

Report subject	Canford Heath Infant & Junior Schools- New Resource Base Provision
Meeting date	14 April 2024
Status	Public Report with Exempt Appendix
Executive summary	As part of the Council's SEND Improvement agenda, work is underway to increase the sufficiency of specialist places and promote inclusion in mainstream schools. Within one of several schemes in development, the Council is working with Teach Trust to co-locate specialist places for children with speech, language and communication needs at Canford Heath Infant and Junior Schools. The scheme will provide a total of 35 resource base places for children with an Education, Health and Care Plan from January 2025. This is made up of 20 places at Canford Heath Infant School and 15 places at Canford Heath Junior School. The scheme comprises internal remodelling and the co-location of purpose-built modular accommodation using the Council's high needs specialist provision capital grant funding allocated by the Department for Education.
Recommendations	It is RECOMMENDED that: Cabinet approves the total project budget as contained in Appendix 1 (Exempt). This will enable the scheme to progress in line with the project programme set out in paragraph 18. The project is fully funded from the Council's high needs specialist provision capital grant allocation.
Reason for recommendations	In accordance with the Council's statutory duty, the project increases the availability of local places for local children and supports the Council's strategy to achieve cost savings in line with the Dedicated School Grant Recovery plan.
Portfolio Holder(s):	Councillor Richard Burton, Portfolio Holder for Children and Young People
Corporate Director	Cathi Hadley, Director of Children's Services
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Wards	Canford Heath
Classification	For Recommendation

Background

1. The Council is experiencing increased demand for specialist places and there is significant pressure on the high needs budget. As part of the council's response to delivering improvements across our special educational needs service, the Council has developed a programme of expansion. Through targeted investment across the school estate, the programme was designed to increase the availability of cost-effective specialist school places locally to reduce the council's reliance on costly independent placements and promote inclusion in mainstream schools.
2. This work started in February 2022 and was initiated following an invitation to all schools in BCP to express an interest in co-locating/expanding and establishing additional places and provision to meet increased need for children with autism spectrum disorder, speech, language and communication needs and social, emotional and mental health needs. Current data indicates there is an urgent need for places for primary school age children with speech, language and communication needs with an Education, Health and Social Care Plan. It will be important to ensure that placement decisions take account of the onward pathway for children allocated a place in the infant school so that they are able to progress to the junior school as appropriate.

3. The programme delivers increased provision by utilising the existing school estate to co-locate facilities and expand provision to provide new and expanded resource base provision, graduated pathways and satellite locations of existing special schools. It is envisaged that children will benefit from the mutual learning and interaction opportunities offered by a co-located specialist provision, and this helps to support the Council's priority to promote inclusion in mainstream schools and strengthen existing partnerships.
4. Schemes to be delivered are organised across 4 Tranches. Schemes in Tranche 1 are all complete and delivered a total of 40 places in 2022 and 2023. Schemes in Tranche 2 are at different stages with one scheme complete (30 places delivered in 2023). A further two projects are the subject of this report – namely Canford Heath Infant and Canford Heath Junior resource base provisions.

Issues

5. **Proposed Project:** Canford Heath Infant and Junior schools provide mainstream places for children aged 4 to 7 and 7 to 11. The schools are mainstream academies located on adjacent sites and operated by the Teach Trust. It is proposed that a discrete resource base is opened in each school providing 15 places for the infant school and 20 places for the junior school. The provision will provide a pathway for children with speech, language and communication needs to progress through Early Years to the end of Key Stage 2.
6. Places will be allocated by the Council under the special educational needs code of practice. The capacity of the school for children placed under the locally co-ordinated admission scheme will remain unchanged with 120 places in each year group at each school.
7. **Business Case:** The proposal, including a full business case, was evaluated by BCP Council. A business plan has also been submitted to the Department for Education Regional Director for the Southwest as part of the work necessary to agree to a significant change to an open academy. Key features of the business case are as follows:
 - This scheme forms part of a coherent plan to expand places for children with speech, language and communication needs. The proposal has local support from families/parents/carers.
 - Teach Trust have the expertise to deliver the provision and establish the resource and has sufficient resources including appropriate governance, structure, staffing and financial health to ensure the provision of the SLCN bases is sustainable.
 - Canford Heath Infant School was given the Ofsted judgement of "Outstanding" in March 2023. The Junior School was given an Ofsted judgement of "Good" in October 2023.
 - The scheme will provide an all through primary pathway. This will provide local places for local children, help reduce reliance on the independent sector, promote sustainable travel and provide opportunities for future cost avoidance.
8. **Project Management:** Working in partnership with the Trust, the design and construction of the resource bases is being managed by BCP's in house project management team working with Children's Services who take on the role of client. The Council is working with the appointed contract administrator and cost consultant, to ensure that the project objective is achieved within agreed tolerances.
9. **Scheme Outline:** An options appraisal has been undertaken to best determine how to deliver the bases and relocate the displaced functions of the schools and Trust. Further survey investigations and design work are being undertaken to refine the cost estimate for the works. Subject to Council approval of the budget recommended in the report, the project will proceed to refine the design until we are in a position to procure a contractor or contractors to carry out the works. The investigations, assessments, design development and approvals procedures undertaken during the pre-construction stage are outlined below.

10. **Feasibility Study:** A consultant team appointed by BCP Council carried out a feasibility study for the scheme to present options of suitable locations for modular buildings to accommodate the displaced admin and music spaces, identify risks to the budget and programme, and draw up a cost estimate.
11. **Design:** To inform the feasibility study, the consultants assessed the proposed locations for the resource bases against the Department for Education's recommended room sizes set out in building bulletin 104 and identified options for displaced functions in external modular buildings.
12. Teach Trust proposed locations in the main building of the infant and junior schools that are suitably located to accommodate resource base children and ancillary learning resource rooms. As a result of this, the existing functions of these rooms (finance office, infant music room, junior music room) will be displaced and alternate accommodation needs to be provided on site.
13. This is a complex scheme involving conversion and extension of existing spaces, relocation, remodelling and refurbishing existing facilities, provision of sensory and one to one learning spaces, increased toilet provision and additional accommodation to achieve a reconfiguration of accommodation across both schools. The scheme includes a capital budget allowance for the furniture, fixtures and equipment and information communications technology (ICT) that is required to equip the new resource provisions. The main capital budget includes the supply and installation of a covered, dedicated external play space with play equipment for the infant base to meet the requirements of the Early Years Foundation Stage curriculum.
14. **Site investigations:** Geotechnical investigations, asbestos surveys, an arboriculture survey, ground scans and soakage testing have been undertaken to determine where there are any potential risks to construction that need to be mitigated during the design process. These investigations have not identified any significant risks to the construction of the new modular buildings, but contingency sums are recommended in the project budget to cover any risks uncovered during detailed design and construction. Checks on electricity, gas and water have been undertaken, and existing services have been assessed to have sufficient capacity to meet the needs of the proposed expansion of the school buildings. More detailed surveys will be undertaken at detailed design stage to inform the mechanical and electrical design of the building. Strategies are being identified for the expansion of fire alarm, ICT and CCTV systems.
15. **Sustainability:** The scheme will be designed to align with a "Very Good" Building Research Establishment Environmental Assessment Methodology (BREEAM) rating in accordance with Poole Planning policy PP37. Also compliant with PP37, 10% of consumed energy will be provided from sustainable sources as determined by the mechanical and electrical designers.
16. **Planning:** The planning applications for the building will be submitted in accordance with BCP Planning Policy. The application should be considered eligible for permitted development, however, there will be significant additional costs for the project if a full planning application, including meeting BREEAM requirements, is required. It is recommended that due to the necessity of ensuring that the provision is opened in January 2024, Council approves the scheme in lieu of a Planning approval with the financial contingency recommended in Exempt Appendix 1 used to meet any additional planning conditions.
17. **Cost estimate/Proposed Scheme Budget:** The proposed budget for the scheme is outlined in detail at Exempt Appendix 1. The technical design of the works has been developed in sufficient detail to provide an informed cost estimate for the work. The relatively early stage of design is acknowledged by the recommended 15% contingency for meeting design risks. an additional 5% contingency is included in the budget to cover inflationary risks. A further contingency is recommended as a provisional sum to deal with

the estimated additional costs associated with submitting a full planning application and meeting BREEAM requirements. In addition to this, it is recommended that a secondary contingency is included outside of the contract budget to deal with any other unanticipated costs.

18. **Programme:** The programme shows an anticipated handover in January 2025. Key dates in the project programme are summarised in the table below.

Scheme Programme – Key dates/milestones

Activity	Date
Submit Certificate of Lawfulness Application	February 2024
Submit Full Planning Application (If required)	April 2024
Certificate of Lawfulness Determination	April 2024
Full Planning Application Determination	August 2024
Start on site – Resource Bases	July 2024
Finish on site – Resource Bases	September 2024
Start on site – Modular Building	October 2024
Finish on site – Modular Building	December 2024
Resource Bases available for use	2 January 2025

Options Appraisal

19. A total of 5 options including the option of doing nothing have been considered (see Options A-E below). The preferred scheme is a combination of Options B and D and these are the being pursued. This reflects that during the development of the scheme (progressed at Royal Institute of British Architects Stage 1 and 2), it became clear that because of the site constraints, building bulletin B104 guidance, and the school's requirements, there were limited options for the location of the modular buildings and layout of the resource bases. Options focus on implications for the junior music room, the Teach Trust meeting building and the learning resource spaces all of which are major components in the scheme.

Junior Music Room and Teach Trust Meeting Building Location

- **Option A:** To install a new modular building on junior school top playground, re-locating the existing gazebo. This option is cost effective because a flat area of tarmac is available that is an appropriate distance from the building. However, the construction of this building could potentially cause more disruption due to its location on a well-used play area. This area is also likely to have “playing field” status under the Department for Education’s definition and this has implications for planning determination.
- **Option B:** To install a new modular building on land adjacent to the West boundary of the site. This area is segregated from the wider playing field. This site is more accessible than Option A due to its proximity to the site entrance, meaning that construction logistics would be simpler.

Learning Resource Spaces in the Junior Resource Base

- **Option C:** Use the existing music practice rooms to form 2 learning resource areas of 10m² and 12m², with one used as a sensory room and one used as a small group room/ 1:1 teaching space. This option is more cost effective but does not accord with the school's preferred method of delivery for speech and language therapy, where pupils engage in two 1:1 sessions to embed their learning.
 - **Option D:** Remodel the existing music practice rooms to create 3 learning resource areas of 8m², 6m² and 6m². This would enable the school to deliver speech and language therapy in their preferred method while allowing a sensory room to be available for pupils who need it. This would require the formation of a

new rooflight, installation of mechanical ventilation, additional partitions and the formation of a new opening, which makes it a costlier option.

Make no change to the existing provision at either school.

- **Option E:** Doing nothing is not an option. Additional places are necessary to provide sufficiency of places.

Summary of financial implications

20. **Capital Cost Estimate:** The cost estimate of this scheme is provided in an Exempt Appendix 1.
21. **Capital Funding identified:** It is proposed that the capital project is funded from ringfenced High Needs capital grant funding already received and earmarked to support the Children's Services Capital Programme. The Service is satisfied this project meets grant funding criteria.
22. **Financial risks:** At this stage, 15% contingency for design development and 5% contingency for inflation has been included in the budget. The contract between BCP and appointed contractor(s) will include an amount for contingency to cover unavoidable, not reasonably pre-ascertainable abnormal additional cost. Secondary contingency will be included in the budget cost estimate to provide the Council with mitigation for residual risks.
23. **VAT implications:** The project is to be grant funded and managed by BCP Council which bears all costs for the design and construction of the works. BCP is able to reclaim the VAT it incurs on the design and construction expenditure for the works under section 33B of the VAT Act. The project therefore does not attract VAT nor does it incur any irrecoverable VAT.
24. **Value for Money assessment:** The capital cost per pupil place of the proposed scheme is estimated at £62,857, which is below the national average cost per place for the provision of special school places of £74,920 estimated by English Buildings and Development Officers Group (EBDOG) and the Department for Education (DfE). Further details are provided in Exempt Appendix 1. The price per square metre for the conversion of the resource bases is low as this is mostly existing space, with only refurbishment and a small amount of non-structural remodelling required. Benchmark cost data is 18 months behind current prices and so is subject to uplift for the effects of inflation in the intervening period, meaning that the places are likely even better value for money.
25. **Revenue implications:** The revenue costs of running the new provision will be provided by the Council's High Needs Block through the infant and junior schools' budget share. Revenue costs will be met through a combination of guaranteed place funding through agreed commissioned place numbers and top-up funding paid by the placing local authority as outlined in each pupil's plan and in the paragraphs below.
26. **Place Funding:** Permanent Resource Base Provision completed for academic year 24/25 offering total of 35 places. The academy will receive £10k per place. If unfilled at census, the HNB funds this in full. When places are filled, the High Needs Block contributes £6k with the remaining £4k coming from the schools' mainstream formula.
27. **Top-Up Funding:** It is anticipated that top-up funding will be paid at £10k per annum.
28. The revenue costs of the resource base are therefore projected to be £700k annually when operating at full capacity of 35 places.
29. In the case of children placed in BCP whom are resident in neighbouring local authority areas, the home authority will contribute to the funding of places in accordance with

school funding regulations. Teach Trust has examined the financial risks associated with the project and confirm they are manageable/sustainable.

30. **Closing Baseline Deficit High Needs Budget – No action:** The baseline closing deficit/surplus balance with no corrective action identifies a significant year on year increase in pressure on the high needs budget. The new Dedicated Schools Grant Management Plan identifies a deficit with £63 million estimated by March 2024.
31. **Open Deficit/Surplus Balance After Action Taken:** A series of tasks have been identified as necessary to achieve forecasted High Needs savings. Based on the cost between an average independent non maintained special school place at £53k and a top end special school place cost of £28k, it is forecast that the additional places provided at Canford Heath infant and junior schools could save approximately £25k per place or £875k per annum. These savings have been built into the Dedicated Schools Grant Management Plan.
32. **Summary of legal implications**
33. **Funding Agreement:** There is no requirement for a funding agreement to be drafted in relation to the capital project as the work is being delivered by BCP. Corporate Estates will be asked to provide Consent to Works in the form of a licence letter reflecting BCP as the landlord for both academies. The provision of services is being covered by a separate contract.
34. **Sufficient Places Duty:** Under sections 13 and 14 of the Education Act 1996, a local education authority has a general statutory duty to ensure that there are sufficient school places available to meet the needs of the population in its area and to consider the need to secure provision for children with special educational needs. This includes a duty to respond to parents' representations about school provision. The local authority must promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. It must also ensure that there are sufficient school places in their area and promote diversity and increase parental choice. To discharge this duty the local authority has to undertake a planning function to ensure that the supply of school places balances the demand for them. The Education and Inspections Act 2006 requires local authorities to promote choice and diversity when carrying out their strategic duties in relation to the provision of new school places. Further, the Children and Families Act 2014 requires councils to keep provision for children and young people with special educational needs under review including its sufficiency.
35. **Statutory Process:** The proposal to expand the Resource Bases prompt a requirement for the Academy Trust, acting as the responsible body, to follow the process contained in the Department for Education guidance "Making Significant Changes to an Open Academy" issued in January 2023. The guidance sets out that where a local authority has instigated a proposed change and academy trusts are required to go through the significant change process. In accordance with this, the trust submitted a significant change application to the Department for Education Regions Group. This will be considered by the Regions Group in May 2024 following confirmation that the project is fully funded.
36. **Consultation:** As part of the statutory process run by Teach Trust, parents, local residents and local schools were consulted during the period 27 April 2023 through to 26 May 2023. Groups consulted include families of all pupils of both schools; the Teach Trust board; school staff and headteachers across the BCP Council area, including those of independent and non-maintained special schools. Other consultees include the local Member of Parliament, trade union representatives, local children's centres and other local authorities that may be likely to commission places within the resource base. The consultation was emailed to all parties and advertised in the local press, with

feedback received via letter and email. There were eight responses to the consultation, all of which supported the proposal.

Summary of human resources implications

37. There are no direct HR implications for the Council arising from this report. This reflects that staff are employees of The Teach Trust and not BCP Council. Teach Trust has the appropriate expertise and staffing resources in place so that the educational offer for pupils at the centre is tailored to their needs. A business case and associated budget has been developed and considered setting out the detail of the members of staff appointed, their qualifications and experience.

Summary of sustainability impact

38. The works are being designed to prioritise energy efficiency and minimise environmental impact, including utilising offsite construction, and will also comply with BCP policies for sustainable development in line with BCP Planning Policy.

Summary of public health implications

39. The expansion of places promotes the health and wellbeing of children with complex needs. It will improve access to quality local specialist places and provide opportunities for children with special educational needs to live and learn locally. This will greatly benefit existing children on roll and provides education, health and wellbeing benefits for the children and their families while further promoting inclusion practice for children admitted under the mainstream admission arrangements.

Summary of equality implications

40. Resource base provision is one of the most inclusive models of providing for the needs of children with special educational needs. The provision of additional special school places within BCP will have a positive impact ensuring children and young people attend local schools within their community. This is evidenced in the BCP developed equalities impact screening tool which has been considered by the panel in February 2024.
41. Additionally, and as part of the statutory guidance on making a significant change to an open academy, Teach Trust complied with the Public Sector Equality Duty in s.149 Equality Act 2010 and undertook an equalities impact assessment to demonstrate that they have considered the likely expected impact of the proposed change on all individuals with protected characteristics. This did not identify any potential equality considerations requiring further consideration during implementation.

Summary of risk assessment

42. There is a need for additional special school places across BCP. The delivery of resource places is a central part of BCP's strategy and provides an opportunity to create places across the primary age range. The risk of the places not being needed in the foreseeable future is low.
43. Any delay to the current programme will jeopardise the delivery of the places by January 2025 and this could impact the ability of the Council to provide places for children with an EHCP in the 2024/2025 academic year.
44. BCP Council will manage the construction work at both schools. A contingency of 15% is included in the budget for design risks with a further 5% contingency included to deal with continuing inflationary pressures on labour and materials costs. When a contractor is appointed, BCP will include a contingency sum within the contract to cover any construction risk items that could not reasonably be pre-ascertained. In addition to this, BCP will hold a contingency outside of the contract to deal with any unforeseen risks.

45. The use of offsite construction with shallow foundations and pre-dominantly non-structural internal remodelling means that the chance of long delays caused by unforeseen risks during on-site construction are minimised. Likewise, the refurbishment and remodelling element of the works is mostly non-structural in nature.

Recommendation

46. **It is RECOMMENDED that:**

Cabinet approves the total project budget as contained in Appendix 1 (Exempt). This will enable the scheme to progress in line with the project programme set out in paragraph 18. The project is fully funded from the Council's high needs specialist provision capital grant allocation.

Background papers

- Appreciative Inquiry 2019
- Written Statement of Action 2021
- Cabinet Report February 2021
- Cabinet Report 26 May 2021 SEND Strategy ([Public Pack](#))[Agenda Document for Cabinet, 26/05/2021 10:00 \(bcpcouncil.gov.uk\)](#)
- Cabinet Report SEND Capital Programme 27 October 2021 ([Public Pack](#))[Agenda Document for Cabinet, 27/10/2021 10:00 \(bcpcouncil.gov.uk\)](#)

Appendices

Appendix 1 – Exempt Cost Plan Estimate of Scheme for Approval.