

**Executive Board – 22 October 2024**

<b>Subject:</b>	To create a Special Educational Needs Provision at Glade Hill Primary School and the Fernwood Secondary School
<b>Corporate Director(s)/Director(s):</b>	Jill Colbert, Corporate Director for Children and Education Services
<b>Portfolio Holder(s):</b>	Councillor Cheryl Barnard, Executive Member for Children, Young People and Education
<b>Report authors and contact details:</b>	Lucy Juby, School Organisation & Place Planning Manager Neil Brettell, Interim Head of SEND and Vulnerable pupils
<b>Other colleagues who have provided input:</b>	Robert Caswell, Major Projects David Solomon, Major Projects
<b>Subject to call-in:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Key Decision:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Criteria for Key Decision:</b>	
<b>(a)</b>	<input checked="" type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £750,000 or more taking account of the overall impact of the decision
<b>and/or</b>	
<b>(b)</b>	Significant impact on communities living or working in two or more wards in the City <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Type of expenditure:</b>	<input type="checkbox"/> Revenue <input checked="" type="checkbox"/> Capital If Capital, provide the date considered by Capital Board Date: 4 September 2024
<b>Total value of the decision:</b>	<b>£4,600,000.00</b>
<b>Section 151 Officer expenditure approval</b>	Has the spend been approved by the Section 151 Officer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/a Spend Control Board approval reference number: 9707
<b>Commissioner Consideration</b>	Has this report been shared with the Commissioners' Office? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Any comments the Commissioners wish to provide are listed below.
<b>Wards affected:</b>	Bestwood and Wollaton West
<b>Date of consultation with Portfolio Holder(s):</b>	TBC
<b>Relevant Council Plan Key Outcome:</b>	
Clean, Green and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input checked="" type="checkbox"/>
Living Well in Our Communities	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>
<b>Summary of issues (including benefits to citizens/service users):</b>	
<p>Nottingham is experiencing considerable growth in the number of young people identified as having Special Educational Needs and Disabilities (SEND) and there is an urgent, significant and increasing need for additional capacity to meet this demand. The Council is committed to supporting our schools and settings within the city to offer high quality, inclusive education.</p> <p>The need for SEN provisions at both <b>Glade Hill Primary School</b> and the <b>Fernwood (secondary) School</b>, as proposed in this report, were identified as priorities in Phase 1 of the Council's SEND Capital</p>	

Strategy 2023-28, to support the Council's statutory sufficiency duties in relation to the delivery of suitable specialist educational provision for children and young people with complex SEND.

The development of provision at Glade Hill Primary School and The Fernwood School, will offer access to good and outstanding specialist educational provision for local pupils. The developments set out within the SEND Capital Strategy are aspirational for pupils with SEND residing in Nottingham and are supported by local parent carer forums and schools. Nottingham City Council's Educational Division has robust financial management of its High Needs funding block, enabling the opportunity to deliver SEND projects at a scale not replicated by comparable Local Authorities. The provisions are also positive for the council's general fund, ultimately reducing reliance on home to school transport by avoiding the need to place pupils in costly out of area independent provision, reducing longer distance transport provision.

It is evident from the work carried out as part of the development of the SEND Capital Strategy and the subsequent consultation, that there is a significant and increasing need for additional capacity for pupils with complex SEND, both within mainstream specialist units and in special school provision. The Strategy was consulted on and approved by Executive Board in September 2023. The schemes were still subject to design/feasibility investigations, to ensure the most appropriate and cost-effective solutions to deliver quality provision in areas of high need.

Additional specialist capacity is urgently needed for both primary and secondary children in mainstream settings. Both SEN units will be Specialist Resourced Provisions within the mainstream schools, with the pupils taught partly in mainstream classes while also benefitting from additional specialist support according to their individual need. More specialist places are required to address the existing cohorts as well as to make provision for the identified growing need.

High Needs Capital funding received from central government is intended to support the Council to fulfil its sufficiency duties in relation to the availability of suitable specialist school places for young people with complex SEND. There is also an Education S106 funding contribution aligned to each project, as set out in the recommendations and background to this report.

**Does this report contain any information that is exempt from publication?**

No

**Recommendation(s):**

- 1** To approve the total allocation of funding of £1,850,000.00 comprising £1,791,835 from the High Needs Capital Fund and £58,165 Education S106 funding contribution, **to create a specialist SEN provision at Glade Hill Primary School** and to amend the capital programme accordingly..
- 2** To approve the total allocation of funding of £2,750,000.00, comprising £2,209,946 from the High Needs Capital Fund and £540,054 Education S106 funding contribution, **to create a specialist SEN provision at The Fernwood School** and to amend the capital programme accordingly.
- 3** To authorise the procurement of necessary contracts and consultants to develop and deliver the projects using the SCAPE framework and delegate authority to the Corporate Director for Children & Education Services to award any procured contracts, complying with the Council Constitution and the relevant regulations, subject to costs being contained within the financial envelope.
- 4** To authorise the procurement of the construction contract for the expansions utilising the SCAPE framework to carry out the building works and to delegate authority to the Corporate Director for Children & Education Services to award any procured contracts, complying with the Council Constitution and the relevant regulations, subject to costs being contained within the financial envelope.
- 5** To procure external legal resources using compliant frameworks and to delegate authority to the Corporate Director for Children & Education Services to award any procured contracts, complying with the Council Constitution and the relevant regulations, subject to costs being contained within the financial envelope.

**6** To enter into the necessary agreements with The Fernwood School to carry out the works and delegate authority to the Corporate Director for Children & Education Services in consultation with the Director of Legal Services to award the agreements.

## **1. Reasons for recommendations**

- 1.2 High Needs Capital funding is intended to support the Council to fulfil its sufficiency duties in relation to the availability of suitable specialist school places for young people with complex SEND. More specialist places are required to address the existing cohorts as well as to make provision for the identified growing need. The proposals align with strategic priorities and will deliver additional capacity which is accessible for pupils in high areas of need, evidenced by the data set out in the strategy.
- 1.3 In continuing to get value for money from the High Needs budget, the SEND Capital Strategy is key to achieving this. It is essential that there are sufficient local places for the growing number of high needs pupils, to avoid the need to place pupils in costly out of area independent provision, while also helping to reduce the resultant requirement for longer distance transport provision.
- 1.4 The LA has a robust medium term financial plan for the High Needs revenue budget, to budget for the high needs place and top-up funding associated with the creation of additional specialist places. Revenue funding has been identified to ensure ongoing running costs for both new SEN provisions. Remodelling of the high needs block was undertaken in November 2023 which confirmed affordability of all Phase 1 schemes in the SEND Capital Strategy.
- 1.5 The need for SEN provisions at both Glade Hill Primary School and the Fernwood (secondary) School, were identified as priorities during Phase 1 of the SEND Capital Strategy 2023-28, which was consulted on and approved by Executive Board in September 2023. The LA has been working in successful partnership with both schools to develop specialist provisions within the mainstream schools and for the local area.
- 1.6 The specialist resourced provision at Glade Hill Primary School proposes to add an additional building to their site to further support their inclusive provision for pupils with complex SEND. This provision will be designed to accommodate 16 children who have a diagnosis of autistic spectrum condition (ASC) who find it challenging to learn in whole class situations in mainstream education. The single storey unit will consist of two classrooms, a sensory room, and additional support areas as well as a purpose built outdoor play area. The new building will meet all current standards and guidelines and will be fully compliant.
- 1.7 This project represents a significant investment in vulnerable children in the Bestwood community. The new SEN unit will accommodate 8 pupils who already attend Glade Hill Primary and have Education Health Care Plans (EHCPs). These pupils already access the school's Enhanced Provision classes. The unit will then also accommodate 8 additional children with EHCPs from the local area, with places commissioned by the LA. These places will be in addition to the number on the existing school roll. The planned opening date is currently November 2025.
- 1.8 The increase in specialist capacity within mainstream education will be beneficial to the local community in providing additional places for children who face barriers to learning and who need more specialist support in order to attend local mainstream education. The new provision will create purpose-built learning spaces so Glade Hill Primary can continue to meet the needs of all learners. It will be led by the existing school leadership, supported by staff who have developed expertise in this area. Additional staff will also be recruited.

- 1.9 In November 2022, Glade Hill Primary School continued to be awarded a Good Ofsted rating, stating that pupils with SEND are included in all aspects of school life and learning. Pupils with a higher level of need access the school's enhanced provision classes and they receive a bespoke plan that meets their needs.
- 1.10 The section 106 agreement dated 01/07/20 linked to the development the William Olds Youth Centre, 84 Chiltern Way, planning ref 18/00143/PFUL3 ("the William Olds S106 Agreement") included an obligation on the owner to pay a total education contribution ("the William Olds Education Contribution") of £59,418.39 plus indexation.
- 1.11 After necessary deductions, £58,164.79 of the relevant Section 106 education funding allocation is currently available for expenditure and falls within the Council's obligations in relation to the William Olds S106 Agreement. Namely to use the William Olds Education Contribution "towards the improvement of education facilities at any or all of the named Schools within the Bestwood / Top Valley Planning Area: Warren, Rise Park, Stanstead, Westglade, Southglade, Margaret Clitherow, Glade Hill, Henry Whipple and Robin Hood." The development is also located within Glade Hill Primary's school catchment area.
- 1.12 The specialist resourced provision at The Fernwood School proposes to add an additional facility to the site to accommodate 24 pupils in Key Stages 3 and 4, who have moderate learning difficulties (MLD) and some with ASC. 20 of the places will be additional and commissioned by the LA, to support and accommodate children and young people in the wider community, subject to the SEN requirements of the individuals. The specialist base will be a new two-storey building and will consist of four class bases a sensory room and a number of additional support areas. The new building will meet all current standards and guidelines and will be fully compliant. The planned opening date is currently January 2026.
- 1.13 In March 2024, The Fernwood (secondary) School was awarded an Outstanding Ofsted and their inclusive practice and highly effective, personalised support for vulnerable pupils and those with SEND has been highlighted. The Fernwood School has a strong track record of providing a high standard of education for secondary aged pupils, with a clear vision for improving outcomes for vulnerable and disadvantaged children.
- 1.14 The section 106 agreement dated 27 September 2018 linked to the development at land at 100 Woodyard Lane, planning ref 18/00060/POUT ("the Woodyard Lane S106 Agreement") included an obligation on the owner to pay a total education contribution ("the Woodyard Lane Education Contribution") of £644,159 (inclusive of indexation).
- 1.15 After deducting previous commitments, £540,054 of the relevant Section 106 education funding allocation is currently available for expenditure and falls within the Council's obligations in relation to the Woodyard Lane S106 Agreement. Namely to use the Woodyard Lane Education Contribution "towards the provision of new or enhanced education facilities to accommodate pupils at the Fernwood and/or Middleton Primary and Secondary Schools."

## 2. **Background (including outcomes of consultation)**

- 2.1 The LA's place planning strategy, including for SEND, has been to work in partnership with all providers to deliver the required capacity, in a way that best meets our educational priorities. Local factors need to be weighed up and the number of places available should be increased in response to need. To drive consistency and best practice in determining the most appropriate approach, there is also a requirement to work collaboratively with the Department of Education's (DfE) Regional Place Planning and Regional Director teams on these matters.

- 2.2 The DfE allocates High Needs capital funding to LAs. Since 2023, LAs have been required to share with the DfE Regions Group, the capacity and forecast data for High Needs pupils as well as for mainstream. The DfE then reviews the forecast methodology the LA uses, and challenges if they deem it to be required.
- 2.3 The Fernwood School, as an Academy, was required to submit a 'significant change' application to the DfE to approve the proposal to create a SEND provision. The request to add a SEND Resourced Provision was approved by the DfE on 18 September 2024. A requirement of this application was for the Academy to undertake a four week statutory consultation process with all affected stakeholders including parents, schools and local residents. This consultation took place from 4<sup>th</sup> to 29<sup>th</sup> March 2024. Details about the proposal to create a SEND unit were set out and shared on the school website and direct communication to all parents/carers, to the local primary and secondary schools and the local ward councillors. Responses to the proposal were invited either via an online consultation feedback form or a dedicated email address, to capture the views of all stakeholders.
- 2.4 The Academy received 1 response to the consultation, which was from an existing parent. The Head Teacher of the school replied directly to the parent with responses to each question or comments raised.
- 2.5 Glade Hill Primary school also undertook a consultation on the proposal to create a SEND unit, from 18<sup>th</sup> March to 28<sup>th</sup> April 2024. There were 2 responses to the consultation and both were in support of the proposal.
- 2.6 The proposals would also be subject to the full Planning Permission process which would incorporate a statutory consultation process.

### **3. Other options considered in making recommendations**

- 3.1 The schemes proposed in this report are two of the six schemes identified in Phase 1 of the SEND Capital Strategy. Risks of not investing the funds: there will be fewer specialist places for the growing numbers of children and young people identified with complex SEND. There is currently insufficient provision in primary and secondary settings.
- 3.2 Without this investment, there will be an increase in revenue costs, as the number of out-of-city placements would increase.
- 3.3 We await the announcement from the DfE on a further allocation of High Needs capital funding to enable the LA to deliver more capacity.

### **4. Consideration of Risk**

- 4.1 Local Authorities have a duty to ensure a sufficiency of places under section 14 of the Education Act 1996.
- 4.2 Planning permission will need to be sought. The design and project team are working closely with the Planning, Highways and other necessary stakeholders to mitigate and integrate requirements into the scheme, where possible.
- 4.3 Delay of the completion of the scheme would cause delay to pupils with significant needs benefitting from the new educational facilities proposed. The programme for the building works will be strictly managed with the contractor. An end to end programme has been produced alongside the feasibility carried out, which completes building works in November - December 2025.
- 4.4 Expectations of Scheme: Expectations regarding the quality and size of the accommodation must be carefully managed with stakeholders to match the budget envelope throughout the project, ensuring all communication is minuted and emailed

and signed if required, to minimise scope creep.

4.5 Risk: Increase of the capital costs. The costs are based on the Contractor's Viability Report that has been reviewed and agreed by independently appointed Technical Advisors. These costs include allowances for inflation and a priced Risk Register. The contract will be a fixed price contract and will again be subject to a detailed review by the Council's Technical Advisors prior to the contract being signed. There will be a robust change request process to support the management of the stakeholder and their expectations and to avoid scope creep. There is a client contingency of 10% to deal with any changes in the contract that are agreed as necessary by the Project Team and approved by the Senior Responsible officer.

5. **Best Value Considerations, including consideration of Make or Buy where appropriate**

5.1 The Scape framework which is the proposed procurement route is a fully compliant Public Sector framework. While the framework allows a direct award, the tender process to get onto the framework means that the contractors' staff rates, overhead and profits are competitively tendered.

5.2 The Scape framework contractor will then fully tender the sub-contract packages as part of the exercise to build up an agreed contract value. The costs associated with the sub-contract packages will be reviewed by the technical consultants and challenged where appropriate.

5.3 The Scape framework also includes a number of social value key performance indicators including local spend and local employment targets which support the local economy and environmental impact such as reducing waste to landfill sites.

6. **Commissioner comments**

6.1 Commissioners are content with the report

7. **Finance colleague comments (including implications and value for money/VAT)**

7.1 **Capital Programme Implications**

7.2 The below table set out how the Education capital budget will be increased following this decision.

<b>Initial Forecast / Budget</b>			
<b>Locations</b>	<b>2024/25 £m</b>	<b>2025/26 £m</b>	<b>Total £m</b>
Glade Hill	0.530	1.320	1.850
Fernwood	0.770	1.980	2.750
<b>TOTAL</b>	<b>1.300</b>	<b>3.300</b>	<b>4.600</b>

7.3 The Higher Needs element of this approval is currently contained within the uncommitted Planned section of the approved Capital Programme following this formal decision the capital programme will increase by a net amount of **£0.599m** as set out in the below table:

<b>Capital Programme Net Addition</b>			
	<b>2024/25 £m</b>	<b>2025/26 £m</b>	<b>Total £m</b>
<b>Capital Funding</b>			
Higher Needs Grant	(1.132)	(2.869)	(4.001)
S106	(0.168)	(0.431)	(0.599)
<b>Total Capital Funding</b>	<b>(1.300)</b>	<b>(3.300)</b>	<b>(4.600)</b>
Initial Forecast / Budget	1.300	3.300	4.600

Less uncommitted Higher Needs Grant contained within Approved Capital Programme	(1.132)	(2.869)	(4.001)
<b>Net Addition in the Capital Programme</b>	<b>0.168</b>	<b>0.431</b>	<b>0.599</b>

7.4 Due to this work being carried out in Schools and as part of the Higher Needs programme no exempt income task will occur and therefore these projects create no partial exemption pressures.

**Comments provided by Tom Straw – Senior Accountant (Capital Programmes)  
02/08/24**

#### 7.5 Section 106 Financial Implications

##### 7.6 Specialist SEND Provision at Glade Hill School

7.7 Section 106 agreement 18/00143/POUT William Olds Youth Centre, 84 Chiltern Way dated 01/07/20 included an obligation on the owner to pay a total education contribution ("the Education Contribution") of £59,418.39 plus indexation.

7.8 On 04/10/21 the Council received the sum of £59,963.70 including indexation. Following deduction of the allowable admin and monitoring sum of £1,798.91, this leaves **£58,164.79** available to commit to the condition of "To use the Education Contribution towards the improvement of education facilities at any or all of the Named Schools within the 'BesTop' Planning Area". "Named Primary Schools" are Warren, Rise Park, Stanstead, Westglade, Southglade, Margaret Clitherow, Glade Hill, Henry Whipple and Robin Hood. The sum must be expended or committed by 04/10/26.

7.9 This decision seeks to apply this sum to towards specials SEND provision at Glade Hill School.

7.10 Upon approval a capital project will be created for the project, funded by S106 18/00143/POUT William Olds Youth Centre.

##### 7.11 Specialist SEND Provision at The Fernwood School

7.12 Section 106 agreement 18/00060/POUT 100 Woodyard Lane, Wollaton dated 27/09/18 included an obligation on the owner to pay an Education Contribution of £578,673.74 plus indexation, due in two instalments at different stages of the development.

7.13 On 19/03/21 the Council received the sum of £300,845.15 including indexation. On 06/09/22 the Council received the sum of £343,313.82 including indexation. Following deduction of the allowable admin and monitoring sum of £4,000, this left £640,158.97 available to commit to the condition of "To use the Education Contribution towards the provision of new or enhanced education facilities to accommodate pupils at the Fernwood and/or Middleton Primary and Secondary Schools.". The sums must be expended or committed by 19/03/26 and 06/09/27 respectively.

7.14 A previous approval committed the sum of £100,000 to Specialist SEN Provision at Middleton Primary. The project completed at £100,105, leaving the sum of **£540,053.97** available to commit to the scheme outlined here – Specialist SEN Provision at The Fernwood School.

7.15 Upon approval a capital project will be created for the project, funded by S106 18/00060/POUT 100 Woodyard Lane.

**Comments provided by Sarah Baker, Senior Commercial Business Partner,  
18/07/24**

## 8. Legal colleague comments

### 8.1 Commercial:

- 8.2 This report seeks endorsement of the allocation of High Needs capital funding to deliver part of the (previously approved) Phase 1 SEND Strategy and agreement to appoint build contractors via framework call-offs.
- 8.3 The investment should allow the Council an opportunity to meet its statutory needs by providing available specialist provision if that is identified as being appropriate to meet a child's needs, as assessed via an EHC Plan or otherwise.
- 8.4 The Council will need to enter into a licence with the academy school (Fernwood) in order to secure the necessary rights for the construction by the building contractor.
- 8.5 As noted, whilst Legal Services can support with some of the contractual arrangements that may be required, where the contracts relate to construction activity, those contracts will need to be sourced from external law firms who possess that expertise. Legal Services is happy to support colleagues using a process to identify and instruct an external law firm. One option would be to use an appropriate framework agreement following a mini-competition or, with justification, a direct award. Colleagues should factor both the costs and time required for a process into their planning.

### **Comment provided by Tom Button, Team Leader for Contracts and Commercial 7/8/24**

### 8.6 Specialist SEN Provision at Glade Hill Primary School

- 8.7 The William Olds S106 Agreement required payment of the William Olds Education Contribution in the sum of £59,418.39 Index Linked and on 14 June 2021 the Council received £59,963.70 (including indexation). £1,798.91 of this sum was deducted in respect of the administration and monitoring fee, leaving £58,164.79 available for allocation. The William Olds S106 Agreement requires the Council "to use the [William Olds] Education Contribution towards the improvement of education facilities at any or all of the Named Schools within the Bes Top Planning Area". Glade Hill Primary School is included within this definition as set out in the William Olds S106 Agreement.
- 8.8 No alternative arrangement(s) in relation to the spending of the William Olds Education Contribution have been brought to my attention and therefore the whole of this amount would appear to currently be available for allocation. The William Olds S106 Agreement provides that at any time after the fifth anniversary of the receipt by the Council of the William Olds Education Contribution the Owner may request repayment of any unexpended or uncommitted balance. The William Olds Education Contribution may therefore be subject to a request for repayment if not expended or committed for expenditure by 13 June 2026.
- 8.9 It is noted that it is proposed that the William Olds Education Contribution will be used towards SEND provision at Glade Hill Primary School to further support their inclusive provision for pupils with complex SEND. The spending proposals in relation to the William Olds Education Contribution as set out in the report would therefore appear to fall within the Council's obligations on the use of that contribution.

### 8.10 Specialist SEND Provision at Fernwood School

- 8.11 The Woodyard Lane S106 Agreement sets out a formula for the calculation of the Woodyard Lane Education Contribution, payable in two instalments. The first Woodyard Lane Education Contribution instalment was calculated to be £300,845.15 including indexation and this sum was received on 19 March 2021. The second



Woodyard Lane Education Contribution instalment was calculated to be £343,313.82 including indexation and this sum was received on 6 September 2022.

- 8.12 As stated in the report £4,000 in respect of the administration and monitoring fee was deducted from the Woodyard Lane Education Contribution, and previous approval committed £100,000 of the first instalment of the Woodyard Lane Education Contribution to Specialist SEN Provision at Middleton Primary School. It is noted above that the project completed at £100,105, leaving the sum of £540,053.97 available for allocation.
- 8.13 The Woodyard Lane S106 Agreement requires the Council “to use the [Woodyard Lane] Education Contribution towards the provision of new or enhanced education facilities to accommodate pupils at the Fernwood and/or Middleton Primary and Secondary Schools”.
- 8.14 Aside from the £100,105 referred to above, no alternative arrangements in relation to the remaining £540,053.97 of the Woodyard Lane S106 Agreement have been brought to my attention and therefore this amount would appear to currently be available for allocation. The Woodyard Lane S106 Agreement provides that at any time after the fifth anniversary of the receipt by the Council of the Woodyard Lane Education Contribution the Owner may request repayment of any unexpended or uncommitted balance. Any remaining uncommitted funds received from the first instalment of the Woodyard Lane Education Contribution may therefore be subject to a request for repayment if not expended or committed for expenditure by 18 March 2026 and any uncommitted funds from the second instalment may be subject to such a request by 5 September 2027.
- 8.15 It is noted that it is proposed that the uncommitted Woodyard Lane Education Contribution will be used towards the provision of creation of a specialist SEND provision at Fernwood [Secondary] School. The spending proposal set out in the report in relation to £540,053.97 of the Woodyard Lane Education Contribution which is not currently committed for expenditure would therefore appear to fall within the Council’s obligations on the use of that contribution.

**Comments provided by Tamazin Wilson, Senior Solicitor (Planning, Environment and Leisure) 7/8/24**

**9. Procurement Comments**

- 9.1 It is proposed to award contracts using the appropriate SCAPE (Direct Call-off) single supplier Frameworks. Best Value has already been achieved through the respective procurement process when setting up the individual Framework Agreements. The main contractors are supported by an extensive local supply chain, many of which are locally based or employ their workforce from within the local region.
- 9.2 The proposals raise no significant procurement issues, but care must be taken to ensure compliance with the SCAPE Framework terms. The contracts to be entered into between the contractors and the Council will be based on the SCAPE framework template call off contracts which are from the NEC suite of construction contracts and are fully compliant with the Public Contract Regulations.

**Comments provided by Sue Oliver – Procurement Category Manager for Places 6/8/24**

**10. Other relevant comments**

- 10.1 None.

**11. Crime and Disorder Implications (If Applicable)**

- 11.1 Not applicable

**12. Social value considerations (If Applicable)**

12.1 Delivering Social Value, benefits to the surrounding community and local economy is a key success criteria of the wider project delivery in regards to the procurement of the contractor under the SCAPE framework.

**13. Regard to the NHS Constitution (If Applicable)**

13.1 Not applicable

**14. Equality Impact Assessment (EIA)**

14.1 Has the equality impact of the proposals in this report been assessed?

No

Yes   
Attached as Appendix A, and due regard will be given to any implications identified in it.

**15. Data Protection Impact Assessment (DPIA)**

15.1 Has the data protection impact of the proposals in this report been assessed?

No   
A DPIA is not required because records will be managed in compliance with the Council's legislative requirements and in compliance with the wider regulatory environment described in the Records and Information Management Policy January 2021 v5.0.

Yes

**16. Carbon Impact Assessment (CIA)**

16.1 Has the carbon impact of the proposals in this report been assessed?

No

Yes   
Attached as Appendix B, and due regard will be given to any implications identified in it.

**17. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

17.1 N/A

**18. Published documents referred to in this report**

18.1 SEND Sufficiency Strategy 2023-28