

# NORTH YORKSHIRE COUNTY COUNCIL

## THE EXECUTIVE

19 April 2022

### SCHOOL ESTATE MANAGEMENT

#### 1 PURPOSE OF REPORT

- 1.1 To brief the Executive on the outcome of a recent consultation on documents setting out the Council's approach to good estate management of NYCC maintained schools, and to seek approval for implementation.

#### 2 EXECUTIVE SUMMARY

- 2.1 A draft School Estate Strategy has been produced to set out how the County Council, working with school leaders and other partners, will manage, maintain and invest in our school estate to contribute to our vision for education in the County. It will ensure, for example, that schools places are provided where they are required, that schools are safe and compliant places in which to learn, and that investment is directed towards the greatest priorities. The strategy contains three key elements:
- The Estate Vision – capturing our ambitions for the NYCC school estate
  - The Estate Strategy – setting out our overall approach to achieve good estate management
  - The Asset Management Plan – containing all of the key data to support decision making
- 2.2 The draft suite of documents is aligned to the DfE recommended approach known as Good Estate Management for Schools (GEMS) [Good estate management for schools - Guidance - GOV.UK \(www.gov.uk\)](http://www.gov.uk) which was first published by the Department for Education in April 2018 with several subsequent additions and amendments since that time. The strategy, if approved, would replace earlier Council statements on priorities that pre-dated the GEMS guidance.
- 2.3 The North Yorkshire Schools Forum were briefed on the draft, and alerted to the consultation, at their meeting on 20 January 2022.
- 2.4 The consultation was launched via email to all NYCC Councillors and all schools in the county on 4 February 2022. The consultation period was six weeks with a closing date of 18 March 2022. By the closing date eleven responses had been received. The responses and the issues raised are considered in section 4 of this report.
- 2.5 The draft documents and the consultation responses are attached as appendices to this report.

#### 3 BACKGROUND

- 3.1 The LA is the responsible body for school capital for only Community, Voluntary Controlled and Foundation Schools. As such, the majority of the content of the strategy only applies to those categories of schools as it deals with the deployment of School Condition Grant. However, some elements of the strategy also apply in a more limited way to Voluntary Aided and Academy Schools as they may be the recipients of LA capital funding through either the Basic Need Programme or the SEND Capital Programme.

- 3.2 The LA currently receives capital for investment in schools via three funding streams:
- Basic Need Grant
  - High Needs Capital
  - School Condition Grant
- 3.3 Basic Need Grant is provided to the Council by the DfE to be invested in the provision of additional school places to maintain our statutory duty for school place sufficiency. Basic Need funding is expected to meet the needs for growth in pupil numbers in relation to all state funded schools in the area, including any Academies. On 15 March 2022 Executive agreed the programme for Basic Need investments for the period 2022-25.
- 3.4 High Needs Capital (formerly Specialist Provision Capital) is a relatively new funding stream to be deployed to meet the priorities for SEND developments under the SEND Strategic Plan. On 29 March 2022 the allocations to NYCC for 22/23 and 23/24 were confirmed at £3.9m and £4.5m respectively. Consideration of the priorities for use of this funding is on-going.
- 3.5 School Condition Grant is received as an annual funding allocation for capital maintenance and suitability projects at Community, Voluntary Controlled and Foundation Schools for whom NYCC is the responsible body. On 29 March 2022 the allocation to NYCC for 22/23 was confirmed to be £7.3m. The Executive is scheduled to approve the Schools Capital Programme on 31 May 2022.

#### 4 CONSULTATION UNDERTAKEN AND ANALYSIS OF RESPONSES

- 4.1 The consultation ran for six weeks between 4 February and 18 March. Eleven responses had been received by the closing date. Eight of those were from schools, including one response from a federation of three primary schools, so ten schools were represented in all. Seven of the school responses were from maintained primary schools and one from a maintained special school. There were no responses from the academy sector. There were three responses from NYCC councillors. Appendix 2 shows the full text of any comments received. There were seven specific questions asked through the consultation, the following sections will consider each in turn together with the main responses and issues raised.
- 4.2 Q1. Do you agree with the high-level statement of objectives contained in the Estate Vision at Section 3 of the document?

Q.1	Yes	No	Unclear
Schools	7		1
Councillors	2	1	
<b>All</b>	<b>9</b>	<b>1</b>	<b>1</b>

The responses indicate broad support for the statement of objectives.

A school commented that it is not clear in the document how individual streams are to be prioritised given the clear financial deficiencies and backlogs. This is an inherent part of the balanced approach, in that Members are able to consider how capital should be directed on an annual basis, considering the allocations for that year and the range of priorities at the time. It is therefore difficult to be more specific in a strategy document that covers a number of years.

A councillor disagreed that we should only expand schools that are judged good or outstanding as Ofsted ratings can be transitory. The strategy recognises that there may be circumstances where it could be appropriate to expand a North Yorkshire school judged less than good. However, the principle remains central to the Government's expectations of

LAs, and recent education policy announcements place even greater reliance on Ofsted judgements as the key indicator of a school.

4.3 Q2. Do you support the balanced investment strategy described at 4.7 and elsewhere within the Estate Strategy?

Q.2	Yes	No	Unclear
Schools	7		1
Councillors	2	1	
<b>All</b>	<b>9</b>	<b>1</b>	<b>1</b>

The responses indicate broad support for the balanced investment strategy.

4.4 Q3. Do you agree with all of the eight Strategic Priorities as described at paragraph 4.11 of the document?

Q.3	Yes	No	Unclear
Schools	6	1	1
Councillors	1	1	1
<b>All</b>	<b>7</b>	<b>2</b>	<b>2</b>

This was the key question within the consultation as the proposed priorities (set out below) are used to frame the investment decisions:

- Maintain school place sufficiency – provide additional school places as the need arises
- Ensure the safety and security of all school estate users – supporting schools with their delegated responsibility for health and safety
- Maintain the school estate - invest in capital maintenance to ensure that facilities remain fit-for-purpose
- Modernise and improve school estate facilities - help young people achieve by ensuring their accommodation is to modern standards
- Improve SEND provision - addressing the needs identified in the SEND Strategic Plan
- Sustain and improve schools through re-organisation of provision where appropriate
- Improve Accessibility where appropriate – support investment in facilities to enable access by children with medical or mobility needs
- Contribute to the Council’s target of achieving net carbon neutrality by 2030, or as near to that date as possible.

The responses indicate broad support for the strategic priorities.

A school commented that maintaining the school estate should be the overall priority. There is clear value to this statement and the Council continues to invest significantly, within the funds available, on maintenance of the school estate. However, as stated in the strategy document, we could choose to utilise all of our School Condition Grant on planned capital maintenance in schools, but that would mean we would be unable to target funds to address any other elements of the Estate Vision. The same school also supported investment in schemes to re-organise provision, seeing that it would offer financial efficiencies for the longer-term.

4.5 Q.4 Do you agree with the actions the Council will take to deliver on the priorities as set out in 4.11.1 to 4.11.8 ?

Q.4	Yes	No	Unclear
Schools	6	1	1
Councillors	2		1
<b>All</b>	<b>8</b>	<b>1</b>	<b>2</b>

A school asked how the Council ensures H&S compliance if a school does not subscribe to the traded H&S service. The County Council will be undertaking visits to each maintained school during the course of the current year in order to ensure that compliance has been maintained. The visits will be undertaken by Maintenance Officers from the Property Service and will ensure that all activities, including those undertaken by the School and contractors have been completed. In the event that an individual school is not able to demonstrate compliance then, in the first instance, advice and guidance will be provided and action requested to address the outstanding actions. In the event that those outstanding actions are not completed within an agreed timescale then the issue will be escalated to CYPS.

A school commented that a case could be made that the majority of funding requests would have a direct impact on the quality of provision. That is correct in most instances, and it is an annual task for CYPS officers to take an objective view of the relative strength of competing bids and make recommendations to Members as part of the process for the School Condition Programme.

A further comment was that compliance with Building Regulations is a given. That is of course correct and the purpose of including the comment at 4.11.8 of the strategy document was to highlight that Building Regulations have recently been updated regarding energy efficiency and carbon emissions.

- 4.6 Q.5 Do you agree with the statement on Arrangements for Management and Delivery in 4.12.1 to 4.12.8?

Q.5	Yes	No	Unclear
Schools	6	1	1
Councillors	1	1	1
<b>All</b>	<b>7</b>	<b>2</b>	<b>2</b>

A school asked if there was a definition of a 'significant' project (4.12.4) such that it requires a detailed written brief to be agreed in consultation with the school. A project is significant in this context if there is a requirement for design input, as distinct from a project that could be dealt with via a simple scope of works.

- 4.7 Q.6 Do you have any comments on the section covering School Funded Projects from 4.12.9 to 4.12.11?

Q.6	Yes	No	Unclear
Schools	1	6	1
Councillors		3	
<b>All</b>	<b>1</b>	<b>9</b>	<b>1</b>

A school commented that a joined up planned approach (between school and LA projects) could be more efficient and wider reaching. This is understood and supported. There have been several examples where joint projects have been delivered by combining the separate funding available to schools and the Council to achieve efficiency.

A councillor commented that a better spread of schools is required to reduce journey times and traffic. Although this point is understood, the level of education capital available to the Council does not currently enable significant re-organisation of provision such as the relocation of schools. The exception to date has been the relocation and expansion of Overdale Community Primary School which was enabled through significant housing growth and the resultant developer contributions.

4.8 Q.7 Do you have any comments on the section covering the Design of Projects at 4.12.12?

Q.7	Yes	No	Unclear
Schools	1	6	1
Councillors	1	2	
<b>All</b>	<b>2</b>	<b>8</b>	<b>1</b>

A special school commented there was no reference to SEND in the DfE Building Bulletin documents that are used to reference building standards in terms of space etc. There is merit in this comment but it is a matter for the Department.

4.9 There was a final question 8 which asked if consultees had any further general comments about the Estate Strategy.

Most of the comments by schools were relevant to their own individual circumstances. Officers will have follow-up discussions with those schools on the points raised.

A councillor commented that we need to invest in simple things in schools like heating and ventilation systems. This is supported, and a significant proportion of the annual planned maintenance programme for schools is usually targeted at heating infrastructure.

4.10 In summary, there is a low volume response to this consultation. This was not necessarily unexpected as much of the content of the draft documents, although in the new required format, seeks to confirm the already well established approach to estate management and investment. The low response combined with the largely positive comments that were received, can be taken to indicate acceptance of the proposals. Officers therefore recommend that the draft strategy now be adopted without amendment.

## **5 FINANCIAL IMPLICATIONS**

5.1 There are no financial implications to this decision. The adopted strategy documents will be used to inform future schools capital programmes that are brought to Executive for approval.

## **6 LEGAL & HUMAN RIGHTS IMPLICATIONS**

6.1 There are no legal or human rights implications to this decision.

## **7 RECOMMENDATION**

7.1 The Executive are asked to note the consultation response and approve that the consultation draft of the School Estate Strategy be implemented without amendment.

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Appendices:  
Appendix 1: School Estate Strategy – Consultation draft  
Appendix 2: Consultation responses