business and other non-Government partners will enable Academies to develop and implement new approaches to governance, teaching and learning in order to raise standards. All Academies will be required to share their facilities and expertise with other local schools and the wider community.

4.26 Where an Academy is to replace an existing school or schools, the proposals for the closure of those schools should indicate whether pupils currently attending the schools will transfer to the Academy and, if appropriate, what arrangements will be made for pupils who are not expected to transfer.

4.27 If provision for pupils at a school proposed for closure is dependent on the establishment of an Academy, any approval of the closure proposals should be conditional on the Secretary of State making an agreement for an Academy (see paragraph 4.64), but there should be a general presumption in favour of approval.

Diversity

4.28 The Government's aim is to transform our school system so that every child receives an excellent education – whatever their background and wherever they live. A vital part of the Government's vision is to create a more diverse school system offering excellence and choice, where each school develops its own ethos, sense of mission and a centre of excellence or specialist provision.

4.29 Decision Makers should consider how proposals will impact on local diversity. They should consider the range of schools in the relevant area of the LA and how they will ultimately impact on the aspirations of parents and help raise local standards and narrow attainment gaps.

Balance of Denominational Provision

4.30 In deciding proposals to close a school with a religious character, the Decision Maker should consider the effect that this will have on the balance of denominational provision in the area.

4.31 The Decision Maker should not normally approve the closure of a school with a religious character where the proposal would result in a reduction in the proportion of

denominational places in the area. This guidance does not however apply in cases where the school concerned is severely under-subscribed, standards have been consistently low or where an infant and junior school (at least one of which has a religious character) are to be replaced by a new all-through primary school with the same religious character on the site of one of the predecessor schools.

Every Child Matters

4.32 The Decision Maker should consider how the proposals will help every child and young person achieve their potential in accordance with Every Child Matters' principles which are: to be healthy; stay safe; enjoy and achieve; make a positive contribution to the community and society and achieve economic well-being. This should include considering how displaced pupils will continue to have access to extended services, opportunities for personal development, access to academic and vocational training, measures to address barriers to participation and support for children and young people with particular needs e.g. looked after children or children with special educational needs (SEN) and disabilities.

NEED FOR PLACES

Provision for Displaced Pupils

4.33 The Decision Maker should be satisfied that there is sufficient capacity to accommodate displaced pupils in the area, taking into account the overall supply and likely future demand for places. The Decision Maker should consider the quality and popularity with parents of the schools in which spare capacity exists and any evidence of parents' aspirations for those schools.

Surplus Places

4.34 It is important that education is provided as cost-effectively as possible. Empty places can represent a poor use of resources - resources that can often be used more effectively to support schools in raising standards. The Secretary of State wishes to encourage LAs to organise provision in order to ensure that places are located where parents want them. LAs should take action to remove empty places at schools that are unpopular with parents and which do little to raise standards or improve choice. The removal of surplus places should always support the core agenda of raising standards and respect parents' wishes by seeking to match school places with parental choices.

4.35 The Decision Maker should normally approve proposals to close schools in order to remove surplus places where the school proposed for closure has a quarter or more places unfilled, and at least 30 surplus places, and where standards are low compared to standards across the LA. The Decision Maker should consider all other proposals to close schools in order to remove surplus places carefully. Where the rationale for the closure of a school is based on the removal of surplus places, standards at the school(s) in question should be taken into account, as well as geographical and social factors, such as population sparsity in rural areas, and the effect on any community use of the premises.

IMPACT ON THE COMMUNITY AND TRAVEL

Impact on Community

4.36 Some schools may already be a focal point for family and community activity,

providing extended services for a range of users, and its closure may have wider social ramifications. In considering proposals for the closure of such schools, the effect on families and the community should be considered. Where the school was providing access to extended services, some provision should be made for the pupils and their families to access similar services through their new schools or other means.

4.37 The information presented by those bringing forward proposals to close such schools, particularly when they are in receipt of funding as part of regeneration activity, should therefore include evidence that options for maintaining access to extended services in the area have been addressed. The views of other relevant agencies and partnerships with responsibility for community and family services should be taken into account, alongside those of the local police, Government Offices and Regional Development Agencies having responsibility for the New Deal for Communities.

Community Cohesion and Race Equality

4.38 When considering proposals to close a school the Decision Maker should consider the impact of the proposals on community cohesion. This will need to be considered on a case by case basis, taking account of the community served by the school and the views of different sections within the community. In considering the impact of the proposals on community cohesion the Decision Maker will need to take account of the nature of the alternative provision to be made for pupils displaced by the closure and the effects of any other changes to the provision of schools in the area.

Travel and Accessibility for All

4.39 In considering proposals for the reorganisation of schools, Decision Makers should satisfy themselves that accessibility planning has been properly taken into account. Facilities are to be accessible by those concerned, by being located close to those who will use them, and the proposed changes should not adversely impact on disadvantaged groups.

4.40 In deciding statutory proposals, the Decision Maker should bear in mind that proposals should not have the effect of unreasonably extending journey times or increasing transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable routes e.g. for walking, cycling etc. The EIA 2006 provides extended free transport rights for low income groups – see Home to School Travel and Transport Guidance ref 00373 – 2007BKT-EN at www.teachernet.gov.uk/publications. Proposals should also be considered on the basis of how they will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

Equal Opportunity Issues

4.41 The Decision Maker should consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example, that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there needs to be a commitment to provide access to a range of opportunities which reflects the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

Rural Schools and Sites

4.42 In considering statutory proposals to close a rural school, the Decision Maker should have regard to the need to preserve access to a local school for rural communities. There is therefore a presumption against the closure of rural schools. This does not mean that a rural school should never close, but the case for closure should be strong and the proposals clearly in the best interests of educational provision in the area. The presumption will not apply in cases where a rural infant and junior school on the same site are being closed to establish a new primary school. In order to assist the Decision Maker, those proposing closure should provide evidence to the Decision Maker to show that they have carefully considered:

- a. Alternatives to closure including the potential for federation with another local school to increase the school's viability; the scope for an extended school or children's centre to provide local community services and facilities e.g. child care facilities, family and adult learning, healthcare, community internet access etc;
- b. The transport implications as mentioned in paragraphs 4.39 to 4.40; and
- c. The overall and long term impact on local people and the community of closure of the village school and of the loss of the building as a community facility.

4.43 When deciding proposals for the closure of a rural primary school, the Decision Maker should refer to the Designation of Rural Primary Schools (England) 2007 to confirm that the school is a rural school. The list of rural primary schools can be viewed on line at: www.dcsf.gov.uk/publications/otherdocs.shtml

4.44 In the case of secondary schools, it is the responsibility of the Decision Maker to decide whether a school is to be regarded as rural for the purpose of considering proposals for closure under this guidance and in particular the presumption against closure. The Department's register of schools - Edubase - includes a rural/urban indicator for each school in England based on an assessment by the Office for National Statistics. The Decision Maker should have regard to this indicator. Where a school is not recorded as rural on Edubase, the Decision Maker may nonetheless wish to consider evidence provided by interested parties that a particular school should be regarded as rural.

TYPES OF SCHOOLS

Boarding School Provision

4.45 In making a decision on proposals to close a school that includes boarding provision, the Decision Maker should consider whether there is a state maintained boarding school within one hour's travelling distance from the school. The Decision Maker should consider whether there are satisfactory alternative boarding arrangements for those currently in the school and those who may need boarding places in the foreseeable future, including the children of service families.

SPECIFIC AGE PROVISION ISSUES

Early Years Provision

4.46 In considering proposals to close a school which currently includes early years provision, the Decision Maker should consider whether the alternative provision will integrate pre-school education with childcare services and/or with other services for

young children and their families; and should have particular regard to the views of the Early Years Development and Childcare Partnership.

4.47 The Decision Maker should also consider whether the alternative early years provision will maintain or enhance the standard of educational provision and flexibility of access for parents. Alternative provision could be with providers in the private, voluntary or independent sector.

Nursery School Closures

4.48 In deciding whether to approve any proposals to close a nursery school, the Decision Maker should be aware that nursery schools generally offer high quality provision, and have considerable potential as the basis for developing integrated services for young children and families. There should be a presumption against the closure of a nursery school unless the case for closure can demonstrate that:

- a. the LA is consistently funding numbers of empty places;
- b. full consideration has been given to developing the school into a Sure Start Children's Centre, and there are clear, justifiable grounds for not doing so, for example: unsuitable accommodation, poor quality provision and low demand for places;
- c. plans to develop alternative provision clearly demonstrate that it will be at least as equal in terms of the quantity and quality of early years provision provided by the nursery school with no loss of expertise and specialism; and that
- d. replacement provision is more accessible and more convenient for local parents.

14-19 Curriculum and Collaboration

4.49 The Government has ambitious plans to increase post-16 participation rates and improve the skills of learners. The foundation for making progress is a transformed, coherent 14-19 phase offering a rich mix of learning opportunities from which young people can choose tailored programmes and gain qualifications appropriate to their aptitudes, needs and aspirations. This will be achieved by better collaboration between local providers, including schools, colleges, training providers and employers. Decision Makers should therefore consider what measures are being proposed to ensure that opportunities available to students in this age group are not reduced by the school closure, although the absence of such measures should not prevent the closure of a poorly-performing school.

16-19 Provision – General

4.50 The Learning and Skills Act 2000 provides an entitlement to further education and training for young people aged 16 -19. Schools and colleges should offer high quality provision that meets the diverse needs of all young people, their communities and employers. 16-19 provision should be organised to ensure that, in every area, young people have access, within reasonable travelling distance, to high-quality learning opportunities across schools, colleges and work-based training routes.

4.51 In September 2003 Ministers set out their **five key principles** for the reorganisation of 16-19 provision, following requests from partners (including the LSC and LAs) for more clarity on Government expectations. Decision Makers should therefore consider all proposals for changes to 16-19 provision in the context of these principles.

4.52 Details of the five key principles can be found in '[Principles underpinning the organisation of 16-19 provision](#)' booklet. Briefly, they are:

- a. quality - all provision for all learners should be high quality, whatever their chosen pathway;
- b. distinct 16-19 provision - all young people should be attached to a 16-19 base which will meet the particular pastoral, management and learning needs of this age group;
- c. diversity to ensure curriculum breadth – well-managed collaboration between popular and successful small providers will enable them to remain viable and to share and build on their particular areas of expertise;
- d. learner choice – all learners should normally have local access to high quality 16-19 provision in a range of settings and any proposals for change to this provision should take into account the views of all stakeholders;
- e. affordability, value for money and cost effectiveness - proposals for change should include how any capital and recurrent costs and savings will lead to improved educational opportunities.

LSC Proposals to Close Inadequate 16-19 Provision

4.53 The Learning and Skills Act 2000 (as amended by the Education Act 2005) gives the Learning and Skills Council (LSC) powers to propose the closure of 16-19 schools judged to require Special Measures. Where a 16-19 school is proposed for closure in such circumstances there should be a presumption to approve the proposals, subject to evidence being provided that the development will have a positive impact on standards.

Conflicting Sixth Form Reorganisation Proposals

4.54 Where the implementation of reorganisation proposals from the LSC conflict with other published proposals put to the Decision Maker for decision, the Decision Maker is prevented (i.e. by the School Organisation Proposals by the LSC for England Regulations 2003 - SI 2003 No. 507) from making a decision on the “related” proposals until the Secretary of State has decided the LSC proposals (see paragraphs 4.13 to 4.14 above).

SPECIAL EDUCATIONAL NEEDS (SEN) PROVISION

Initial Considerations

4.55 When reviewing SEN provision, planning or commissioning alternative types of SEN provision or considering proposals for change, LAs should aim for a flexible range of provision and support that can respond to the special educational needs of individual pupils and parental preferences, rather than necessarily establishing broad categories

of provision according to special educational need or disability. There are a number of initial considerations for LAs to take account of in relation to proposals for change. They should ensure that local proposals:

- i. take account of parental preferences for particular styles of provision or education settings;
- ii. offer a range of provision to respond to the needs of individual children and young people, taking account of collaborative arrangements (including between special and mainstream), extended school and Children's Centre provision; regional centres (of expertise) and regional and sub-regional provision; out of local authority day and residential special provision;
- iii. are consistent with the LA's Children and Young People's Plan;
- iv. take full account of educational considerations, in particular the need to ensure a broad and balanced curriculum, including the National Curriculum, within a learning environment in which children can be healthy and stay safe;
- v. support the LA's strategy for making schools and settings more accessible to disabled children and young people and their scheme for promoting equality of opportunity for disabled people;
- vi. provide access to appropriately trained staff and access to specialist support and advice, so that individual pupils can have the fullest possible opportunities to make progress in their learning and participate in their school and community;
- vii. ensure appropriate provision for 14-19 year-olds, taking account of the role of local LSC funded institutions and their admissions policies; and
- viii. ensure that appropriate full-time education will be available to all displaced pupils. Their statements of special educational needs will require amendment and all parental rights must be ensured. Other interested partners, such as the Health Authority should be involved.

4.56 Taking account of the considerations, as set out above, will provide assurance to local communities, children and parents that any reorganisation of SEN provision in their area is designed to improve on existing arrangements and enable all children to achieve the five Every Child Matters outcomes.

The Special Educational Needs Improvement Test

4.57 When considering any reorganisation of SEN provision, including that which might lead to some children being displaced through closures or alterations, LAs, and all other proposers for new schools or new provision, will need to demonstrate to parents, the local community and Decision Makers how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for children with special educational needs. All consultation documents and reorganisation plans that LAs publish and all relevant documentation LAs and other proposers submit to Decision Makers should show how the key factors set out in the paragraphs below (4.58 to 4.61) have been taken into account. Proposals which do not credibly meet these requirements should not be approved and Decision Makers should

take proper account of parental or independent representations which question the LA's own assessment in this regard.

Key Factors

4.58 When LAs are planning changes to their existing SEN provision, and in order to meet the requirement to demonstrate likely improvements in provision, they should:

- identify the details of the specific educational benefits that will flow from the proposals in terms of:
 - a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment, with reference to the LA's Accessibility Strategy;
 - b) improved access to specialist staff, both education and other professionals, including any external support and/or outreach services;
 - c) improved access to suitable accommodation; and
 - d) improved supply of suitable places.
- LAs should also:
 - i. obtain a written statement that offers the opportunity for all providers of existing and proposed provision to set out their views on the changing pattern of provision seeking agreement where possible;
 - ii. clearly state arrangements for alternative provision. A 'hope' or 'intention' to find places elsewhere is not acceptable. Wherever possible, the host or alternative schools should confirm in writing that they are willing to receive pupils, and have or will have all the facilities necessary to provide an appropriate curriculum;
 - iii. specify the transport arrangements that will support appropriate access to the premises by reference to the LA's transport policy for SEN and disabled children; and
 - iv. specify how the proposals will be funded and the planned staffing arrangements that will be put in place.

4.59 It is to be noted that any pupils displaced as a result of the closure of a BESD school (difficulties with behavioural, emotional and social development) should not be placed long-term or permanently in a Pupil Referral Unit (PRU) if a special school place is what they need. PRUs are intended primarily for pupils who have been excluded, although LAs can and do use PRU provision for pupils out of school for other reasons such as illness and teenage pregnancies. There may of course be pupils who have statements identifying that they have BESD who have been placed appropriately in a PRU because they have been excluded; in such cases the statement must be amended to name the PRU, but PRUs should not be seen as an alternative long-term provision to special schools.

4.60 The requirement to demonstrate improvements and identify the specific educational benefits that flow from proposals for new or altered provision as set out in the key factors are for all those who bring forward proposals for new special schools or for

special provision in mainstream schools including governors of foundation schools and foundation special schools. The proposer needs to consider all the factors listed above.

4.61 Decision Makers will need to be satisfied that the evidence with which they are provided shows that LAs and/or other proposers have taken account of the initial considerations and all the key factors in their planning and commissioning in order to meet the requirement to demonstrate that the reorganisation or new provision is likely to result in improvements to SEN provision.

OTHER ISSUES

Views of interested parties

4.62 The Decision Maker should consider the views of all those affected by the proposals or who have an interest in them including: pupils; families of pupils; staff; other schools and colleges; local residents; diocesan bodies and other providers; LAs; the LSC (where proposals affect 14-19 provision) and the Early Years Development and Childcare Partnership if one exists, or any local partnership or group that exists in place of an EYDCP (where proposals affect early years and/or childcare provision). This includes statutory objections and comments submitted during the representation period. The Decision Maker should not simply take account of the numbers of people expressing a particular view when considering representations made on proposals. Instead the Decision Maker should give the greatest weight to representations from those stakeholders likely to be most directly affected by the proposals.

Representations received and comments

A total of 7 representations were received during the 6-weeks representation period. Letters were received from the following:

- Mr D Tonks, Wednesbury
- Rt Hon Bruce George MP
- Mr T Rowley, Darlaston (Chair of Governors)
- J Johnson, Wednesbury
- Mrs R Burley (governor)
- Mr T Rowley, Darlaston (Chair of Governors) 2nd letter
- Mr A McDevitt, Chuckery.

Representation 1 Mr D Tonks, Wednesbury

Mr Tonks wrote in response to the publication of the first notice which was subsequently withdrawn, however, the replacement notice stated that any such representations would be considered.

Matters raised

- “Not many people in Darlaston are in favour of the school becoming an academy. Especially an Academy under the proposed sponsor”.

Response

During the consultation period students, staff, governors, parents and the wider community were invited to attend a series of five consultation meetings. Attendance comprised 60 students, 82 and 79 parents/wider community (2 meetings), 65 staff and 12 governors. A wide range of matters was raised at these meetings. Approximately 1,600 copies of a detailed consultation document, which included a response form, were issued and the document was also available on the Education Walsall website. A total of 62 consultation response forms were returned; 41 supported the proposal, 17 were against the proposal and four responded as ‘don’t know’. The majority of comments were generally supportive of the proposal. Four other written responses were also received and a petition with 191 signatures.

- Concern that if Darlaston becomes an academy, complaints could not be addressed by a locally elected councillor or a Member of Parliament.

Response

It would still be possible for councillors and MPs to raise matters on behalf of parents and local residents with the academy.

- BSF funding linked to academy

Response

If Darlaston becomes an academy, funding would be made available by the DCSF for a new school building. This would be through the National Framework and would be in advance of BSF investment in Walsall. If Darlaston does not become an academy, funding for a new building would be through the BSF programme.

- Proposed business specialism reduces choice

Response

The proposed specialism has been identified by the sponsor and supported by the DCSF in the light of local and regional employment and development needs and priorities.

- Muslim community may set up own school; impact on racial integration and social cohesion

Response

All pupils at Darlaston would be offered a place at the proposed academy and it is considered unlikely that many parents would seek an alternative school for their child. Indeed, a number of parents have recently enquired about a place at Darlaston because of the proposed academy. The continuation of the pupil body in its current form would together with the sponsor's commitment to promote community cohesion provide a significant opportunity to build on existing relationships.

- Meetings arrangements

Response

The meetings were notified in advance to students, staff, governors, parents and the wider community and attended by representatives from Walsall Children's Services – Serco and the sponsor and his organisation. They provided an opportunity for everyone to raise issues for clarification and to give their views on the proposal.

Representation 2 Rt Hon Bruce George MP

Matters raised

- Level of opposition to the proposal

Response

As detailed in the complete proposal (Appendix 1), the general response has been supportive although some individuals have expressed strong opposition. Only 7 responses were received during the 6-weeks representation period.

- Consultation and representation superfluous / no meaningful consultation

Response

The Council's responsibilities to consult on school closure issues are set out in legislation and regulations and have been followed exactly. In many respects the Council has exceeded the minimum requirements to ensure that interested parties have the opportunity to make their view known about the proposals. The publication of a statutory proposal and the six-weeks representation period during which people can object or make comments is a legal requirement in order to proceed to the final stage when Cabinet will make a final decision whether or not to close Darlaston Community Science College.

- Governors have been 'disposed of'

Response

Ultimately, the governors are responsible for the school and Walsall children's services – Serco has given them considerable support and will continue to do so. There has recently been consultation on a proposal to replace the governing body with an IEB (Interim Executive Board) in order to help bring about the improvements needed as the school has not made satisfactory progress since going into special measures.

- New head appointed

Response

The sponsor has appointed a principal designate to his education organisation and the appointment to Darlaston is subject to the closure of the school and the opening of an academy. It is standard practice for a principal designate to be appointed at this stage for any proposed academy. The appointment process followed the legislation which requires a national, open advertisement for such a post and anyone can apply.

- Support for Darlaston from Serco

Response

Walsall Council and Walsall Children's Services – Serco, supported by the DCSF and the Black Country Challenge continues to support the school. Her Majesty's Inspectors (HMI) at their last visit to the school commented favourably on the support being provided.

- The sponsor's creationist beliefs and lack of local links

Response

The sponsor has expressed his commitment to working with the local community and to develop a wide range of extended school and community provision.

- BSF funding for Darlaston

Response

If Darlaston becomes an academy funding for a new school building would be made available through the National Framework in advance of BSF investment in Walsall. If Darlaston does not become an academy, funding would be made available through BSF.

Representation 3 Mr T Rowley, Chair of Governors

Matters raised

- the display of the statutory notice at the entrance to the school

Response

The copies of the notice attached to the railings at each side of the entrance to the school site have been removed on occasion. These notices (and numerous others on the school site and in public buildings in the local area) were erected on 29 January 2009, were checked on 30 January and at weekly intervals thereafter. Replacement notices have been erected when necessary. The school was asked to make arrangements to check the notices on a daily basis and replace any that were missing.

Representation 4 J Johnson

Matters raised

- No meaningful consultation, no consideration of views expressed at public meetings

Response

The Council's responsibilities to consult on school closure issues are set out in legislation and regulations and have been followed exactly. In many respects the Council has exceeded the minimum requirements to ensure that interested parties have the opportunity to make their view known about the proposals. Notes of all the questions and issues raised at the consultation meetings, together with the responses given, were included in the report on the outcome of consultation considered by Cabinet on 22 October 2008.

- Widespread view that a move to an academy and sponsor's religious views is inappropriate

Response

The level of responses received during the consultation period and the representation period does not support this.

- No local control over proposed academy

Response

The proposed academy would be part of the local community and there would be local representation on its governing board.

- Increased involvement of the private sector

Response

The sponsor of the proposed academy and his representatives will be part of the Local Authority team that oversees the arrangements for the replacement school building. The scheme would be procured by Walsall Council and delivered through the National Framework.

- Parents would no longer be able to approach councillors and MPs regarding concerns

Response

It would still be possible for councillors and MPs to raise matters on behalf of parents and local residents with the academy.

- Choice and diversity – would be no community school in Darlaston

Response

The proposal would enhance diversity by enabling parents in the southern part of the borough and Darlaston in particular to have access to a place for their child at an academy. The Walsall Academy (opened 2003) and the Shelfield Community Sports Academy (opened Jan 2009) are both in the north of the borough.

- Concern about future direction and ethos of proposed academy; appointment of headteacher

Response

The sponsor has appointed a principal designate to his education organisation and the appointment to Darlaston is subject to the closure of the school and the opening of an academy. It is standard practice for a principal designate to be appointed at this stage for any proposed academy. The appointment process followed the legislation which requires a national, open advertisement for such a post and anyone can apply.

- Wonders why the sponsor wants to take on a project such as the proposed academy

Response

The sponsor has previously established two academies as part of his charitable and philanthropic works. The sponsor would not be involved in the construction

of the proposed new school building; the contractor would be one of six companies on the National Framework.

- General lack of support for Darlaston Community Science College

Response

Walsall Council and Walsall Children's Services – Serco, supported by the DCSF and the Black Country Challenge continues to support the school. Her Majesty's Inspectors (HMI) at their last visit to the school commented favourably on the support being provided.

Representation 5 Mrs R Burley, Governor

Matters raised

- No meaningful consultation with all concerned

Response

The Council's responsibilities to consult on school closure issues are set out in legislation and regulations and have been followed exactly. In many respects the Council has exceeded the minimum requirements to ensure that interested parties have the opportunity to make their view known about the proposals. Notes of all the questions and issues raised at the consultation meetings, together with the responses given, were included in the report on the outcome of consultation considered by Cabinet on 22 October 2008.

- Choice of sponsor inappropriate given nature and ethnicity of school

Response

The proposed sponsor was identified by the DCSF and meets their criteria. The sponsor has stated that he is committed to working with the local community and promoting community cohesion.

- Concern that students from the locality would not get places; increase in exclusions

Response

The sponsor has agreed that the proposed academy would have the same admission arrangements as Darlaston Community Science College has at present and that they would adhere to the Admissions Code and would apply Walsall Council's standard admissions policy. This would not impact on the ease with which local pupils could gain a place. The school has been significantly undersubscribed in recent years and as a result a Year 7 place has been available for any child for whom a place was requested. The sponsor has also stated that the proposed academy would act in accordance with the Secretary of State's guidance on exclusions.

- Inappropriate to establish another Business Enterprise College given other local provision

Response

The proposed specialism has been identified by the sponsor and supported by the DCSF in the light of local and regional employment and development needs and priorities.

- Cabinet did not debate the proposal fully, did not listen to the views of students, parents and the community at large

Response

On 22 October 2008, Cabinet considered a report on the outcome of consultation on the proposal to close Darlaston Community Science College to enable an academy to be opened. Members were provided with details of the views of those attending the five consultation meetings, and notes of the questions raised and the responses given, together with a summary of other letters which had been received. Cabinet took account of the views that had been expressed when it made its decision. As detailed in the complete proposal (Appendix 1), the general response has been supportive although some individuals have expressed strong opposition to the proposal.

- Repetition that consultation was a sham

Response

The Council's responsibilities to consult on school closure issues are set out in legislation and regulations and have been followed exactly. In many respects the Council has exceeded the minimum requirements to ensure that interested parties have the opportunity to make their view known about the proposals. Notes of all the questions and issues raised at the consultation meetings, together with the responses given, were included in the report on the outcome of consultation considered by Cabinet on 22 October 2008. Cabinet also received details of other communications received during the consultation period.

Representation 6 Mr T Rowley, Chair of Governors

Matters raised (2nd letter from Mr Rowley)

- Almost all representation made was against the closure of Darlaston

Response

This statement in a letter dated 18 February appears to refer to the consultation responses. Comments in the public meetings were mixed and although a level of opposition to the proposal was voiced, this was by a small number of individuals who attended all of the meetings and was not necessarily representative of all attendees. Approximately 1,600 copies of a detailed consultation document, which included a response form, were issued and the document was also available on the Education Walsall website. A total of 62 consultation response forms were returned; 41 supported the proposal, 17 were against the proposal and four responded as 'don't know'. The majority of comments were generally

supportive of the proposal. Four other written responses were also received and a petition with 191 signatures. Generally where proposals are controversial, attendance at public meetings is very high and a large number of consultation responses are received.

- People's views not listened to

Response

See response above.

- All secondary education in Darlaston would be provided by an academy

Response

Pupils resident in Darlaston attend a number of secondary schools in the local area. St Thomas More catholic – Business and Enterprise College is also in Darlaston and is not an academy.

- Choice of sponsor inappropriate given nature and ethnicity of school

Response

The proposed sponsor was identified by the DCSF and meets their criteria. The sponsor has stated that he is committed to working with the local community and promoting community cohesion.

- No local control over proposed academy

Response

The proposed academy would be part of the local community and there would be local representation on its governing board.

- Parents would no longer be able to approach councillors and MPs regarding concerns

Response

It would still be possible for councillors and MPs to raise matters on behalf of parents and local residents with the academy.

- Choice and diversity – would be no community school in Darlaston

Response

The proposal would enhance diversity by enabling parents in the southern part of the borough and Darlaston in particular to have access to a place for their child at an academy. The Walsall Academy (opened 2003) and the Sheffield Community Sports Academy (opened Jan 2009) are both in the north of the borough.

Representation 7 Mr A McDevitt

Matters raised

- Academies – refers to admissions at the Walsall Academy and changes in the characteristics of pupils

Response

The sponsor has agreed that the proposed academy would have the same admission arrangements as Darlaston Community Science College has at present and that they would adhere to the Admissions Code and would apply Walsall Council's standard admissions policy. This would not impact on the ease with which local pupils could gain a place. The school has been significantly undersubscribed in recent years and as a result a Year 7 place has been available for any child for whom a place was requested. The sponsor has also stated that the proposed academy would act in accordance with the Secretary of State's guidance on exclusions. The admission arrangements at the Walsall Academy conform to the Admissions Code but differ significantly from Walsall council's admission arrangements in that there are zones and 'fair banding'.

- No desire in the community for an academy

Response

During the consultation period students, staff, governors, parents and the wider community were invited to attend a series of five consultation meetings. Attendance comprised 60 students, 82 and 79 parents/wider community (2 meetings), 65 staff and 12 governors. A wide range of matters was raised at these meetings. Approximately 1,600 copies of a detailed consultation document, which included a response form, were issued and the document was also available on the Education Walsall website. A total of 62 consultation response forms were returned; 41 supported the proposal, 17 were against the proposal and four responded as 'don't know'. The majority of comments were generally supportive of the proposal. Four other written responses were also received and a petition with 191 signatures. Generally where proposals are controversial, attendance at public meetings is very high and a large number of consultation responses are received.

- Suitability of sponsor

Response

The proposed sponsor was identified by the DCSF and meets their criteria.

- Consultation process

Response

It is alleged that the consultation process followed did not conform to the requirements for DCSF public consultations. These requirements apply to consultations carried out by the DCSF. The Council's responsibilities to consult on school closure issues are set out in legislation and regulations and have been

followed exactly. In many respects the Council has exceeded the minimum requirements to ensure that interested parties have the opportunity to make their view known about the proposals. Notes of all the questions and issues raised at the consultation meetings, together with the responses given, were included in the report on the outcome of consultation considered by Cabinet on 22 October 2008. There is no requirement for a 12 week consultation period.

There is concern that many consultees did not respond during the consultation period and that the low number of responses and the petition with 191 signatures indicated a high level of opposition to the proposal. Generally where proposals are controversial, attendance at public meetings is very high and a large number of consultation responses are received.

It is suggested that the invitation to Walsall to join Wave 6a of the BSF Programme provided an alternative way forward for Darlaston and that consultation should have recommenced. The proposal that Darlaston become an academy is not linked to the availability or otherwise of BSF funding; many academies are established through the BSF Programme.

- Role of Serco – dissatisfaction with process followed, suggestion that shareholders benefit, level of support offered to the school, condition of the buildings, HR support, reference to the Sheffield Community Sports Academy

Response

As stated above, in many respects the Council has exceeded the minimum requirements to ensure that interested parties have the opportunity to make their view known about the proposals. Notes of all the questions and issues raised at the consultation meetings, together with the responses given, were included in the report on the outcome of consultation considered by Cabinet on 22 October 2008. Throughout the process every effort has been made to ensure that the arrangements are in line with or exceed the requirements. In general terms, these processes are much more wide-ranging than those followed in many local authorities.

Serco shareholders derive no benefit from any changes to school organisation in Walsall or elsewhere. No school sites or premises are owned or leased by Serco; they remain the property of the Council or trustees (VA and foundation schools).

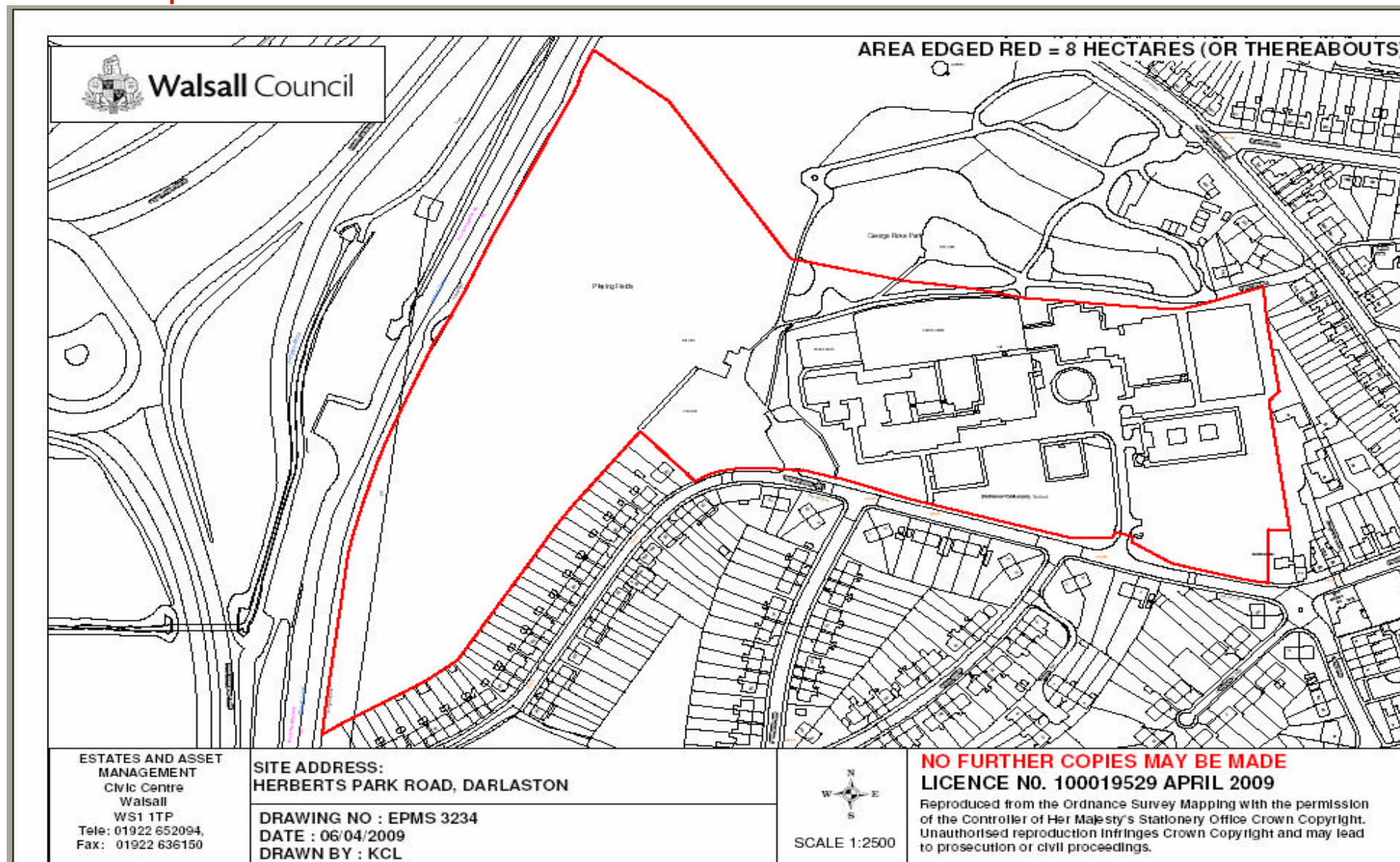
Walsall Council and Walsall Children's Services – Serco, supported by the DCSF and the Black Country Challenge continues to support the school. Her Majesty's Inspectors (HMI) at their last visit to the school commented favourably on the support being provided.

It has long been recognised that Darlaston Community Science College requires replacement accommodation. Over recent years the Council has supported the Governors by providing financial assistance with several schemes. The Governing Body is responsible for the maintenance of the building and receives an annual allocation of devolved formula capital to enable minor improvements and repairs to be undertaken.

Support for HR issues has continued to be made available to the Governing Body.

The proposal for the Shelfield Community Sports Academy originated with the Governing Body of the predecessor school.

APPENDIX 4 - plan



Cabinet minutes

Wednesday 16 January 2008 at 6.00 p.m.

in Conference Room 2 at the Council House Walsall

Present

Councillor John O'Hare	Leader of the Council
Councillor Zahid Ali	Children's services
Councillor Garry Perry	Communities and partnerships
Councillor Rachel Walker	Environment
Councillor Al Griffiths	Finance and personnel
Councillor Louise Harrison	Leisure and culture
Councillor Mohammed Arif	Procurement, transformation and performance management
Councillor Adrian Andrew	Regeneration
Councillor Barbara McCracken	Social care, health and housing
Councillor Anthony Harris	Transport

1890 Minutes

Resolved

That the minutes of the meeting held on 19 December 2007 copies having been sent to each member of the Cabinet be approved and signed as a correct record.

1891 Declarations of interest

There were no declarations of interest.

At this point in the meeting, the Cabinet agreed to bring item 16 forward in order to receive a presentation.

1892 Willenhall strategic regeneration area and action plan

Councillor Andrew presented the report:

(see annexed)

Councillor Andrew introduced Neil Homer, Director LDA Design who had been commissioned by the Council and WHG to undertake a Regeneration Framework Study for the Willenhall area. Mr. Homer gave a presentation which explained the key issues, benefits, options and next steps. He responded to questions and points of clarification, following which it was:

Resolved

- (1) That the Cabinet welcomes the recent investment and focus to date in Willenhall by Walsall Council, Walsall Housing Group and the private sector partners after decades of neglect.
- (2) That Cabinet support the principle of an Area Action Plan being developed for the Willenhall regeneration area including the retention of section 106 monies and other benefits from planning obligations to support future regeneration activity within the Willenhall Area Action Plan boundaries.
- (3) That Cabinet support the inclusion of the Willenhall Area Action Plan within the Walsall Local Development Scheme which is to be submitted to Government Office for the West Midlands for approval.
- (4) That Cabinet support the allocation of resources from the 'Regenerating Walsall Capital Programme during the financial years 2008/09 to 2010/11 to support the development costs of the Willenhall Area Action Plan.
- (5) That officers be Instructed to identify with partners the most appropriate delivery mechanism to drive forward the proposals coming from the Area Action Plan and the future regeneration of Willenhall.

1893 Forward plan

The forward plan as at 7 January 2007 was submitted:

(see annexed)

Resolved

That the forward plan be noted:

1894 Academy status for Walsall Schools

Councillor Zahid Ali presented the report:

(see annexed)

Resolved

- (1) That Cabinet receive the report and note the potential implications for the Council
- (2) That Cabinet support the submission of a formal 'Expression of Interest' for Darlaston Community Science College for Academy status to allow a formal feasibility study to be undertaken by the proposed sponsor, the Department of Children, Schools and Families and Education Walsall (on behalf of Walsall Metropolitan Borough Council).
- (3) That Cabinet support the submission of a formal 'Expression of Interest' for Shelfield Community Sports College for Academy status to allow a formal feasibility study to be undertaken by the proposed sponsor, the Department of Children, Schools and Families and Education Walsall (on behalf of Walsall Metropolitan Borough Council).

1895 Walsall Adoption Agency annual report

Councillor Zahid Ali presented the report:

(see annexed)

Resolved

- (1) That the contents of the Annual Report and the work of the Walsall Adoption Agency be noted.
- (2) That reports of the Adoption Agency be received biannually in line with legislative requirements.

1896 Customer services strategy

Councillor Perry presented the report:

(see annexed)

Resolved

- (1) That the strategy for improving the customer experience be approved.
- (2) That the revised set of customer care values be approved.
- (3) That authority be given to the Strategic Transformation Customer Experience Programme board to deliver the strategy.

1897 Contracts for the hire and purchase of vehicles

Councillor Walker presented the report:

(see annexed)

Resolved

- (1) That authority be given to tender for replacement vehicles, construction plant and grounds care equipment on the vehicle replacement programme for the financial year 2008/2009 until Item 2 can be implemented.
- (2) That authority be given to tender for a vehicle purchase framework agreement for a four year period commencing 1 April 2009.
- (3) That authority be given to collaborate with the BCPC for the re-tender of the hired vehicles without drivers contract for a four year contract period commencing on 1 October 2008.
- (4) That the Assistant Director, Built Environment be delegated authority to award the contracts, subject to finances being approved through the Council's leasing programme and service area budgets.

1898 Council Tax base 2008/2009

Councillor Griffiths presented the report:

(see annexed)

Resolved

That the Council tax base for 2008/9 be set at 76,771 band D equivalents based on a collection rate of 98.5%.

1899 Draft corporate revenue budget 2008/09 – 2012/13

Councillor Griffiths presented the report:

(see annexed)

Resolved

- (1) That the following be noted:
 - (a) the report and its appendices;
 - (b) the current draft net revenue budget of £227.797m;

- (c) the provisional formula grant entitlement for 2008/9 of £129.009m;
 - (d) that, at the time of despatch of this report, the precepting authorities (fire and police) had not notified the authority of their Council tax increases;
- (2) That this report be referred to all scrutiny and performance panels requesting comments, to enable those comments to be considered by Cabinet on 6 February 2008 as it makes budget recommendations to Council.

1900 Corporate financial performance 2007/2008

Councillor Griffiths presented the report:

(see annexed)

Resolved

- (1) That the following currently predicted year end forecasts be noted:
- a net revised revenue overspend of up to £0.343m (0.05% of the current gross budget), after allocation of £0.962m to SCL.
 - a surplus of c £6.429m on the capital programme which is partly expected to be carried forward into 2008/9.
- (2) That action continue to be taken to improve the current forecast outturn.

1901 Budget setting process 2008/2009

Councillor Griffiths presented the report:

(see annexed)

Resolved

- (1) That the contents of the report be noted.
- (2) That the outcomes from the budget consultation, set out in this report and the supplementary report, be noted as the Cabinet finalises the Council's 2008/9 corporate revenue and capital budgets.

1902 Budget setting process 2008/2009 – supplementary report

Councillor Griffiths presented the report:

(see annexed)

Resolved

- (1) That the contents of the report and its appendices be noted.
- (2) That the outcomes from the budget consultation, set out in the earlier Cabinet report of 19 December 2007 and this supplementary report, be noted as the Cabinet finalises the Council's 2008/9 corporate revenue and capital budgets.

1903 Libraries modernisation plan

Councillor Harrison presented the report:

(see annexed)

Resolved

- (1) That the revised costs of the Library Modernisation Plan be noted.
- (2) That the revised receipts from the sale of those library sites released through the plan be noted.
- (3) That approval be given to the continuation of programme as set out in the report, to the specification previously agreed by Cabinet.
- (4) That further updates be received on project cost variations, either efficiencies or pressures which may affect the future use of the project capital receipts

1904 Corporate project management – strategic project management

Councillor Arif presented the report:

(see annexed)

Resolved

- (1) That the report and the strategic project register set out in Appendix 1 be noted.

- (2) That the progress on the implementation of the programme and project management software be noted.
- (3) That Cabinet continue to work with relevant executive directors to implement any necessary corrective action to ensure successful delivery of strategic projects.
- (4) That Cabinet to continue to endorse the use of the Council's programme and project management methodologies and practices ensuring that they are applied without exception and to ensure continued improvement to enable it to meet level 4 of the Comprehensive Performance Assessment (CPA), key lines of enquiry 2008.

1905 Walsall Local Development Scheme

Councillor Andrew presented the report:

(see annexed)

Resolved

- (1) That the revised Local Development Scheme for Walsall be approved for formal submission to the Secretary of State via Government Office for the West Midlands, subject to the outcomes of the Joint Advisory Group on 17 January 2008 in terms of the timescales of the deliverability of the Joint Core Strategy.
- (2) That the Executive Director of Regeneration be authorised, in consultation with the portfolio holder, to amend the Local Development Scheme as necessary in the event of any further comments being received from Government Office for the West Midlands and also to update the Local Development Scheme as appropriate
- (3) That the revised Local Development Scheme come into effect four weeks after submission (provided that the Secretary of State has not intervened or requested more time to consider the submission).

1906 Authority to purchase and accept tenders for Supporting People

Councillor McCracken presented the report:

(see annexed)

Resolved

That the Assistant Director of Strategic Housing be delegated authority to authorise commitments above £500,000 and delegated authority to accept tenders for Supporting People contracts over the value of £500,000, in consultation with the portfolio holder.

The meeting terminated at 6.45 p.m.

Leader:

Date:

Special Cabinet minutes

Friday 24 April 2009 at 6.00 p.m.

in Conference Room 2 at the Council House Walsall

Present

Councillor O'Hare	Leader of the Council
Councillor Andrew	Deputy Leader and regeneration
Councillor Zahid Ali	Children's services
Councillor Perry	Communities and partnerships
Councillor Walker	Environment
Councillor Griffiths	Finance and personnel
Councillor Harrison	Leisure and culture
Councillor Arif	Procurement, transformation and performance management
Councillor McCracken	Social care, health and housing
Councillor Harris	Transport

2202 Declarations of interest

There were no declarations of interest.

2203 Darlaston Community Science College: determination of statutory proposal

Councillor Zahid Ali presented the report:

A discussion took place on the proposal and it was:

(see annexed)

Resolved

- (1) That Cabinet approve the statutory proposal to close Darlaston Community Science College on 31 August 2009 followed by the opening of an academy on 1 September 2009 subject to the signing of a funding agreement by the Secretary of State.

- (2) That Cabinet approve the grant, at peppercorn rents, of the required short term lease, occupational license and 125 year lease of the land shown for illustrative purposes only, edged bold on plan EPMS 3234 (Appendix 4) and extending to 8 hectares or thereabouts, and delegates approval of final terms and the final plan to the Executive Director of Children's Services in consultation with the portfolio holder.

The meeting terminated at 6.45 p.m.

Leader:

Date:

Cabinet – 13 January 2010

Darlaston Academy Outline Business Case

Portfolio: Councillor A Andrew, Deputy Leader and Regeneration
Councillor R Walker, Children's Services

Service: Regeneration

Wards: Darlaston South

Key decision: Yes

Forward plan: Yes

1. Summary of report

- 1.1 The Cabinet meeting of April 2009 approved the statutory proposal to close Darlaston Community Science College on 31 August 2009, subject to the signing of the indicative Funding Agreement by the Secretary of State for the opening of an Academy on 1 September 2009, following which the building will be rebuilt (100%). Cabinet is advised that the signed indicative Funding Agreement is now in place.
- 1.2 Cabinet is now asked to give delegated authority to the Executive Director for Regeneration and the Executive Director for Children's Services in consultation with the portfolio holder, for the signing of the Outlined Business Case (OBC) for the related funding allocation.
- 1.3 It is intended to inform future cabinet meetings on the progress of the project and seek approval of Final Business Case (FBC), and sign to request further delegated authority for officers to enter the final business case, and enter into contract with the successful Design and Build Contractor.
- 1.4 The Department for Children School and Families (DCSF) indicative funding allocation for this scheme is £26,987,944 million, although the final figure will require final agreement and confirmation from the DCSF, before works can commence.

2. Recommendations

- 2.1 That Cabinet approves delegated authority to the Executive Director for Regeneration and Executive Director Children's Services in consultation with the relevant portfolio holder for the signing of the OBC for the indicative funding allocation £26,987,944.00.

3. Background information

- 3.1 The Expression of Interest (EOI) was approved by Cabinet 16 January 2008. This document outlined the proposal to open an Academy on the Darlaston Community Science College site. The sponsor is the Grace Trust which works to promote the well being of children and young people, especially those disadvantaged by their life experiences and circumstances.
- 3.2 The EOI identified the Academy, its size, sponsor, likely site and the indicative funding envelope approved by the DCSF.

The procurement process as prescribed by Partnerships for Schools (PfS) designates the Council as the procurement body for construction of the Academy buildings. The Council is required to procure both consultants and contractors and deliver the project within the funding envelope approved by PfS in the OBC.

- 3.3 Construction consultant Navigant have been appointed to provide the role of Project Manager and Technical Advisors and have commenced works on the OBC, which includes surveys, outline planning application and design options for the New Academy. All stakeholders, including the Principal (Darlaston Academy) and the Sponsor (Grace Trust), have been fully engaged in the consultation processes, and this will continue throughout the remainder of the project.
- 3.4 PfS require that the OBC includes an approval for outline planning permission for the development and this is due to be considered by planning committee on 7 January 2010

4. Resource considerations

4.1 Financial:

- 4.1.1 Funding will be based on the final approval of the OBC allocation, after which no further funding can then be obtained from DCSF; anything beyond the initial fixed budget will be at the Council's risk. The Council's Section 151 Officer is required to sign the OBC as well as the Executive Director of Regeneration and the Executive Director of Children's Services.
- 4.1.2 The PfS funding model includes for a level of abnormal costs to cover issues such as ground conditions, the level of this funding is subject to negotiation with PfS. PfS will not however fund off site works such as Highways improvement which may be identified during the planning process.

4.2 Legal:

- 4.2.1 Legal Services have been consulted and have advised on the appointment of technical consultants and will be consulted during the framework contract procurement process. Martineau from the Council's legal panel have been appointed to undertake the day to day legal activities. The Academy procurement route is strictly prescribed by PfS with little opportunity for derogation.

4.3 Staffing:

4.3.1 There are no staffing implications with this report

5. Citizen impact

5.1 The provision of the New Academy will contribute to the improved learning of the Children and Young people at Darlaston Academy, stakeholders and pupils are currently engaged in a consultation process.

5.2 Subject to planning approval, the proposed Academy will utilise part of George Rose Park to enable sufficient provision of playing fields. These facilities will be available for community use. The Council will be investing in the remainder of the park to improve the facilities

6. Community safety

The proposed designs for the Academy will give increased onsite car parking allocation for the school. The new site will be fenced and investment in the park will also include new fencing

7. Environmental impact

7.1 A BREEAM (British research establishment environmental assessment method) workshop will be undertaken with all stakeholders and the building will be designed to achieve a BREEAM rating of 'very good'. The Academy although subject to a lease to Grace Trust for 125 years will remain part of the Council's carbon footprint for carbon reduction commitment

7.2 The new school and its environment will be designed to minimise impact on the environment, working closely with consultees

8. Performance and risk management issues

8.1 Risk:

8.1.1 A risk register is in place to enable all the risks to be determined and managed, this will be recorded using the corporate risk assessment/management process.

8.2 Performance management:

8.2.1 The project is registered on the Council's project register and will follow Walsall Project Approach (WPA).

9. Equality implications

The successful bidders (Main Contractor) will be expected to provide a copy of their Equalities and Health policy and this will be approved to ensure that it is in line with the Council's policy. Indeed, some of these items are integral to the Key Performance Indicators (KPIs) of the contract. These items will be monitor throughout the contract.

10. Consultation

Consultation with various stakeholders has and will continue to take place (Academy, Children Services, Leisure Services, Planning and Building Control) and all have given their support and backing to the proposals. Further consultation with the local community will continue as the scheme develops.

Background papers

Author

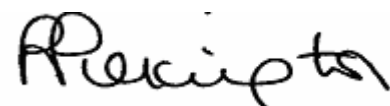
Kevin Kendall
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Tim Johnson
Executive Director
Regeneration
5 January 2010



Councillor Adrian Andrew
Deputy Leader
Portfolio holder: Regeneration
5 January 2010



Pauline Pilkington
Executive Director
5 January 2010



Councillor Rachel Walker
Portfolio holder: Children's Services
5 January 2010

Special Cabinet minutes

Friday 24 April 2009 at 6.00 p.m.

in Conference Room 2 at the Council House Walsall

Present

Councillor O'Hare	Leader of the Council
Councillor Andrew	Deputy Leader and regeneration
Councillor Zahid Ali	Children's services
Councillor Perry	Communities and partnerships
Councillor Walker	Environment
Councillor Griffiths	Finance and personnel
Councillor Harrison	Leisure and culture
Councillor Arif	Procurement, transformation and performance management
Councillor McCracken	Social care, health and housing
Councillor Harris	Transport

2202 Declarations of interest

There were no declarations of interest.

2203 Darlaston Community Science College: determination of statutory proposal

Councillor Zahid Ali presented the report:

A discussion took place on the proposal and it was:

(see annexed)

Resolved

- (1) That Cabinet approve the statutory proposal to close Darlaston Community Science College on 31 August 2009 followed by the opening of an academy on 1 September 2009 subject to the signing of a funding agreement by the Secretary of State.

- (2) That Cabinet approve the grant, at peppercorn rents, of the required short term lease, occupational license and 125 year lease of the land shown for illustrative purposes only, edged bold on plan EPMS 3234 (Appendix 4) and extending to 8 hectares or thereabouts, and delegates approval of final terms and the final plan to the Executive Director of Children's Services in consultation with the portfolio holder.

The meeting terminated at 6.45 p.m.

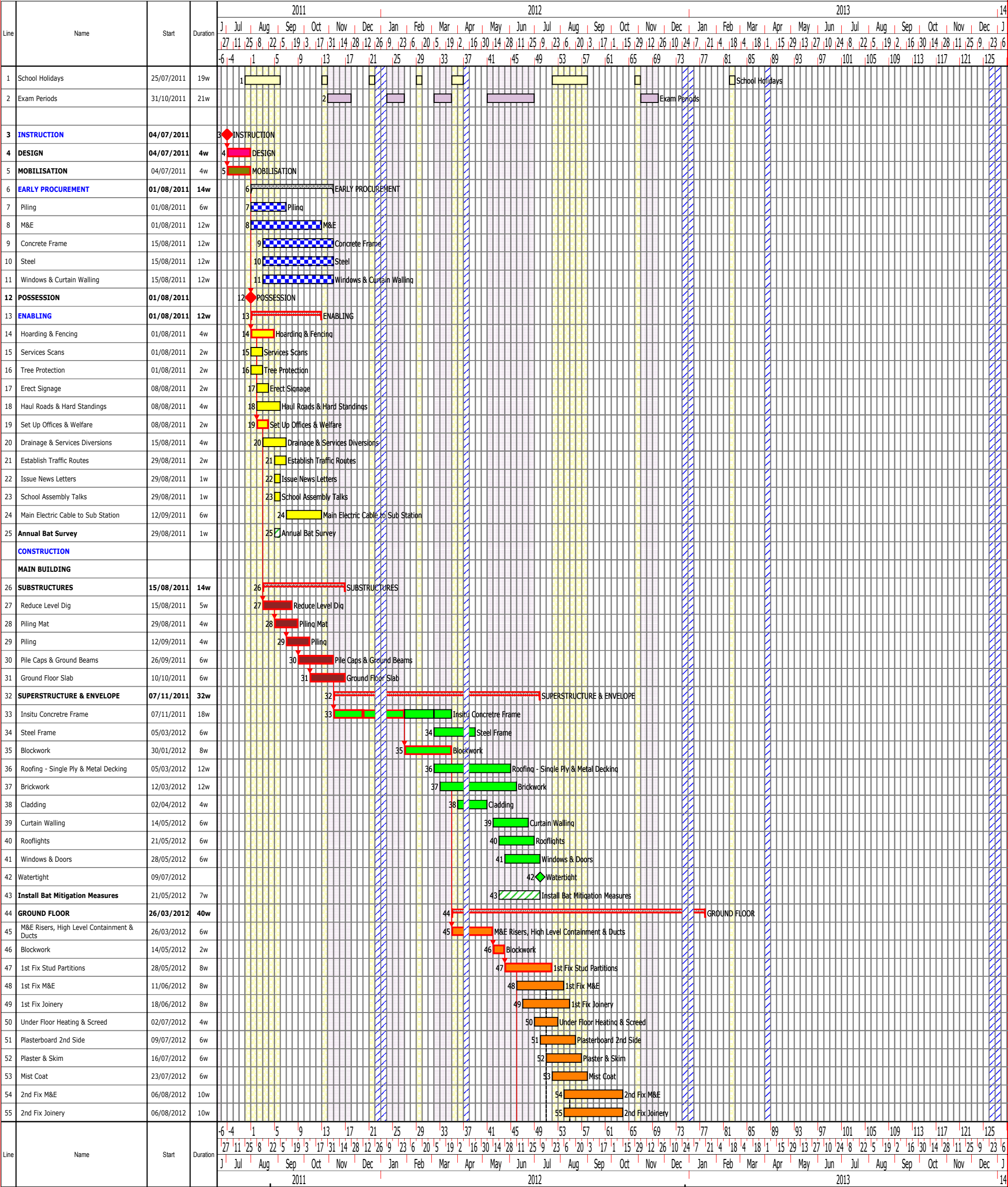
Leader:

Date:

APPENDIX 2 – THE LOCAL COMPETITION

- A detailed programme of work going forward (Gantt chart, including ICT development and procurement)
- The Carbon Calculator

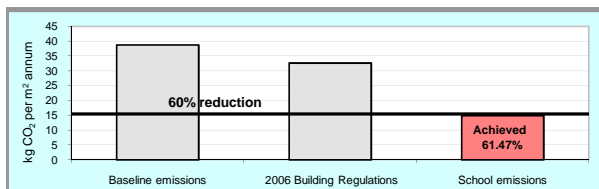
CONSTRUCTION PROGRAMME



[illegible]**Programme No. C3079**

[illegible]

Programme No. C3079



Results	
Baseline emissions	38.71 kg CO ₂ /m ² /annum
2006 Building Regulations compliant school	32.64 kg CO ₂ /m ² /annum
School emissions	14.92 kg CO ₂ /m ² /annum
Achieved % reduction	61.47 %
Cost uplift	100.99 £/m²

The CALCULATOR sheet is divided into two parts. The upper part presents the results in numerical and graphical format. These results change as the questions from 1 to 14 are being answered by filling in the white cells in the section below. The CO₂ emissions of the school appear in the third column on the graph, and the challenge is to get this below the 60% bar.

Building Details	
1. Type of building	<input type="text" value="Secondary School"/> <input type="text" value="Primary School"/> <input type="text" value="Special School"/>
2. Estimated gross floor area (m ²)	12,754



Fill in the white cells
(only 14 questions)

Orientation and Efficient Cooling		CO ₂ Annual Saving	Cost £/m ²	Guidance
3. Do proposals include influencing site selection (e.g. orientation or building form)?	<input type="text" value="Yes"/> <input type="text" value="No"/>	0.77 kg CO ₂ /m ² /a	Other budget	3.2
4. Is the school to be cooled (air conditioned)?	<input type="text" value="Yes"/> <input type="text" value="No"/>		40	4.1
4 a). If cooling chosen in question 4, what percentage of the total area will be air conditioned/ cooled?	<input type="text" value="14.6"/>	10.50 kg CO ₂ /m ² /a	-34.16	4.1
4 b). If cooling chosen in question 4, do proposals include low energy or mixed mode cooling?	<input type="text" value="Yes"/> <input type="text" value="No"/>	1.65 kg CO ₂ /m ² /a	2.92	4.2

Note: if school with cooling chosen in question 4 cost is uplifted by £100 per sq.m.

LZC (Low or Zero Carbon) Technologies		CO ₂ Annual Saving	Cost £/m ²	Guidance
5. Which of the following LZC technologies will make a significant contribution to heat demand?	<input type="text" value="Ground Source Heat Pump"/> <input type="text" value="Biomass"/> <input type="text" value="Combined Heat & Power"/> <input type="text" value="None of the above"/>	2.59 kg CO ₂ /m ² /a	1.86	5.7
5 a). What percentage of the total heating demand will be met by the selected LZC Technology?	<input type="text" value="15"/>			5.7.1.1
6. How much capital are you prepared to invest in solar thermal technology to deliver hot water? Note that as well as budget these systems are limited in size by hot water requirements and roof area.	£70,000	0.40 kg CO ₂ /m ² /a	5.49	5.5
7. How much capital are you prepared to invest in photovoltaics technology to deliver electricity? Note that as well as budget these systems may be limited in by the availability of space.	£0	0.00 kg CO ₂ /m ² /a	0.00	5.4
8. How much capital are you prepared to invest in wind to deliver electricity? Note that as well as budget these systems are limited by wind resource.	£0	0.00 kg CO ₂ /m ² /a	0.00	5.6

Automatic Lighting Control and Lighting Efficiency		CO ₂ Annual Saving	Cost £/m ²	Guidance
9. Do proposals include an automatic time or presence control of lighting throughout the school?	<input type="text" value="Yes"/> <input type="text" value="No"/>	1.27 kg CO ₂ /m ² /a	5.00	4.3.5
10. Do proposals include an automatic dimming control of lighting where daylight is adequate?	<input type="text" value="Yes"/> <input type="text" value="No"/>	3.61 kg CO ₂ /m ² /a	11.67	4.3.1
11. Will the lighting be chosen for efficiency throughout the school?	<input type="text" value="Yes"/> <input type="text" value="No"/>	1.41 kg CO ₂ /m ² /a	3.21	4.3.6

ICT Low Energy Equipment		CO ₂ Annual Saving	Cost £/m ²	Guidance
12. Do proposals include good practice low energy computers?	<input type="text" value="Yes"/> <input type="text" value="No"/>	2.01 kg CO ₂ /m ² /a	Other budget	4.4.3

User-defined Technology		CO ₂ Annual Saving	Cost £/m ²	Guidance
13. What other CO ₂ saving technology is included in the proposals? Note: please summarise this technology in the white cell and introduce its attributes in the designated place at the end of the ASSUMPTIONS sheet.	Improved fabric performance, variable speed driven fans and pumps, CO ₂ control, heat recovery.	4.00 kg CO ₂ /m ² /a	65.00	2.1.2

Reduction Achieved	Action required	
14. Have you achieved at least 60% reduction in CO ₂ emissions (indicated on the red column in the graph at the top)?	<input type="text" value="Yes"/> <input type="text" value="No"/>	Please follow the advice in the dark box on the right

APPENDIX 3 – FACILITIES MANAGEMENT

- NOT USED

APPENDIX 4 – ICT PROCUREMENT

- ICT Risk Matrix (identifying the top 10 risks)
- Letter from Pconfirming that delivery approach for ICT provision has been reviewed and is acceptable

Very Low	1	Very Low - 1- 5	
Low	2	Low 6-10	
Medium	3	Medium 11 - 19	
High	4	High 20 -25	
Very High	5		

Ref.	Risk Description	Impact 1 - 5	Prob. 1 - 5	Total (1 - 25)	Consequences	Impact on Cost/Programme/ Quality (c,p,q)	Date Risk Raised	Risk review date	Owner	Management Control Action	Comments	Status OPEN/CLOSED
1	Staff fail to engage with ICT and embed in day to day T&L	5	3	15	Learning outcomes suffer	Q	21-Oct-09	07/06/2011	GA	Implement a programme of change management and e-learning training programme		OPEN
2	Failure to complete staff training by the required date lowers the quality of education provided to pupils	5	3	15	Learning outcomes, staff development and motivation suffer	Q	21-Oct-09	07/06/2011	GA	Monitor time plan closely - build training requirements and penalties into SOR		OPEN
3	Academy alignment with LA ICT systems to deliver the children's services plans for Walsall i.e. 14-19 programme.	4	3	12	14 - 19 delivery suffers	P	12-Nov-09	07/06/2011	GA	Support from LA via ICT SiG to ensure suitability of solution requirements.		OPEN
4	Builder unable to fulfil ICT infrastructure requirements	5	2	10	ICT Vision not delivered. Darlaston Academy unable to deliver curriculum & vision	Q	21-Oct-09	07/06/2011	GA	GA ICT to work closely with D&B contractor to define and sign off requirements		OPEN
5	Technical Solution does not meet specification	5	2	10	ICT Vision not delivered. Academy unable to deliver curriculum. Expectations are raised and not met.	C,Q	21-Oct-09	07/06/2011	GA	Ensure clear lines of communication to deliver integrated solution.		OPEN
6	Damage caused by ICT supplier during installation	3	3	9	Damage needs to be identified and made good - hinders smooth opening	C,Q,P	21-Oct-09	07/06/2011	GA	Allow plenty of time for sorting out snagging issues		OPEN
1	ICT interface between ICT and D&B not clear leading to shortfalls in provision	4	2	8	Additional costs and delays result from items not being provisioned properly	C,P	21-Oct-09	07/06/2011	GA	All parties have agreed responsibilities matrix and liaison with build program for ICT installation.		OPEN
2	Building contractor programme does not allow sufficient time to install ICT	4	2	8	Delays in project leading delay in school opening, access to ICT, increased cost or reduction in quality	C,P,Q	21-Oct-09	07/06/2011	GA	Ensure coordination between D&B change control and GA ICT provider		OPEN
3	Learning Platform at the Academy is incompatible with LA systems	4	2	8	Data exchange with LA is problematic	Q	21-Oct-09	07/06/2011	GA	Ensure SIF compliance and Academy LP requirements built into Output Spec		OPEN
4	ICT provider becomes insolvent	4	2	8	Delays to project whilst new provider is found and potentially cost (administration and price point of new supplier)	C,P	21-Oct-09	07/06/2011	GA	Appointment through DFE ICT Framework One. Arrange stage payments.		OPEN
5	New building inconsistent with transformational use of ICT	4	2	8	Puts restrictions on learning approaches and fails to respond to curriculum needs	Q	21-Oct-09	07/06/2011	GA	Have clearly defined and agreed staff training and change management policies. Identify and support ICT Champions		OPEN
6	Changes in construction design are not reflected in ICT solution	3	2	6	ICT Solution will not fully meet educational vision	C,Q	21-Oct-09	07/06/2011	GA	Ensure coordination between D&B change control and GA ICT provider		OPEN
7	Lack of integration between ICT and building systems leads to independent development of the solution	3	2	6	School users have to navigate through multiple systems, BMS and other learning resources are not available to view, costs increased through multiple infrastructure being provided, and single sign on cannot be achieved	Q	21-Oct-09	07/06/2011	GA	GA ICT steering group to work closely with D&B contractor to ensure design agreed meets requirements		OPEN
8	ICT Vision is unaffordable	4	1	4	ICT Vision is not delivered	Q	21-Oct-09	07/06/2011	GA	Market tested and benchmarked the procurement which is scalable.		OPEN
9	Darlaston's requirements get diluted if procured as part of wider Grace Academy procurement	3	1	3	May not get service to deliver full academy vision	q	12-Nov-09	07/06/2011	GA	Ensure procurement of ICT supplier includes all Grace requirements (Vision, OS etc) and associated evaluation criteria. Plus conduct appropriate due diligence on successful supplier and their solution		OPEN

Ref.	Risk Description	Impact 1 - 5	Prob. 1 - 5	Total (1 - 25)	Consequences	Impact on Cost/Programme/ Quality (c,p,q)	Date Risk Raised	Risk review date	Owner	Management Control Action	Comments	Status OPEN/CLOSED
10	Purchasing an ICT MS for 3 academies may take incur slippage due to conflicting requirements and more stakeholder engagement meetings required	3	1	3	Delays to service being available in time to support Darlaston's requirements	Q,P	10-Feb-10	07/06/2011	GA	Involve all 3 academies in procurement and plan plenty of engagement meetings - prioritise key milestones in the procurement timetable	Procurement process due to end mid July	OPEN
11	Risk to fundability due to currency fluctuations	3	1	3	ICT Vision may not be fundable	C	21-Oct-09	07/06/2011	GA	Monitor economy and plan for how solution could be scaled down or phased if necessary		OPEN
12	ICT is not embedded throughout the curriculum	3	1	3	Behavioural and educational standards could fall	Q	21-Oct-09	07/06/2011	GA	Build into CPD and SRF plans etc		OPEN
13	Training for new technologies is not included in Staff CPD/Training plans	3	1	3	Benefits offered by using new technologies not fully realised. Teachers unable to use technology sufficiently.	Q	21-Oct-09	07/06/2011	GA	Identify Staff training as a priority and allow sufficient time. Raise profile of ICT as an enabler.		OPEN
14	Failure to gain access to stakeholders leading to delay in development of solution or solution inconsistent with school vision	4	0	0	Delays in production of documentation or lack of stakeholder buy-in to solution which affects change management programme	Q	21-Oct-09	07/06/2011	GA	Have a clearly defined and regularly reviewed Stakeholder engagement plan	Stakeholder engagement completed	CLOSED
15	ICT installation nuisance is excessive leading to disruption of the delivery of the high quality education of the existing school during the transition period	4	0	0	Disruption to school life and learning outcomes suffer	Q	21-Oct-09	07/06/2011	GA	Conduct Audit of current position. Assess requirements for transitional period. Co-ordinate with current MS Supplier to ensure the two are inline.	Academy open with existing facilities with GA ICT Provider	CLOSED
16	Existing school infrastructure unable to support transformational use of ICT in the transition period	4	0	0	School infrastructure fails and requires upgrading in order to deliver the curriculum	C,P,Q	21-Oct-09	07/06/2011	GA	Not sure if this is likely to be a problem at Darlaston?	Infrastructure is upgraded to allow appropriate level of ICT for transition period	CLOSED
17	The market may not be interested in tendering as there is a strong incumbent supplier	4	0	0	Not enough response from market to meet competitoin requirements			07/06/2011	GA	Drum up interest in suppliers and be clear that Grace is looking for best value – size of procurement i.e. 3 academies will help with this.	Seven tenders received and in procurement process	CLOSED
18	ICT Specification does not capture Vision	5	0	0	ICT Vision not delivered. Academy unable to deliver curriculum. Expectations are raised and not met. Inappropriate ICT procured	C,Q	21-Oct-09	07/06/2011	GA	Ensure that procurement documents capture and clearly articulate vision and Output Specification	OBC vision document approved	CLOSED
19	ICT procured directly by Academy as part of ICT MS for all 3 Grace Academies	3	0	0	Framework may not be replaced by similar procurement vehicle	p	12-Nov-09	07/06/2011	GA	Tendered using the DFE ICT Framework One		CLOSED

Revision	CPW 27.05.11	Design and Specification					Procurement				Installation					Testing					In Use			Required Budget				
R	Responsible (undertaken by)																											
A	Accountable (signoff)																											
C	Consulted																											
I	Informed																											
		Academy	D&B Contractor	ICT Provider	Local Authority	ICT Consultant	Academy	D&B Contractor	ICT Provider	Local Authority	Academy	D&B Contractor	Utilities Provider	ICT Provider	Local Authority	Academy	D&B Contractor	Utilities Provider	ICT Provider	ICT Consultant	Academy	ICT Provider	Local Authority	Base Build	FF& E Budget	ICT Infrastructure (£225/sqm)	ICT Capital (£1450)	Local Authority
ICT Cabling	Incoming broadband data lines	C	I	AR	C	C	AR	C	I	C	I	C	AR	C	C			AR	R	C	R						R	
	Standalone analogue phone lines	C	I	AR	C		AR	C	I		I	C	AR	C	C		C	AR		C	R						R	
	Incoming ducts from site boundary to within building	C	AR	I	C		I	AR	I	C	I	AR	C	C	C		R				R			R				
	Incoming Containmentment	C	AR	C	C		I	AR	C			R	A	C	C		R				R			R				
	All Internal Containmentment	C	AR	C	C		I	AR	C		I	AR		C	C		AR				R			R				
	Fibre backbone between Infrastructure rooms	C	AR	C	C	I	C	AR	C		I	AR		C	C		R				R					R		
	Cat 6 cabling from cabinet to outlet	C	AR	C	C		C	AR	C		I	AR		C	C		AR				R					R		
	Classroom A/V containmentment excl. speakers	C	AR	C	C		C	AR	C		I	AR		C	C		AR		A		R					R		
	Classroom A/V cabling	C	AR	C	C	C	C	AR	C		I	AR		C	C		AR				R					R		
Server Room and Comms Room	Physical server room construction incl raised floors etc-	C	AR	C	C	C	I	AR	C		I	AR		C	C		AR		A		R			R				
	Electrical services to server room incl lighting, fire detection etc	C	AR	C	C		I	AR	C		I	AR		C	C		R		A		R			R				
	Mechanical services to server room incl air con, ventilation	C	AR	C	C		C	AR	I		I	AR		C	C		R		A		R			R				
	Distribution board to server room	C	AR	C	C		C	AR	I		I	AR		C	C		R		A		R			R				
	Power distribution from board to outlets for connection of cabinets	C	AR	C	C		C	AR	I		I	AR		C	C		R		A		R			R				
	Cabinets for cat 6 cabling and fibre backbone termination	C	AR	C	C	C	C	AR	C		I	R		A	C		R		A		R					R		
	Cabinets for main server	C	C	AR	C	C	C	C	AR		I	C		AR	C				R		R						R	
	Cabinets for CCTV system equipment	C	AR	C	C	C	C	AR	I		I	AR		C	C		R				R			R				
	All other cabinets, frames etc.	C	C	AR	C	C	C	C	AR		I	C		AR	C		C		AR		R						R	
	Patch Panel	C	R	A	C	C	C	AR	C		I	R		A	C		R			A	R					R		
	Patch Cables	C	C	AR			C	I	AR		I			AR					R	A	R						R	
	Uninterruptible power supplies (UPS)	C	C	AR	C	C	C	I	AR		I	C		AR	C				R	A	R						R	
	Active ICT infrastructure equipment	C	C	AR	C	C	C	I	AR		I	C		AR	C				R	A	R						R	
	Other Active kit (incl Servers)	C	C	AR	C	C	C	I	AR		I	C		AR	C				R	A	R						R	
	IP/Video Streaming	C	C	AR	C	C	C	I	AR		I	C		AR	C				R	A	R						R	
	Software	C	C	AR	C	C	C		AR		I			AR	C				R	A	R						R	
	FF&E for Comms Room	C	AR	C	C	C	C	AR	C		I	AR		C	C		R		A		R				R			
	Termination of all data and fibre cables to patch pannels	C	AR	C	C		C	AR	I		I	AR		C	C		R		A		R					R		
Learning areas	Loose FF&E for ICT	C	AR	C	C		C	AR	C		C	AR		C	C		R		A		R				R			
	Fixed FF&E for ICT	C	AR	C	C		C	AR	C		C	AR		C	C		R		A		R				R			
	Data outlets ICT	C	AR	C	C	C	C	AR	C		C	AR		C	C		R		A		R					R		

[illegible]

[illegible]

	R	Responsible (undertaken by)																																
	A	Accountable (signoff)																																
	C	Consulted																																
	I	Informed																																
		Academy	D&B Contractor	ICT Provider	Local Authority	ICT Consultant		Academy	D&B Contractor	ICT Provider	Local Authority		Academy	D&B Contractor	Utilities Provider	ICT Provider	Local Authority		Academy	D&B Contractor	Utilities Provider	ICT Provider	ICT Consultant		Academy	ICT Provider	Local Authority		Base Build	FF& E Budget	ICT Infrastructure (£225/sqm)	ICT Capital (£1450)	Local Authority	
Intruder Alarm	Devices	C	AR	C	I			C	AR	I			C	AR		I	I				R					R				R				
	Cabling and Containment	C	AR	C	C			C	AR	I			C	AR		I	C			R					R				R					
	Hardware	C	AR	C	C	C		C	AR	I			C	AR		I	C			R					R				R					
	Dedicated telephone line	C		AR	C			AR		I			C		AR	I	C			R					R								R	
Catering	Electronic Point of Sale (EPOS) and other retail equipment	AR	C	C	C			AR	C	I			AR	C		I	C			R						R							R	
	Electrical and data services connections to cashless catering equipment	C	AR	C	C			C	AR	C			C	AR		C	C					R				R				R				
	Mechanical services connections to cashless catering equipment	C	AR	C	C			C	AR	I			C	AR		I	C			R									R					
	Integration into ICT System	C	C	AR	C	C		C		AR			C	C		AR	C					R	A			R						R		
	PC for catering ICT	C	C	AR	I	C		C	I	AR			C	C		AR	I						R									R		
	Loaders/Payment methods	C	C	AR	C	C		C	I	AR			C	C		AR	C					R	A			R						R		
	Vending machines	C	C	AR	I	C		C	I	AR			C	C		AR	I						R			R						R		
Communication	IP Telephony	C	C	AR	C	C		C	I	AR			C	C		AR	C					R	A			R							R	
	Telephone outlets	C	AR	C	C			C	AR	C			C	AR		C	C			R		A				R					R			
	Intercom (Perimeter gates etc.)	C	AR	C	C			C	AR	I			C	AR		I	C			R								R						
	Public-addressing systems																																	
AV systems	Control room equipment	C		AR	C			C		AR			C			AR	C					R				R							R	
	Stage lighting	C	C	AR	C			C	C	AR			C	C		AR	C					R				R							R	
	Stage lighting rigs	C	AR	C	C			C	AR	I			C	AR		C	C			R						R				R				
	Containment for sound and projection equipment		AR	C					AR					AR						AR						R								
	Sound equipment and cabling		AR	C					AR	I				AR		C				AR						R					R			
	Projection equipment and cabling		C	AR					C	AR				C		AR						R				R					R			
	Drama spaces	C	AR	C	C			C	AR	I			C	AR		C	C			R						R								
	Dance spaces	C	AR	C	C			C	AR	I			C	AR		C	C			R						R								
Legacy Equipment	Legacy Software (Accepted by Provider)	C		AR	I	C		C		AR			C			AR	I					R	A			R							R	
	Legacy Hardware (Accepted by Provider)	C	I	AR	I	C		C		AR			C	I		AR	I					R	A			R							R	
	Legacy Hardware Disposal (Accepted by Provider)	C		AR	I	C		C		AR			C			AR	I					R	A			R							R	
Utilities	Utilities Supply	C	AR	I	C			C	AR	I			C	A	R	I	C			R						R								
	Heating and Ventilation for "comms" rooms if required	C	AR	C	C	C		C	AR	I			C	AR		C	C			R		A				R								
Other	Specialist lighting-	C	AR	C	C			C	AR	I			C	AR		I	C			R						R						R		
	Specialist sound-	C	AR	C	C			C	AR	I			C	AR		I	C			R						R						R		

For School -

Model date
Model Author

Grace Academy Darlaston

02/11/2009
Atkins

Base Data

	Value	Notes
No. of Pupils	1500	
No. of Staff	150	
Model Base Date	2009	
Interim Service start date	2011	
Phase 1 Opening	2012	
Phase 2 Opening		
Phase 3 Opening		Add more phases as necessary
No. of Years - initial managed service	5	

Capital Funding

Passive Infrastructure	£225	Sits with builder - see responsibility matrix for items covered in this
Active Infrastructure	£1,450	Excluding VAT
Devolved Formula Capital	£0	Amount to be attributed to ICT per annum after initial 3 years (NOT AUTO COPIED)
Other available Capital Funding		State source and add more lines as necessary (NOT AUTO COPIED)
% Capex for Refresh	0%	

Revenue Funding

School contributions (initial 5 years)	£250	Per pupil per annum
School contributions (years 6 - 10)	£300	Per pupil per annum - increased revenue to support rolling refresh
Other available Revenue Funding		State source and add more lines as necessary (NOT AUTO COPIED)

Inflation Rates

Rate to be applied - revenue	0%
Rate to be applied - costs	0%

VAT

VAT element allowed for within £1450	0%
VAT rate to be claimed in addition to £1450	17.5%

Refresh Periods

Category	Replacement Cycle (yrs)
Lan Active Equipment	7
Server Equipment	6
Printers (MDFs + management)	5
Telephony (system, management, phone)	7
Smartcard	6
Cashless Catering	7
Interactive AV (IWB, Projection System etc)	6
End User Devices - fat client	4
End User Devices - thin client	7
Peripherals (Digital signage, video etc)	8

Available Funding (£)	Financial Close	2012	2013	2014	2015	2016	
	Yr 0	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Totals
Passive Infrastructure (CapEx)	337,500						337,500
Active Infrastructure (CapEx)	2,175,000						2,175,000
Revenue Funding (OpEx)		375,000	375,000	375,000	375,000	375,000	1,875,000
Total Funding	2,512,500	375,000	375,000	375,000	375,000	375,000	4,387,500

NB Above should tally with FAM in OBC - Any deviations should be explained below

ICT Equipment & MS Estimates*:

GAD = Grace Academy Darlaston

MS = ICT Managed Service

* Figures taken from recent BT proposal

= elements to be included in Refresh Strategy calculation
THESE FIGURES EXCLUDE VAT

	2012	2013	2014	2015	2016
	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
Network Infrastructure Implementation (Capex)					
WAN - GAD to Solihull - Installation	6,600				
WAN - Config & Inclusion in MS	1,500				
WAN - Circuit shifting to new building	4,300				
LAN - Equipment	134,435				
LAN - Installation	21,786				
Telephony - Implementation - Equipment	50,662				
Telephony - Implementation - PM	17,750				
Handsets/Licenses	5,370				
Wireless - Equipment	45,534				
Wireless - Implementation	16,088				
Wireless - Installation of access points	2,250				
Wireless - Server	3,750				
Network Infrastructure Implementation Total	310,025				

Network Infrastructure Ongoing Support (Opex)					
WAN - GAD to Solihull - circuit rental	18,202	£18,202	£18,202	£18,202	£18,202
WAN - GAD to Solihull - manged support	1,650	£1,650	£1,650	£1,650	£1,650
LAN - GAD Annual Maintenance	7,212	£7,212	£7,212	£7,212	£7,212
LAN - GAD Value add support service	4,170	£4,170	£4,170	£4,170	£4,170
Telephony - Annual Maintenance	3,247	£3,247	£3,247	£3,247	£3,247
Telephony - Value add support service	1,776	£1,776	£1,776	£1,776	£1,776
Wireless - Maintenance	4,250	£4,250	£4,250	£4,250	£4,250
CCTV - Maintenance	8,940	£8,940	£8,940	£8,940	£8,940
Network Infrastructure Ongoing Support Total	49,447	49,447	49,447	49,447	49,447

Server Infrastructure Implementation (Capex)					
HW - Blade Servers	32,820				
HW - Blade Servers Warranty	2,185				
HW - Blade Server Rack	1,464				
HW - SAN	72,520				
HW - SAN SW	20,856				
HW - SAN Warranty	57,847				
HW - Security Appliance	64,906				
HW - Backup Solution	23,420				
SW - MS Exchange 2008	940				
SW - MS Sharepoint	1,264				
SW - Other (General)	91,136				
SW- Server Reuse OS Upgrade	15,918				
SW - Installation Technical Resourse	120,042				
SW - Installation Project Management	47,385				
Server Infrastructure Implementation Total	552,701				

Server Infrastructure Ongoing Support (Opex)					
Ongoing Support	80,074	£80,074	£80,074	£80,074	£80,074
Server Infrastructure Ongping Support Total	80,074	80,074	80,074	80,074	80,074

GAD CORE Services Managed Service (Opex)					
Service Set up	55,201	0	0	0	0
Business / Service Management	31,959	10,447	10,447	10,447	10,447
Technical Design Authority	11,817	4,593	4,593	4,593	4,593
Service Support	18,655	11,869	11,869	11,869	11,869
Core Services Managed Service Total	117,632	26,909	26,909	26,909	26,909

Desktop Services Implementation (Capex)					
Virtualisation - Blade Servers	109,400				
Virtualisation - Blade Servers Warranty	7,115				
Virtualisation - Blade Servers Rack	4,879				
Thin Clients	117,162				
Thin Clients (Workstations)	23,587				
Thin Clients (Laptops)	54,054				
Spares	6,695				
Software as per required build	62,744				
Installation	32,058				
Data Projectors	61,486				
Printers	4,668				
Digital Scanners	4,791				
Cashless Catering	5,000				
Digital Signage	50,000				
Interactive Whiteboards	41,523				
Desktop Services Implementation Total	585,162				
Desktop Services Ongoing Support (Opex)					
Ongoing Support	50,813	50,813	50,813	50,813	50,813
Desktop Services Ongoing Support Total	50,813	50,813	50,813	50,813	50,813
Desktop Services Managed Service (Opex)					
Service Setup	82,801	0	0	0	0
Business / Service Management	45,439	8,780	8,780	8,780	8,780
Technical Design Authority	15,226	2,927	2,927	2,927	2,927
Service Support	27,983	11,869	11,869	11,869	11,869
Desktop Services Managed Services Total	171,449	23,576	23,576	23,576	23,576
GAD Capex Total (not including refresh)					
Network Infrastructure	310,025				
Server Infrastructure	552,701				
Desktop Services Implementation	585,162				
Capex Total	1,447,888				
GAD Opex Total (not including refresh)					
Core - Network Infrastructure Support	49,447	49,447	49,447	49,447	49,447
Core - Server Infrastructure Support	80,074	80,074	80,074	80,074	80,074
Core - Managed Service	117,632	26,909	26,909	26,909	26,909
Desktop - Support	50,813	50,813	50,813	50,813	50,813
Desktop - Managed Service	171,449	23,576	23,576	23,576	23,576
Opex Total	469,415	230,819	230,819	230,819	230,819
Managed Service Setup	138,002	0	0	0	0
Opex Total less MS Setup	331,413	230,819	230,819	230,819	230,819
Refresh Details					
Value of HW identified for refresh	1,057,658				

Year on Year Funding Allocation Summary Model (£)
100% Capital Initial Spend - 100% Refresh Provided For

Grace Academy Darlaston



Total Passive Capex	337,500
Total initial (Active Inf Capex)	2,175,000
Total Available Capex	2,512,500
Refresh pot to be allocated from above Capex	300,000

Key

Passive	
Active	Works on £1,450 excluding VAT
Revenue	No Early draw down assumed at present
	Blue cell values can be changed directly

Expected VAT liability to be reclaimed	380,625
--	---------

Capital (CapEx) Allocation	Initial %	Yr 0*	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Totals
		2011	2012	2013	2014	2015	2016	
Passive Infrastructure	100%	337,500						337,500
Network Infrastructure	17%		310,025					310,025
Server Infrastructure	29%		552,701					552,701
Desktop Services Implementation	31%		585,162					585,162
Specialism / Innovation Fund	3%		50,000					50,000
MLE integration	1%		25,000					25,000
Tech Training	3%		50,000					50,000
Change Management & CPD	3%		50,000					50,000
Decant of legacy from old to new build	2%		30,000					30,000
Managed Service Setup	7%		138,002					138,002
Project Management (included in above)	0%		0					0
Project Contingency	4%		84,111					84,111
Initial Active Infrastructure	100%		1,875,000	0	0	0	0	1,875,000
Early Drawdown for Interim Solution								0
Decant to temporary accommodation costs								0
Refresh Pot carried over								300,000
Totals		337,500	1,875,000	0	0	0	0	2,512,500

* Yr 0 - to contain any early drawdown of capital or capex expenditure required before first phase completion

Revenue (OpEx) Allocation	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Totals
	2012	2013	2014	2015	2016	
Managed Service (Service Desk, Support, Maintenance etc)	331,413	230,819	230,819	230,819	230,819	1,254,691
Broadband (via LA / Broadband Consortia)	5,000	5,000	5,000	5,000	5,000	25,000
MLE/MIS costs (if separate to MS)	20,000	20,000	20,000	20,000	20,000	100,000
Training	25,000	25,000	25,000	25,000	25,000	125,000
Totals	381,413	280,819	280,819	280,819	280,819	1,504,691

Assumptions

Academy will be complete in 2012

All initial new hardware will be deployed in year 1 - likely to be staggered in reality but this assumes most prudent position

High level costing assumptions from both CapEx and OpEx based on recent BT proposal for provision of service

Assumptions also around broadband and MLE costs

Model currently assumes pupil:device ratio of 2:1(as per OBC) on new devices bought in Year 1 - Legacy equipment is in addition to this and therefore raises this ratio

Revenue figures include associated VAT liabilities

Capital expenditure assumes whole £1450pp is available excluding VAT and that the additional VAT element at 17.5% will be reclaimed

Refresh at 100% of initial capital expenditure

Refresh Elements	Refresh Cycle (yrs)	Initial Capex to be Refreshed			Refresh Cycle Expenditure at 40%								
		Yr-1 (legacy value)	Yr0 (legacy value)	Yr1	Yr2	Yr3	Yr4	Yr5	Yr6	Yr7	Yr8	Yr9	Yr10
Lan Active Equipment	7			220,093						0	220,093		
Server Equipment	6	10,000	10,000	394,817					10,000	394,817			
Printers (MDFs + management)	5			4,668					4,668				
Telephony (system, management, phone)	7			73,782							73,782		
Smartcard	6			0									0
Cashless Catering	7			0						0			
Interactive AV (IWB, Projection System etc)	6	15,000	15,000	103,009				15,000		103,009			
End User Devices - fat client	4	35,000	35,000	0		35,000	35,000	0		35,000		0	
End User Devices - thin client	7	15,000	15,000	201,498						15,000	201,498		
Peripherals (Digital signage, video etc)	8			4,791					4,791		0		
Initial Capital Cost		75,000	75,000	1,002,658	0	35,000	35,000	15,000	19,459	547,826	495,373	0	0
Refresh % of initial capital spend	100%					35,000	35,000	15,000	19,459	547,826	495,373	0	0

1,147,658

1,147,658

Refresh Assumptions

Assumed some ICT spend in 2010 and 2011 on equipment that can be taken into Academy as legacy and will therefore need refres

100% refresh achievable through some Capital held back (£300k) and increased contributions from Year 6 onwards

High Level 10 Year Affordability

Grace Academy Darlaston



	Yr 0 2011	Yr 1 2012	Yr 2 2013	Yr 3 2014	Yr 4 2015	Yr 5 2016	Yr 6 2017	Yr 7 2018	Yr 8 2019	Yr 9 2020	Yr 10 2021
Funding											
Total Capital Funding (£1450 + £225)	2,512,500										
Additional Capex (e.g. DFC)					0	0	0	0	0	0	0
Total Revenue Contributions (OpEx)		375,000	375,000	375,000	375,000	375,000	450,000	450,000	450,000	450,000	450,000
Total Funding	2,512,500	375,000	375,000	375,000	375,000	375,000	450,000	450,000	450,000	450,000	450,000
Expenditure											
Early drawdown	0										
Passive Infrastructure	337,500										
Active Infrastructure	0	1,875,000	0	0	0	0	0	0	0	0	0
Managed Service		331,413	230,819	230,819	230,819	230,819	230,819	230,819	230,819	230,819	230,819
Other OpEx not in MS (e.g. Broadband, MLE etc)		50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Refresh				35,000	35,000	15,000	19,459	547,826	495,373	0	0
Total Expenditure	337,500	2,256,413	280,819	315,819	315,819	295,819	300,278	828,645	776,192	280,819	280,819
c/f Balance	2,175,000	293,587	387,768	446,948	506,129	585,310	735,031	356,386	30,193	199,374	368,555

Assumptions

No inflation mark ups or NPV calculations have been applied

Refresh - see Refresh Strategy tab

Legacy assets included in Refresh calculations - see Refresh Strategy tab

Capital Funding Cash Flow Estimate

Grace Academy Darlaston

	2011	2012				2013				Total
	Pre Financial Close	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	
Expenditure - D&B £225 pp	337,500									337,500
Expenditure - £1,450 pp										
Early engagement with Managed Service Provider		46,875								46,875
ICT Solution Delivery			187,500	1,031,250	515,625	93,750				1,828,125
Refresh Fund in Escrow						300,000				300,000
Total Expenditure	337,500	46,875	187,500	1,031,250	515,625	393,750	0	0	0	2,512,500

Assumptions

Based on calender years - i.e. Q1 Jan to Mar etc.

2011 - Assumed D&B £225 element will be drawn down in 2011

2012 Q1 - Assumed Managed Service Supplier will require some initial fees prior to implementation of solution in order to be engaged with project - allowed 2.5% of initial capital spend

2012 Q2 - Assumed 10% of capital paid to MS supplier upon finalising solution and placing order

2012 Q3 - Assumed 30% of capital paid to MS supplier upon WAN and server equipment delivered

APPENDIX 5 – AFFORDABILITY

- Financial and Technical Proformas¹

¹ The FBC should include the proformas submitted with the Selected Panel Member's ITT, updated if there have been any changes.

Grace Academy, Darlaston Pricing Schedule

Date of Submission: 8th June 2011
Project Stage (i.e. FBC or Completion Date): FBC

Part 1 Elemental Cost Schedule

PRICING NOTES

- 1
- Columns 1 and 2 - The short listed Panel Member is to enter his PfS National Framework tendered rates for the new build Scheme at 2nd Quarter 2006 (Forecast DTI pubsec index 168) based on a 1,250 pupil school with a Gross Floor Area (GFA) of 10,973 m².
- 2
- Columns 3 and 4 - The short listed Panel Member shall complete their elemental cost summary in accordance with the pricing notes and all relevant information contained in the ITT for this Scheme.
- 3
- Column 5 - The short listed Panel Member shall provide a typical specification for this Scheme and shall also highlight any significant differences from the specification assumed when tendering for the PfS National Framework.
- 4
- The short listed Panel Member is to complete columns 3, 4 and 5 in accordance with the information contained in the ITT for this Scheme.
- 5
- The short listed Panel Member's basis of pricing fees, preliminaries, overheads and profit and contingency shall be incorporated in elements 8, 10, 11 and 12 below.
- 6
- The specification used in order to determine the pricing levels shall be at least in accordance with the Authorities Requirements in Volume 6 however the contractor is encouraged to offer the highest specification possible within the funding allowance.
- 7
- The total cost per m2 the short listed Panel Member is offering to design and build the Scheme should be summated and entered into the line titled "Project Costs Total".

NO	ELEMENT	Note on how PfS have calculated base indicative cost	Reference to supporting calculation	Base indicative cost		PfS National Framework Tendered Rates		SHORT-LISTED PANEL MEMBERS PROPOSALS FOR THIS SCHEME prices to reflect construction start date as shown on Funding allocation model included in OBC					
								Total					
				1	2	3	4	5	6		8		
				£/m2 2Q06 prices	% of total Project Cost	£/m2 2Q06 prices [168]	% of total Project Cost	£ [169] prices [0.90] location factor	£/m2 [169] prices [0.90] location factor	% of total Project Cost	Contractors' Typical Specification <i>Please refer to Supporting Specification and Illustrations</i>		
1 SUBSTRUCTURE													
1 Group Element Total				96.00	5.09	64.10	3.40	981,970	76.99	4.46	Piled foundations with pile caps and ground beams. Semi suspended insitu concrete floor slab, inert soil and no ground water.		
2 SUPERSTRUCTURE													
2A Frame				92.90	4.92	107.48	5.70	1,811,585	142.04	8.23	Steel and post tensioned concrete frame with board and intumescent paint fire protection. Post tensioned concrete floors and metal decking.		
2B Upper floors				26.97	1.43	42.37	2.25	-	-	-			
2C Roof				72.55	3.84	99.68	5.28	1,020,862	80.04	4.64	<div>- Polymeric single ply membrane on concrete roof.</div> <div>- Lightweight metal roofing over large spaces with single ply membrane</div> <div>- Paving on single ply membrane on concrete roof to traffic areas</div> <div>- Double glazed roof lights.</div> <div>Solid roof finishes to achieve a U value of 0.18 W/m²°C. Fall arrest system where necessary.</div>		
2D Stairs				11.57	0.61	31.58	1.67	136,619	10.71	0.62	Internal stairs - precast/insitu concrete units, balustrade comprising painted mild steel uprights and handrail. Balustrades to balconies in painted insitu concrete.		
2E External Walls				121.13	6.42	95.11	5.04	1,172,831	91.96	5.33	Facing brickwork, insulated cavity and block inner skin Cladding Panels, insulation and block inner skin Louvre screen to external plant area Double glazed curtain walling Double glazed aluminium windows External doors		
2F Windows & External doors				63.73	3.38	43.27	2.29	450,423	35.32	2.05	Polyester powder coated aluminium to external with natural finish internally, section with sealed double glazed units inner pane laminated and outer pane toughened to achieve a centre of pane u value of 1.6W/m²°C. Windows provided with pivot hinges.		
2G Internal Walls and Partitions				51.20	2.71	69.09	3.66	537,048	42.11	2.44	Lift shaft walls to be concrete blockwork construction, all other partitions to be rockwool insulated plasterboard clad galvanised metal stud partitions to comply with BB93. Allowance has been made for 3nr sliding, folding partitions and full height cubicles to wc. Glazed demountable partitions.		
2H Internal Doors				25.24	1.34	23.98	1.27	238,595	18.71	1.08	Light hardwood flush doors, painted, with softwood linings and architraves, vision panels where necessary, horizontal vision panels to classroom/corridor walls, door furniture and ironmongery selected from a good quality commercial range. Doors to achieve an acoustic performance outlined in BB93.		
2 Group Element Total				465.28	24.66	512.56	27.16	5,367,963	420.88	24.39			
3 INTERNAL FINISHES													
3A Wall Finishes				20.39	1.08	13.62	0.72	424,734	33.30	1.90	Plasterboard & stud lining to external walls, Whiterock to kitchen, white glazed wall tiles to splash backs. Plasterboard partitions to receive drywall sealer coat prior to decoration with vinyl emulsion, elsewhere fair faced blockwork lined with plasterboard decorated with vinyl silk emulsion paint, absorption panels in rooms where necessary to fine tune acoustics reverberation to comply with BB93		
3B Floor Finishes				40.23	2.13	50.71	2.69	432,006	33.87	1.96	Refer to finishes schedule for individual rooms scopes, in summary the following finishes will be provided: timber floor, vinyl sheet flooring rubber flooring, carpet tiles recessed barrier matting to main entrance, epoxy floor paint and granite tiling to the ground floor foyer.		
3C Ceiling Finishes				28.89	1.53	17.12	0.91	197,624	15.50	0.90	Refer to finishes schedule for individual rooms scopes, in summary the following ceiling finishes will be provided: fibre board ceiling tiles in a suspended grid, absorption panels where necessary to fine tune acoustics, Plasterboard MF ceiling decorated with vinyl mat emulsion. moisture resistant ceiling tiles in a suspended grid and painted concrete soffits.		
3 Group Element Total				89.51	4.74	81.45	4.32	1,054,364	82.67	4.76			
4 BUILDING FITTINGS & FURNISHINGS													
4A Fixed fittings and equipment				20.57	1.09	93.69	4.97	588,896	46.17	2.68	<div>Refer to FF&E schedule Rev R for detailed inventory, In addition, provision has been made for statutory, operational and way finding signage.</div> <div>Catering equipment, refer to detailed inventory provided by Descat Catering Ltd</div>		
4 Group Element Total				20.57	1.09	93.69	4.97	588,896	46.17	2.68			

5 SERVICES										
5A Sanitary Fittings										Please refer to detailed mechanical and electrical drawings and specifications.
5B Services Equipment										
5C Disposal installations										
5D Water Installations										
5E Heat Source										
5F Space Heating and Air Treatment			163.65	8.67	187.49	9.94	4,274,454	335.15	19.42	
5G Ventilation systems							-			
5H Electrical Installations			170.98	9.06	188.64	9.99	-	-	-	
5I Gas Installations							-			
5J Lift Installations			8.23	0.44	4.42	0.23	24,441	1.92	0.11	1nr passenger lift motor-room less, hydraulic, speed 0.4 m/second, 8 person capacity, car spec: stainless steel side walls, full height mirror to rear wall, handrail, vinyl floor, ceiling & lights, car top controls, slide opening car doors in stainless steel, slide opening landing doors and frames in stainless steel.
5K Protective Installations, inc. internal CCTV										
5L Communication Installations										
5M ICT Infrastructure Works (Based on £225 per pupil at fixed price)			25.72	1.36	17.89	0.95	-	-	-	
5N Specialist Installations										
5O Builders work in connection with Services			18.29	0.97	14.78	0.78	106,016	8.31	0.48	Forming holes, plinths, fire stopping for services, decorating exposed pipes, excavating trenches and the like.
5 Group Element Total			386.86	20.50	413.22	21.89	4,404,911	345.37	20.01	
1 - 5 BUILDINGS ELEMENT TOTAL:			1,058.23	56.08	1,165.02	61.74	12,398,104	972.10	56.30	
6 EXTERNAL WORKS										
6A Site clearance, excavation and earthworks							-			Clearance of scrub and vegetation etc, retaining excavated material on site for filling and forming mounds.
6B Hard play, car parks and roads										Hard play & footpaths - black Tarmacadam on an imported granular material bed. Plaza - concrete block paving & exposed aggregate slab on an imported granular material bed. External teaching - as external works drawings. Pedestrian concourse - black Tarmacadam on an imported granular material bed. Roads - black Tarmacadam on an imported granular material bed. Car parks - black Tarmacadam on an imported granular material bed. Please refer to detailed Planit drawings
6C Soft landscaping							-			Grass seeded play area, woodland, native and ornamental planting including specimen trees
6D Sports pitches including equipment	12% of [1-5 Buildings Element total] as funding guidance adjusted for prelims, OH&P and Contingencies						-			New grass pitches (3 No), Synthetic Turf Pitch (1 No) and 4 court MUGA all as Planit landscaping drawings.
6E Incoming services and statutory connections			126.72	6.72	142.60	7.56	2,794,885	219.14	12.72	Gas, water, electricity and telecoms incoming supply and connections.
6F Drainage							-			Underground drains for both foul and surface water, allowance for attenuation to surface water , grease trap to kitchen.
6G Site lighting							-			Car parking illuminated via column and bollard mounted luminaries.
6H Fencing							-			2.4m high anti climb fence to front of site, reuse of existing perimeter fence where ever possible, 1.8m high galvanised steel palisade and timber infill paneled fence to service yard
6I External CCTV							-			To provide general coverage of strategic areas.
6J Other works							-			Benching and seating, bollards, free standing external signage, bicycle stands, building mounted (non-illuminated) school sign, operational signage.
6 Group Element Total			126.72	6.72	142.60	7.56	2,794,885	219.14	12.72	
7 ABNORMAL COSTS (NOT INCLUDED IN 1- 6 ABOVE)										
7A Site restrictions	5% of [1-5 Buildings Element total] as funding guidance adjusted for prelims, OH&P and Contingencies						-			
7B Site conditions										
7C Infrastructure			52.80	2.80	52.80	2.80	835,400	65.50	3.80	Demolitions and asbestos removal to existing building, and ground remediations works
7D Other abnormalities with lifecycle							-			
7E Temporary Accommodation										
7F Demolitions										
7G Other abnormalities without lifecycle							-			
7 Group Element Total			52.80	2.80	52.80	2.80	835,400	65.50	3.80	
8 CONTRACTOR'S PRELIMINARIES										
8A Preliminaries	13.25% of [1-7 Group Element Total]	Calculated in accordance with Part 5	164.21	8.70	170.65	9.04	2,192,462	171.90	9.96	Preliminaries detailed in ITT Volume 6 Part 5.
8 Group Element Total			164.21	8.70	170.65	9.04	2,192,462	171.90	9.96	
9 INFLATION										
9A Inflation from financial close/contract award to mid-point of construction			-	-	-	-	172,500	13.53	0.78	Costs based on a start as detailed on the construction programme, with price fluctuations assessed for the duration of the construction period built into the rates detailed in this document.
9 Group Element Total included in buildings element total			-	-	-	-	172,500	13.53	0.78	
1 - 9 CONSTRUCTION COSTS SUB TOTAL:			1,401.96	74.30	1,531.07	81.14	18,393,351	1,442.16	83.56	
10 FEES										
10A Design Team Fees on Works	12.5% of [1-9 Construction Costs Sub Total + 11 Overheads & Profit + 12 Contingency]	Calculated in accordance with Part 2	193.05	10.23	164.79	8.73	1,602,361	125.64	7.28	Fees detailed in ITT Volume 6 Part 2 including Architectural, Structural, Services Engineering and Other Fees.
10B Statutory Fees (assessment based on funding guidelines, part of base build cost)		Calculated in accordance with Part 3	13.71	0.73			43,873	3.44	0.20	Fees detailed in ITT Volume 6 Part 3 including Statutory, Survey and Sundry Fees.
10C Survey Fees							30,359	2.38	0.14	
10D Sundry Fees and Expenses							145,185	11.38	0.66	
10 Group Element Total			206.76	10.96	164.79	8.73	1,821,778	142.84	8.28	

11 OVERHEADS & PROFIT 11A Overheads & Profit										
	5.5% of [1-9 Construction Costs Sub Total]	Calculated in accordance with Part 4	77.22	4.09	82.68	4.38	919,668	72.11	4.18	
11 Group Element Total			77.22	4.09	82.68	4.38	919,668	72.11	4.18	OH&P detailed in ITT Volume 6 Part 4.
12 CONTINGENCY										
12A Design & Construction contingency	5.5% of [1-9 Construction Costs Sub Total]	indicative split for reference only	45.72	2.42			321,884			Contingency detailed in ITT Volume 6 Part 6.
12B Risk Allowance		indicative split for reference only	31.50	1.67						
12 Group Element Total		Calculated in accordance with Part 6	77.22	4.09	57.88	3.07	321,884	25.24	1.46	
1 - 12 CONSTRUCTION COSTS TOTAL:			1,763.17	93.44	1,836.42	97.32	21,456,680	1,682.35	97.48	
13 LOOSE FF&E										
13A Loose FF&E Costs			123.78	6.56	50.52	2.68	553,644	43.41	2.52	Refer to FF&E schedule for detailed inventory.
13B Attendant costs										Distribution and placement of furniture including removal of packaging and temporary protection.
13C Attributable fees										Selection and scheduling of furniture.
13 Group Element Total (based on £1000 per pupil indexed at 2.5% pa)			123.78	6.56	50.52	2.68	553,644	43.41	2.52	
Project Support Costs (Top slice)							-	-	-	
1-13 PROJECT COSTS TOTAL:			1,886.94	100.00	1,886.94	100.00	22,010,325	1,725.76	100.00	

Grace Academy, Darlaston - Pricing Schedule

Invitation to Tender - Volume 6a Part 2 - Design Fees Summary

PRICING NOTES

- 1 The short listed Panel Member is to complete the fees schedules in this Part 2 for design fees. They must use the fees as quoted in their PfS National Framework Tender Submission.
- 2 The short listed Panel Member must confirm that the fees for design services includes all the fees that will be incurred including all disbursements, travelling expenses, drawing copies required etc that may be incurred in the design and construction of the Scheme.
- 3 The short listed Panel Member is to include all fees associated with the design and any designers or further advice required. Any items not expressly identified are deemed to be included.
- 4 Where a fixed sum was quoted in their PfS National Framework Tender Submission this is to be inflated from 2Q06 (forecasted index 176)to the start of construction for the Scheme using the PUBSEC Indices and adjusted by the DCSF Location Factor for the Scheme.
- 5 Construction Value is defined as the subtotal shown as "1-9 Construction Costs Sub Total" in Part 1 - Elemental Cost Summary.

The shaded cell indicates the fees applicable to this Scheme.

2.1 Discipline - All						
Package Description	Construction Value (see note)	Fee Percentages (applied to Subtotal shown in "1-9 Construction Costs Sub Total" + "11 Overheads & Profits" + "12 Contingency" in Part 1 - Elemental Cost Summary)				
	£ Million (unindexed)	76% to 100% New Build	51% to 75% New Build	26% to 50% New Build	Up to 25% New Build	Notes
Single School	2.50 - 5.00	10.10%	10.55%	11.34%	12.51%	
	5.00 - 7.50	9.52%	9.89%	10.68%	11.35%	
	7.50 - 10.00	9.32%	9.57%	10.27%	10.93%	
	10.00 - 15.00	8.98%	9.34%	9.92%	10.52%	
	15.00 - 20.00	8.69%	9.04%	9.59%	10.15%	
	20.00 - 25.00	8.44%	8.74%	9.25%	9.80%	
	25.00 - 30.00	8.24%	8.50%	9.02%	9.55%	
	over 30.00	8.05%	8.35%	8.81%	9.25%	
The Contractor is to insert the percentage reduction they would offer on the above cumulative fees for the award of more than one school per Contract.						
	Two Schools	6.09%	5.91%	5.31%	4.89%	
	Three Schools	9.94%	9.77%	9.22%	8.09%	
	Four Schools	12.78%	12.63%	11.05%	10.54%	
	Five Schools	15.63%	15.48%	13.98%	12.99%	
	Six Schools	18.48%	18.34%	16.37%	16.00%	
	In excess of Six Schools	21.32%	21.20%	18.75%	17.88%	

Grace Academy, Darlaston - Pricing Schedule

Invitation to Tender - Volume 6a Part 3

Part 3 Statutory, Survey and Sundry Fees

PRICING NOTES

- 1
2

Package Description	Lump sum in £ (note 2)	Notes: State here any limitations to values shown for use on future projects	Bidders to indicate (by ticking) where prices are fixed for duration of Framework Agreement (subject to inflation and location factor adjustment on lump sum pricing as described in note 2)
Statutory Fees			
Building control	23,868		
Planning fees	20,005		
Surveys			
Geotechnical investigation	By Local Authority	Issued as part of ITT documentation	
Desktop study	By Local Authority	Issued as part of ITT documentation	
Topographical survey	By Local Authority	Issued as part of ITT documentation	
Level 3 Asbestos survey	By Local Authority	Issued as part of ITT documentation	
Asbestos survey (level 2)	By Local Authority	Issued as part of ITT documentation	
Drainage/CCTV drains	2,860		
Other:			
Service trace & survey	2,860		
Further ecological survey prior to	3,813		
Structural survey	Not required		
Building fabric survey	Not required		
Further Geotech investigation	5,198		
Ground contamination testing	-		
Soak away test	4,725		
Acoustic survey	6,178		
Flood risk survey	3,150		
Tree survey	1,575		
Sundry & Other			
Highways	By Local Authority		
Environmental	By Local Authority	Issued as part of ITT documentation	
CDM Co-ordinator	16,684	Appointed by Local Authority, cost included as instructed by PFS	
DQI fees	2,860		
others:			
Educationalist & Educational Pla	14,300		
Bill of Quantities production	19,067		
Party wall surveyor	Not required		
Fire engineer	23,833		
ICT interface management	4,767		
Life cycle and FM cost plan	2,384		
Landscape design & soil suitability	38,133		
Considerate contractor	637		
Air test & consultancy	5,720		
FF&E consultancy	Included in FF&E Value		
BREEAM	16,800		
Town planning consultant	-		
Design & continuous Improvement	No charge		
219,417			

Grace Academy, Darlaston - Pricing Schedule

Invitation to Tender - Volume 6a Part 4

Part 4 Overheads & Profit

PRICING NOTES

- 1 The short listed Panel Member is to complete the schedule in this Part 4 for profit and overheads. They must use the fees as quoted in their PfS National Framework Tender Submission.
- 2 Where a fixed sum was quoted in their PfS National Framework Tender Submission this is to be inflated from 2Q06 (forecasted index 176) to the start of construction for the Scheme using the PUBSEC Indices and adjusted by the DCSF Location Factor for the Scheme.
- 3 Construction Value is defined as the subtotal shown as "1-9 Construction Costs Sub Total" in Part 1 - Elemental Cost Summary.

The shaded cell indicates the fees applicable to this Scheme.

Package Description	Construction Value (see note)	Enter Fee Percentages (applied to Subtotal shown in "1-9 Construction Costs Sub Total" in Part 1 - Elemental Cost Summary)				Notes
		76% to 100% New Build	51% to 75% New Build	26% to 50% New Build	Up to 25% New Build	
Single School	2.50 - 5.00	5.50%	5.70%	5.70%	5.70%	
	5.00 - 7.50	5.50%	5.70%	5.70%	5.70%	
	7.50 - 10.00	5.50%	5.70%	5.70%	5.70%	
	10.00 - 15.00	5.50%	5.70%	5.70%	5.70%	
	15.00 - 20.00	5.00%	5.60%	5.60%	5.60%	Max applicable 5.4%
	20.00 - 25.00	5.30%	5.50%	5.50%	5.50%	
	25.00 - 30.00	5.30%	5.50%	5.50%	5.50%	
	over 30.00	5.30%	5.50%	5.50%	5.50%	
The Contractor is to insert the percentage reduction they would offer on the above fees for the award of more than one school per Contract.						
	Two Schools	0.00%	0.00%	0.00%	0.00%	
	Three Schools	0.00%	0.00%	0.00%	0.00%	
	Four Schools	0.00%	0.00%	0.00%	0.00%	
	Five Schools	0.00%	0.00%	0.00%	0.00%	
	Six Schools	0.00%	0.00%	0.00%	0.00%	
	In excess of Six Schools	0.00%	0.00%	0.00%	0.00%	

Grace Academy, Darlaston - Pricing Schedule

Invitation to Tender - Volume 6a Part 5

PRICING NOTES

- 1 The short listed Panel Member is to complete the schedule using the fees as quoted in their PfS National Framework Tender Submission.
- 2 Where a fixed sum was quoted in their PfS National Framework Tender Submission this is to be inflated to the start of construction for the Scheme using the PUBSEC Indices and adjusted by the DCSF Location Factor for the Scheme.
- 3 The percentage to be applied to Subtotal shown in "1-7 Group Element Total" in Part 1 - Elemental Cost Summary.

Pricing Schedule - Part 5 Preliminaries								
SUMMARY								
CONSTRUCTION				cost £				
				Lump sum (note 1)	% (note 2)	Time related charge (per week) (note 1)	Unit Rates (Note 1)	Total
Staff				-	-	1,096,466.30	-	1,096,466.30
Accommodation Etc				20,876.01	-	47,639.48	5,851.55	74,367.04
Telecommunications				1,511.62	-	28,448.00	828.81	30,788.43
Craneage				-	-	122,525.90	18,297.60	140,823.50
Hoists & lifts				-	-	-	-	-
Plant				-	-	70,264.53	-	70,264.53
Scaffolding				-	-	-	45,285.87	45,285.87
Temporary works				-	-	-	17,628.96	17,628.96
Temporary services				57,831.45	-	66,845.85	1,367.38	126,044.68
Hoarding, security & protection				18,604.60	-	13,060.68	66,102.67	97,767.95
Cleaning & attendance				35,142.22	-	193,454.90	78,564.42	307,161.54
Insurances, charges, contract conditions				8,555.51	175,680.00	-	1,627.92	185,863.43
			sub total					
Total				142,521.41	175,680.00	1,638,705.64	235,555.18	2,192,462.23

Note 1 To be adjusted for inflation by reference to the DTI PUBSEC Index and DFES location Factor

Note 2 The percentage to be applied to Subtotal shown in "1-7 Group Element Total" in Part 1 - Elemental Cost Summary

Grace Academy, Darlaston - Pricing Schedule

Invitation to Tender - Volume 6a Part 6

Part 6 Contingencies

PRICING NOTES

- 1

The short listed Panel Member is to complete the schedule in this Part 6 for contingencies. They must use the fees as quoted in their PfS National Framework Tender Submission.
- 2

Where a fixed sum was quoted in their PfS National Framework Tender Submission this is to be inflated to the start of construction for the Scheme using the PUBSEC Indices and adjusted by the DCSF Location Factor for the Scheme.
- 3

Construction Value is defined as the subtotal shown as "1-9 Construction Costs Sub Total" in Part 1 - Elemental Cost Summary.

The shaded cell indicates the fees applicable to this Scheme.

Package Description	Construction Value (see note) £ Million (unindexed)	Fee Percentages (applied to Subtotal shown in "1-9 Construction Costs Sub Total" in Part 1 - Elemental Cost Summary)				Notes
		76% to 100% New Build	51% to 75% New Build	26% to 50% New Build	Up to 25% New Build	
Single School	2.50 - 5.00	3.78%	4.00%	4.50%	5.00%	
	5.00 - 7.50	3.78%	4.00%	4.50%	5.00%	
	7.50 - 10.00	3.78%	4.00%	4.50%	5.00%	
	10.00 - 15.00	3.78%	4.00%	4.50%	5.00%	
	15.00 - 20.00	1.75%	4.00%	4.50%	5.00%	Max applicable 3.78%
	20.00 - 25.00	3.78%	4.00%	4.50%	5.00%	
	25.00 - 30.00	3.78%	4.00%	4.50%	5.00%	
	over 30.00	3.78%	4.00%	4.50%	5.00%	
The Contractor is to insert the percentage reduction they would offer on the above for the award of more than one school per Contract.						
	Two Schools	0.00%	0.00%	0.00%	0.00%	
	Three Schools	0.00%	0.00%	0.00%	0.00%	
	Four Schools	0.00%	0.00%	0.00%	0.00%	
	Five Schools	0.00%	0.00%	0.00%	0.00%	
	Six Schools	0.00%	0.00%	0.00%	0.00%	
	In excess of Six Schools	0.00%	0.00%	0.00%	0.00%	

APPENDIX 6 – DESIGN AND BUILD CONTRACT AND DEVELOPMENT AGREEMENT

- Schedule of agreed derogations to the Design and Build Contract
- Schedule of agreed derogations to the Development Agreement

APPENDIX 7 - READINESS TO DELIVER

- Budget for delivery
- Planning Permission
- Risk Register (detailing top 10 risks going forward)

APPENDIX 7A – BUDGET FOR DELIVERY

Procurement Item	Provider	Cost
Project Management	Walsall Council	In House
Contract Administration	Navigant	£41,970
CDM Co-ordinator	Aecom	£6,500
Legal	Pinsent Mason	£30,000



Walsall Council

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER 1995

NOTIFICATION OF DECISION ON AN APPLICATION FOR APPROVAL OF RESERVED MATTERS

Applicant: Property Services - Walsall
Agent: Sheppard Robson Architects
Ms Renza La Sala
77 Parkway
Camden Town
London
Greater London
NW1 7PU

Site: Grace Academy Darlaston, Herberts Park Road, Darlaston, Wednesbury, WS10 8QJ

Application No: 10/1624/RM

Particulars of Development: Reserved Matters following permission 09/1130/OL for 1500 place school (including submissions on various matters required by conditions 1,2,3,4,5,6,7,8,9,10,11,12,13,14, 15,16,17,18,20,21,22,23,24,27,28,29,34,35,36,37,38,40 relate).

Walsall Council, as Local Planning Authority, hereby gives **APPROVAL TO RESERVED MATTERS** for the development described above, as shown in the plans which accompanied the application.

Subject to the following conditions and reasons:

The following conditions of planning permission reference 09/1130/OL are discharged subject to the works being carried out in accordance with the submitted details:

1A, 2(a), 2(b), 2(d), 2(e), 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14a-f, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 27, 28, 29, 33 and 34

Condition 1B - will be discharged subject to the works being carried out in accordance with the submitted programme.

The following conditions of planning permission reference 09/1130/OL are to note or are not discharged:

19, 26, 30, 31, 32, 35, 36, 37, 38, 39

Subject to the following additional condition:

A) The following plans are the approved plans in relation to the Reserved Matters Submission:

00_003 rev C - Site Plan Proposal

00_004 rev B - Site Plan Grouting Locations

Regeneration, Planning and Building Control, Walsall Council, The Civic Centre, Darwall Street, Walsall, WS1 1DG

Telephone: 01922 652452 Translation: 01922 652426 Textphone: 0845 111 2910 Fax: 01922 623234

Email: planningservices@walsall.gov.uk Website: www.walsall.gov.uk/planning

00_101 rev F - Site Plan - Master Plan
 00_201 rev C - Site Plan Vehicular Access Strategy
 00_814 rev C - View of the Teaching Clusters
 00_815 rev B - View of the Main Atrium
 00_817 rev B - Teaching Cluster - Section
 20_101 rev G - General Arrangement - Ground Floor
 20_102 rev G - General Arrangement - First Floor
 20_103 rev G - General Arrangement - Second Floor
 20_104 rev G - General Arrangement - Roof Plan
 20_111 rev E - Faculty Adjacency - Ground Floor
 20_112 rev E - Faculty Adjacency - First Floor
 20_113 rev E - Faculty Adjacency - Second Floor
 20_114 rev D - General Arrangement - Staff & Student Circulation Ground Floor
 20_115 rev D - General Arrangement - Staff & Student Circulation First Floor
 20_116 rev D - General Arrangement - Staff & Student Circulation Second Floor
 20_117 rev C - General Arrangement - Community Access Ground Floor
 20_118 rev C - General Arrangement - Community Access First Floor
 20_119 rev C - General Arrangement - Community Access Second Floor
 20_131 rev C - General Arrangement Circulation Ground Floor
 20_132 rev C - General Arrangement Circulation First Floor
 20_133 rev C - General Arrangement Circulation Second Floor
 20_251 rev F - Internal Elevation of Typical Classrooms / 02 - East
 20_252 rev F - Cross Through Learning Support / 03 - End of Hub
 20_255 rev E - 07- North Elevation, 09-North Western Elevation
 20_257 rev F - 08 - Unwrapped elevations Teaching Hubs
 21_202 rev G - Bay Studies Entrance Curtain Wall / Canopy / Sports
 21_205 rev F - Bay Study E End of Hub Elevation Curtain Walling
 21_206 rev C - Bay Study F Hub Rooflight
 21_210 rev D - Bay Study Atrium Roof Plan Section 3DBay
 21_211 rev C - Bay Study Atrium Roof RCP
 21_212 rev B - Bay study of Service Yard
 29_100 rev D - Fire Strategy - Master Plan
 29_101 rev G - Fire Strategy - Ground Floor
 29_102 rev G - Fire Strategy - First Floor
 29_103 rev G - Fire Strategy - Second Floor
 29_104 rev F - Fire Strategy - Roof Plan

In addition the following information has been submitted in relation to the following specific Outline Planning Conditions:

OPC 1B

- Construction Programme C3079

OPC 2C

- drawing 4190-21-212.

OPC 5

- drawing PL1074.GA.109 E.

OPC 9

- 'Acoustics Report on Architectural & Design Proposals'
 - Drawings B6460-D-A001, B6460-D-A002, B6460-D-A003.

OPC14 A-F

'School Travel Plan 2011-2013'.

OPC18

- 'Preliminary Detailed Quantitative Risk Assessment for Controlled Waters - May 2011',
- 'Construction Programme',
- 'Geo-environmental Assessment - March 2011',
- 'Level 3 Model Inputs',
- 'Level 3 Model Outputs',
- 'Level 3a Model Inputs',
- 'Level 3a Model Outputs',
- 'Gasometer Level 3',
- 'Gasometer Level 3a',
- 'Sanctus Remediation Statement - June 2011').

OPC20

- drawing 2032-D-4002,
- 'Storm Network03 Area Definition',
- 'Storm Network03 Summary Results'.

OPC25

- Works Programme Dated 30/06/2011
- Drawing DD 41841

OPC32

- 'Written Scheme of Investigation for a Watching Brief' by Martin Cooke',
- 'Brief for Archaeological Work' by Mike Shaw'.

OPC35

- drawings PL1074.GA.100 I, PL1074.GA.109 E.

Reason: In order to define the permission.

Summary of Reasons for Approving Planning Permission

The Development Plan seeks to improve education facilities, parks and open spaces. The conclusion is reached that the terms of this decision achieve those objectives.

The issues about security, wildlife, fencing, and the protection of an adjoining dwelling raised at outline stage are addressed through conditions on then outline and the details approved in this application, including the retention of a length of concrete fence, for the benefit of residents. Landscaping is appropriate as proposed.

There are possibly rights of way through the park. There are no definitive footpaths in the park. There could be prescriptive rights of way, but this is not an issue that can be resolved by the planning process.

The value of the routes through the park from Herberts Park Road to Wolverhampton Street (whatever their legal status) needs to be weighed against the gains to the community from the creation of an improved school, but the conclusion is reached that the proposal is acceptable in these terms. A pedestrian access into the school, from the north, is required by a condition of the outline permission.

Revisions to the school's Travel Plan are proposed, and this is controlled through a condition to deliver the related benefits to the environment. The noise emissions, and emissions to air have been tested for their impacts on residents and the area, and judged to be acceptable.

Ground conditions are recognised to be sensitive. Conditions are imposed to control this, and ensure satisfactory actions.

The proposed development is considered to comply with the relevant policies of the development plan, in particular The Vision, Strategic Objectives, policies CSP1, CSP4, CSP5, HOU2, ENV1, ENV2 and ENV3 of the Black Country Joint Core Strategy, saved policies 2.2, GP2, GP4, 3.6, 3.7, 3.16, 3.17, ENV18, ENV23, ENV32, ENV33, LC1, LC6, T7, and T13 of Walsall Unitary Development Plan and the provisions of the Greenspace Strategy Audit and Assessment report (2006), the Designing Walsall SPD, the Natural Environment SPD, PPS25, PPG9, PPG15, PPG17, and PPG24 and, on balance, having taken into account all material planning considerations, the proposal is acceptable

Date of Decision: 1 July 2011

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Civic Centre, Darwall Street, Walsall, West Midlands. WS1 1DG

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES

Note: If you would like further information or clarification of the reasons for this decision contact the planning case officer Andrew Thompson on 01922 652403 or planningservices@walsall.gov.uk. If you would like information in another language or format contact the Planning helpline on 01922 652452, Textphone 0845 111 2910 or Translation Line 01922 652426.

Notes for Applicant:

- i This permission does not grant approval under the Building Regulations 2000 for which a separate application may be required. You are advised to contact the Building Control Section on telephone helpline number 01922 652408 should you require further advice.
- ii This permission does not grant approval or in any way overrides the requirement to comply with any restrictive covenant(s) that may be on the land. You should be aware that there is a risk involved in proceeding with development without clarifying whether there are any relevant covenants relating to the property.
- iii Your attention is drawn to the Party Wall Act 1996. If you intend to carry out building work which involves:
 - work on an existing wall shared with another property;
 - building on the boundary with a neighbouring property;
 - excavating near a neighbouring building;

you should find out whether that work falls within the scope of the Act. If it does, you must serve the statutory notice on all those defined by the Act as adjoining owners. You may wish to seek professional advice. However, two guidance booklets have been published entitled "The Party Wall etc. Act 1996: Explanatory Booklet" or "A Short Guide to the Party Wall etc. Act 1996", both are available from ODPM Free Literature, PO Box 236, Wetherby, West Yorkshire, LS23 7NB. Tel: 0870 1226 236, Fax: 0870 1226 237. This document is also available on the ODPM website: <http://www.safety.odpm.gov.uk/bregs/walls.htm>

Walsall Academies Programme
Darlaston Academy
Project Risks - May 2011

No.	Risk Heading	Description	Consequence	Allocation				Owner	Mitigation Action	Likelihood	Impact	Rating	Comment
				Local Auth	Acad Trust	Contractor	Shared % LA						
0.3	Team roles, responsibilities and competencies												
0.3.1	Disruption to project staff structure and individuals	Including staff being redeployed, unavailable for significant period	Potential project delay				x	All	Communications strategy and shared ownership, plan ahead	3	4	12	
0.4	Management Structure, lines of authority and communication												
0.4.1	Buildings and ICT integration	Liaison with Building contractors a lack of clarity of who is responsible for what	Lack of interface		x	x		Kier	Ensure early and significant communication between all parties and ensure all are aware of who is responsible for what. Interface agreement to be part in place. AR sto include ICT Interface wording.	4	4	16	
0.5	Programme, Information Release, decision making, timing and adequacy												
0.5.1	Judicial Review on planning decisions	On decision to permit	Project delayed and potential increase in costs	x					Ensure all documentation available and processes rigorously followed	3	5	15	
0.5.2	Programme Slippage	Slippage in the Academy building programme resulting in less time for installation and commissioning of ICT systems.	Project delay		x				Regular review of building progress. If slippage, then request phase hand over. Set priorities to allow phased installation, e.g. server room, switch rooms. Work with ICT equipment supplier to arrange for much of the equipment to be configured off site	3	4	12	
2	Construction and Development Risks												
2.1	Asbestos	Contractor is unable to cary out Type 3 Asbetos survey due to the building being in use, and asbestos is discovered which exceeds the amount included in the Provisional sum and removal takes longer than planned	Delay caused to the works and/or dealing with the asbestos leads to additional costs and Compensation arises	x				LA	LA to ensure that costs are in place to meet any excess costs	3	5	15	
2.2	Existing Services	The cancellation and capping of services to existing neighbourhood management office and school may delay demolition	Delays and/or increased costs result and a Compesation Event arises	x				LA	Contractor to work with LA to inform all of proposed terminations in sufficiet time	5	5	25	
2.3	Access to Site	Children could access the site	Accidents or death			x		Kier	Construction phase H&S plan to address this issue if applicable. Heras fencing to be erected and appropriate signage to be installed warning childern and parents of the danger. Visit to local schools to be organised by Moss H&S Manager	3	5	15	
2.4	Contamination beneath existing buildings	Contractor is responsible for the cost and time consequences of the discovery of any unforeseen ground conditions unless such adverse ground conditions are found under existing buildings or other erections and therefore could not be investigated. Subsequently during the course of the works, adverse ground conditions are found under the existing buildings/hardstandings	Delay caused to the works and/or dealing with the asbestos leads to additional costs and Compensation arises	x		x		LA/Kier	Contractor soil report reviewed by CD/WSP at ITT stage and small hotspots identified and allowed for within tender figure. Further surveys requested by Structural/Civil Engineer to investigate possibility of reducing foundation design/costs	2	5	10	
4	Operational Issues												
4.1	Maintaining the seamless functionality of the existing services throughout the changes with no impact on delivery	During re-shaping of services and construction / commissioning	Service interruption		x				The proper identification of the services requirements	4	4	16	
4.2	impact on the delivery of services during the building works	Noise, dust, etc	Service quality			x		Kier	Ensure proper evaluation of the Bidders Proposals with regards to managing the works adjacent to the live school.	4	4	16	

ACADEMIES - PROJECT FUNDING AND CASH FLOW

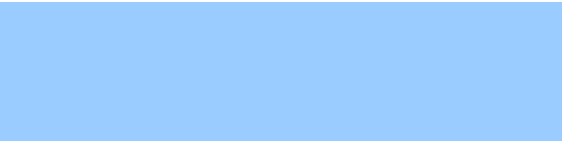
Local Authority	Walsall
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Estimated FBC Date	Jun-11
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Academy	Milestones				Funding (£k)					
Name	Financial close (/ Funding released)	Automatic check	Manual check	Academy buildings open	Construction CapEx	ICT	ICT VAT	Conventional + ICT	11-12	12-13
		Jul-11								
Grace Academy Darlaston ICT Hardware plus VAT	Jun-11	1	0	Feb-13		2,175,000	435,000	2,610,000	0	2,610,000
Grace Academy Construction	Jun-11	1	0	Feb-13	22,010,325			22,010,325	13,688,794	8,020,995.90
Project Support Funding		0	200000		200,000			200,000		
Mineshaft Treatment	Jun-11	1	0		175,000			175,000	175,000	
		0						0		
		0						0		
		0						0		
		0						0		
Total					22,385,325	2,175,000	435,000	24,995,325	13,863,794	10,630,996

Notes:	
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13-14	14-15	15-16	11-12					12-13				
			Jun	Sep	Dec	Mar	Total	Jun	Sep	Dec	Mar	Total
0							0		1,305,000	1,305,000		2,610,000
300,535.02			2,633,878.01	2,472,391.57	2,646,801.92	5,935,722.58	13,688,794.08	2,930,696.45	3,337,175.94	935,799.10	817,324.41	8,020,996
							0					0
			175,000				175,000					0
							0					0
							0					0
							0					0
							0					0
300,535	0	0	2,808,878	2,472,392	2,646,802	5,935,723	13,863,794	2,930,696	4,642,176	2,240,799	817,324	10,630,996



13-14					Beyond
Jun	Sep	Dec	Mar	Total	
				0	0
300,535.02				300,535	0
				0	0
				0	0
				0	0
				0	0
				0	0
				0	0
				0	0
300,535	0	0	0	300,535	0