



<b>Report to:</b>	<b>SCHOOLS' FORUM</b>
<b>Date:</b>	29 September 2020
<b>Reporting Officer:</b>	Tim Bowman – Assistant Director Education
<b>Subject:</b>	<b>SCHOOL CONDITION CONTRIBUTION PROTOCOL</b>
<b>Report Summary:</b>	This report outlines the local authority's proposed protocol for contributions towards school condition schemes, previously agreed through the Asset Management Planning and Advisory Group.
<b>Recommendations:</b>	<p>It is recommended that:</p> <ul style="list-style-type: none"> <li>• The School Condition Contribution Protocol is agreed and implemented from 1 October 2020</li> <li>• The local authority will ask for a contribution towards all school condition schemes. The contributions will be £10,000 for primary schools and £25,000 for secondary schools.</li> </ul>
<b>Corporate Plan:</b>	The proposals contained within this report will support the delivery of the Corporate Plan.
<b>Policy Implications:</b>	In line with approved policy.
<b>Financial Implications:</b> (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	The proposed protocol would support affordability of schools capital schemes, and support the council in improving the quality of the school asset base throughout the borough.
<b>Legal Implications:</b> (Authorised by the Borough Solicitor)	In the interests of transparency and fairness an annual programme should be published together with all contributions and exceptions made and the reason for doing so.
<b>Risk Management:</b>	As outlined in the report.
<b>Access to Information:</b>	<b>NON-CONFIDENTIAL</b>
	<b>This report does not contain information which warrants its consideration in the absence of the press or members of the public.</b>
<b>Background Information:</b>	<p>The background papers relating to this report can be inspected by contacting Catherine Moseley – Head of Access Services, Access, Learning, Children's Services</p> <p> Telephone: 0161 342 3302</p> <p> e-mail: Catherine.moseley@tameside.gov.uk</p>

## **1. INTRODUCTION AND BACKGROUND**

- 1.1 Day to day management and responsibility for the safety and use of school buildings and their sites rests with the Governing Body of the school. However, inevitable wear and tear of school buildings requires condition works to be carried out.
- 1.2 Schools receive some funding for condition work through Devolved Formula Capital and the Council also receives an allocation from government. The combined amounts are less than the value of work required.
- 1.3 Condition surveys have been carried out to prioritise the work that needs doing and funding is allocated against these priorities by the Education Capital Programme Board.
- 1.4 This Protocol seeks to reinforce a previous agreement with schools for a contribution scheme towards condition works. This will ensure maximum impact with the limited funding available.
- 1.5 The 'lead' for education capital projects sits with the Head of Access Services reporting to the Assistant Director of Education.
- 1.6 Delivery of capital projects is commissioned through the Capital Projects Team who sit in the Growth Directorate of the Council.
- 1.7 This report sets out our understanding of the existing condition funding protocols and proposes how the programme will work going forward from 1 October 2020;
- 1.8 This report assumes that the Council will continue to receive annual capital conditions funding from the Government to support the schools for which it is responsible;
- 1.9 This report relates to Local Authority community and voluntary controlled schools only (Academies and Voluntary Aided schools are not eligible for maintenance funding from the Council).

## **2. GENERAL PRINCIPLES**

- 2.1 Day to day management and responsibility for the safety and use of school buildings and their sites rests with the Governing Body of the school;
- 2.2 Governing Bodies should arrange to undertake appropriate planned and preventative maintenance. In order to undertake these obligations, schools receive annual capital allocations through Devolved Formula Capital (DFC) and annual revenue allocations via their schools budgets;
- 2.3 The Local Authority also receives an annual capital allocation from government for undertaking work at schools including condition and modernisation work, and which is used to support the annual Building Maintenance Programme;
- 2.4 There is plenty of evidence of good practice in Tameside Schools that this fund has been well managed to date, where working relationships between the authority's, Capital Projects Team and school staff have provided positive improvement to school buildings.
- 2.5 The funding received to support condition work is never sufficient to cover all proactive and reactive works. This Protocol is to ensure that there are appropriate contributions from all parties towards condition work. Schools will be expected to fund minor condition projects from within their DFC allocation up to a value of £10,000 for primary schools and £25,000 for secondary schools.

2.6 Funding for other capital works, such as the purchase of IT equipment, is not covered under this protocol.

### 3. PRIORITIES

3.1 Investment is prioritised on keeping school buildings safe and in good working order by tackling poor building condition, building compliance, energy efficiency, and health and safety issues. The evidence used to prioritise programmes are identified as follows:

- by school condition surveys carried out at the start of 2020;
- by evidence provided by schools themselves directly or via their appointed consultants, if they employ these;
- as a result of urgent surveys that are required to be undertaken in respect of particular concerns if and when they arise unexpectedly;
- as a result of Government initiatives and where the Council considers it prudent and where there might be an opportunity to progress a project.

### 4. EXISTING PROTOCOL

4.1 In 2006, the Council agreed the following levels of contributions from schools through the Asset Management and Planning Advisory Group.

#### Primary and Special Schools

Scheme Minimum Value	Scheme Maximum Value	Percentage of Scheme Value	Years of Devolved Formula Capital
£1	£100,000	25%	N/A
£100,001	£200,000	25% (up to Maximum of 1 years DFC)	
£200,001	£500,000	N/A	2
£500,001	£1,000,000	N/A	3
Over £1,000,000		N/A	3

#### Secondary Schools

Scheme Minimum Value	Scheme Maximum Value	Percentage of Scheme Value	Years of Devolved Formula Capital
£1	£100,000	50%	N/A
£100,001	£200,000	N/A	1
£200,001	£500,000	N/A	2
Over £500,001		N/A	3

### 5. CONCERNS ABOUT EXISTING PROTOCOL

5.1 It is clear that the existing protocol has not been applied consistently across all schools.

- 5.2 There has been a lack of clarity with regard to how much schools should contribute if they are undertaking other building maintenance work, which is not funded through the Building Maintenance Programme.
- 5.3 There has been a lack of clarity with regard to the level of contribution that should be made in respect of multiple schemes undertaken at schools, either in the same year, or in subsequent years.
- 5.4 The protocol makes no allowance in respect of the size of the school i.e. a small primary school is expected to pay the same contribution as a large secondary.

## **6. SCHOOL FUNDING GROUP**

- 6.1 A report on the proposed School Condition Contribution Protocol was discussed by the Schools Funding Group on the 28 April 2020. The report included a number of different proposals on how the contribution element of the proposed Protocol could work
- 6.2 The purpose of the discussion was to gauge opinions from members of the group and to gain an understanding of what the preferred option for schools would be.
- 6.3 The following options were put forward to the group along with a briefing note outlining the advantages and disadvantages of each option:

**Option 1** - The Council will ask for a contribution of £10k for primary schools and £25k for secondary schools to schemes costing more than these amounts. The Council will then contribute the rest of the amount.

**Option 2** - As with Option 1, the Council will ask for a contribution of the first £10k for primary schools and £25k for secondary schools. An additional amount of £50 per pupil will also be contributed. This would enable better differentiation between schools of different sizes, and will reflect the different levels of annual funding allocated to schools of different pupil sizes.

## **7. FEEDBACK FROM THE SCHOOL FUNDING GROUP**

- 7.1 All members of the group were unanimously in support of contributing to school condition schemes. The general consensus was that schools would not be opposed to contributing an amount in order to make the school condition budget go further, providing there was a fair way of prioritising the schemes.
- 7.2 The response to the two options was mixed, with some members of the group believing that the size of the school and number of pupils should be taken into consideration (**Option 2**) when calculating the contribution amount, whilst others felt that one sum for all schools would be the better option (**Option 1**).
- 7.3 As both options include an initial contribution of £10,000 for primary schools and £25,000 for secondary schools, it is recommended that **Option 1** is initially implemented with a review taking place in April 2021.

## **8. PROPOSED NEW FUNDING PROTOCOL (OPTION 1)**

- 8.1 The Council will ask for a contribution of £10k for primary schools and £25k for secondary schools to schemes costing more than these amounts. The Council will then contribute the rest of the amount to agreed schemes.

8.2 An illustration of what contribution this would result in is as follows:

- The full scheme cost at a primary school is £45,000, the school will contribute £10,000 and the Council will contribute £35,000.
- The full scheme cost at a secondary school is £75,000, the school will contribute £25,000 and the Council will contribute £50,000.

## **9. CONSIDERATIONS**

9.1 Where schools do not have sufficient funds to contribute, consideration will be given to enable such funds to be made available to schools and for this to be subsequently re-paid over future years. Consideration into the school's overall financial position will be taken into account.

9.2 In order for the protocol to work effectively, in the interests of all schools, the Council will seek to apply the protocol consistently. However, in order to protect the interests of individual schools and their pupils, the Council will be ultimately responsible for deciding whether the protocol should be varied, in specific instances, but it will be stated why exceptions have been made.

9.3 As available funds are limited, the intention in delivering this proposal is to ensure that the limited funds the local authority holds will go further and improve facilities for more children.

## **10. MULTIPLE SCHEMES**

10.1 The new protocol will be applied to all schemes individually, but consideration will be given to schools with multiple projects identified as priority works over a short period of time, for example, where a school requires a new roof and a replacement boiler within the same year.

## **11. OTHER BUILDING LIABILITY WORKS**

11.1 As noted in Paragraph 2.1 above, schools and their Governing Bodies remain responsible for the day to day management of their school buildings and to ensure that they remain safe for pupils, staff and visitors. Schools will therefore remain responsible for undertaking the wide range of planned and preventative maintenance work and other day to day building liabilities.

11.2 Schools may require urgent works that were not previously identified. Where such work is required, it will follow the same funding protocols as the other scheduled works and will be approved by the Education Capital Programme Board.

## **12. CAPITAL MAINTENANCE PROGRAMME FROM 2020**

12.1 The Council has commissioned condition surveys for all voluntary controlled and community schools and this will form the basis for the capital programme for the next five years. Condition surveys will be updated on a rolling basis from 2020 onwards.

12.2 As set out in paragraph 3.1, the Council want schools to be able to access funding to support urgent works that have not been identified in the condition surveys and so have developed an application process for schools.

12.3 An application pro-forma will be provided, with the expectation that schools provide evidence proportionate to the scale of the project, especially noting the priorities stated in section 3.

- 12.4 Applications will be considered by the Education Capital Programme Board within a term and decisions will be made based on the urgency of the work set against the urgency of the work identified through the condition surveys.
- 12.5 The expectation is that the majority of schemes that are approved will be for completion within the financial year in which the funding is allocated. Only in exceptional circumstances will schemes be approved that will take longer to deliver.

### **13. RECOMMENDATIONS**

- 13.1 As set out at the front of the report.