

Cabinet – 19 June 2019

School Place Planning and Expansions

Portfolio: Councillor Towe, Education and Skills

Service: Children's Services

Wards: All

Key decision: Yes

Forward plan: Yes

1. Aim

To increase the number of places for post 16 students at Castle Business and Enterprise College, an outstanding Walsall school for children with special educational needs and disabilities.

2. Summary

- 2.1 This report seeks approval to site a modular building at Castle Business and Enterprise College, a school judged by Ofsted to provide outstanding education.
- 2.2 This modular build will provide an additional 35 places in an outstanding provision for post 16 students. These places will be in addition to the 30 special school places already approved by Cabinet in October 2017.
- 2.3 This is a key decision as the decision to be taken in this report will be significant financially and will also impact on two or more wards.
- 2.4 Proposals detailed in this report will have a positive and sustained impact on the objectives and priorities set out in the Council's Corporate Plan and the Council's longer term education capital strategy.

3 Recommendations

- 3.1 That subject to planning permission, Basic Needs funding of circa £1m, to create a further 35 special school places at Castle Business and Enterprise College, be approved.

4 Report detail

Context

- 4.1 An increase in pupil numbers at Castle Business and Enterprise College has highlighted the requirement for additional classroom provision to create a further 35 school places. This additional capacity is as well as the 30 places already being delivered through the current expansion of the school approved by Cabinet in October 2017.
- 4.2 It is proposed, subject to planning permission, to utilise a three room modular building, purchased as part of the school expansion programme to meet the projected increase in special school places.

Council Corporate Plan priorities

- 4.3 The proposals to create additional pupil places at an outstanding special school to meet identified need and improved educational outcomes contained within this report primarily support the Council's Corporate Plan priority, that children have the best start and are safe from harm, happy, healthy and learning well.

Risk management

- 4.4 A shortage in specialist school places in Walsall means that school children may not be able to access a place at their nearest appropriate school, with placements being made in out of borough schools, including independent non-maintained schools.
- 4.5 Utilising the modular building to meet the need for additional places eliminates the risk of abortive costs as all costs associated with the build, siting of the unit, furniture, fittings and equipment can be capitalised from Basic Needs grant.

Financial Implications

- 4.6 The forecast cost for the existing approved expansion at Castle Business and Enterprise College to create an additional 30 places is an estimated £3m (including abnormal and other additional costs e.g. ICT, equipment, etc.) as reported to Cabinet on 20 March 2019.
- 4.7 The need for a further 35 additional places at Castle Business and Enterprise College has subsequently been identified to meet an increase in pupil numbers at Castle Business & Enterprise College, requiring 3 additional classrooms.

- 4.8 Integrated Facilities Management (IFM) have confirmed that a 3 classroom modular building built to meet the projected need for additional special school places is suitable to meet this requirement. The modular building cost £0.460m to build the structure. It is estimated a further £0.540m will be required to site the building at Castle Business and Enterprise College and bring the building into use. The total cost to create the additional 35 places is circa £1m, funded from Basic Needs.
- 4.9 Utilising the modular build to meet the addition need identified at Castle Business and Enterprise College will ensure all costs associated with the build, siting of and bringing into use, are Basic Need grant eligible and can be capitalised.
- 4.10 All expansion projects are funded from the Basic Need Capital fund which is a grant allocated by the Education and Skills Funding Agency (ESFA) to local authorities, based on pupil place number forecasts, to deliver additional places needed in schools to meet expected demand.
- 4.11 The on-going increase in revenue funding for supporting the additional children is planned to be met from within existing High Needs block funding of Walsall's dedicated Schools Grant. In relation to special schools this funding will be allocated to these schools as places created are occupied.
- 4.12 The Council is currently working with the Education Skills and Funding Agency (ESFA) and external partners to identify where improvements can be made to the Children's capital strategy so that greater efficiencies and improved value for money can be achieved. The table below shows that the cost per additional pupil place that will be created is within the ESFA's recommended benchmark cost.

Total cost of Expansion	No additional places	Cost per additional place created	ESFA recommended cost per place
£4,002,792	65	£61,581	£67,379

- 4.13 Previous expansion schemes have incurred additional costs above projected budgets as a result of unforeseen circumstances including ground works. It is therefore prudent to ensure the full Basic Need allocation available is not fully committed. Due to this, Children's services hold a separate contingency fund for all school expansion schemes funded from Basic Need funding. If costs do not exceed the budgeted estimate, some Basic Need funding would remain uncommitted at the end of the project. This will then be carried forward into future years for further projects.

Legal Implications

- 4.14 It is the responsibility of the local authority to ensure that it acts in accordance with the relevant legislation, in this case The School Organisation (Prescribed

Alterations to Maintained Schools) (England) Regulations 2013, when making changes to a maintained school.

- 4.15 A local authority has a statutory duty, under Section 14 of the Education Act 1996, to ensure that there are available in its area sufficient schools "in number, character and equipment to provide for all pupils the opportunity of appropriate education". Local authorities can propose an enlargement of the premises of community, foundation and voluntary schools ; when doing so, they must follow the statutory process as set out in the 'Prescribed Alterations Regulations'.
- 4.16 Sections 27 (1) and (2) of the Children and Families Act 2014 and The Special Education and Disability Regulations 2014 (which supplement Part 3 of the Children and Families Act 2014) requires local authorities to keep the provision for children and young people with Special Educational Needs and disabilities under review (including its sufficiency), working with parents, young people and providers (SEND Code of Practice, January 2015 Chapter 4).

Procurement Implications/Social Value

- 4.17 The appointment of a contractor for the school expansion works in preparation for the September 2019 pupil intake was via the Solihull Metropolitan Borough Council Framework Agreement. It is proposed that the Additional work to be undertaken at Castle Business and Enterprise College will also be undertaken by the same contractor in addition to the already agreed works.
- 4.18 It is permissible within the Framework Agreement to increase the scope of works with the existing contractor to carry out this work without the need to go back out to tender.
- 4.19 Prior to entering the Solihull Metropolitan Borough Framework Agreement Social value was tested and considered to be satisfactory to meet the Councils requirements as set out in the its Social Value Charter. Therefore no concerns have been identified with the proposal to increase the scope of works with the current contractor.

Property implications

- 4.20 The siting of the modular building at Castle Business and Enterprise College will require planning permission.

Health and wellbeing implications

- 4.21 The modular building will provide fit for purpose classroom space in line with current building design recommendations. In relation to the Marmot principles the most relevant principles in line with pupil place planning with school expansions is that enabling all children and young people to maximise their capabilities and to have control over their lives.

Staffing implications

- 4.22 There are no known staffing implications associated with the proposal in this report.

Reducing inequalities

- 4.23 It is of crucial importance to the Council's strategic objectives that the young people of Walsall are able to access the right provision to meet their needs in order to achieve the appropriate qualifications, progressing to employment and / or training and to make a positive contribution within the Borough in the future.
- 4.24 The proposal ensures access to an additional 35 high quality school places, at a school judged by Ofsted to be outstanding, that are attractive to parents and young people, which meet their needs and improve educational outcomes.

Consultation

- 4.25 A this proposal will increase the capacity of Castle Business and Enterprise College, a community special school, by more than 20 pupils, the Local Authority will follow the statutory process set out in the School organisation prescribed Alterations to Maintained Schools, England, Regulations 2018, for making prescribed alternations.

5 Decide

Cabinet approval to create additional places at Castle Business and Enterprise College, judged outstanding by Ofsted, will increase the number of specialist school places, in the Borough which in turn reduces the need to transport children to out of borough school placements.

6 Respond

Subject to Cabinet approval, a formal consultation will begin to increase the numbers of children at the school so that the modular can be utilised to its best capabilities.

7 Review

A detailed SENDI review is planned to establish the current and future need for pupil places across Walsall as a whole. This review will establish where more specialist places may be required in future or determine that Walsall has sufficient capacity to accommodate the SENDI requirements of children within the borough.

The placement of the modular unit at Castle Business and Enterprise College will be reviewed to confirm that this action has had the predicted impact and to inform any further actions that may be deemed necessary.

Background papers

DfE	Making 'prescribed alterations' to maintained schools (2018)
Cabinet:	October 2017
Cabinet:	December 2017
Cabinet:	April 2018
Cabinet:	October 2018
Special Cabinet:	November 2018

Authors

Alex Groom
School Organisation Manager

☎ 01922 652583

✉ alex.groom@walsall.gov.uk

Andrea Potts
Assistant Director Children's Services

☎ 01922 654599

✉ andrea.potts@walsall.gov.uk



Sally Rowe
Executive Director
11 June 2019



Councillor Towe
Portfolio Holder
11 June 2019