

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	2240
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Department:	Development
Contact:	Caroline Butrymowicz (Job Title: Project Manager, Email: caroline.butrymowicz@nottinghamcity.gov.uk, Phone: 01158763396)
Subject:	Approval of the allocation of Schools Forum funding for Health and Safety and Condition works in schools
Total Value:	£506,500 (Type: Capital)
Decision Being Taken:	Funding of £506,500 has been allocated from the Dedicated Schools Grant by Schools Forum on 29th March 2012. Approval is required to allocate this funding to individual schools to enable them to procure works.
Reasons for the Decision(s)	<p>The funding has been allocated to both maintained schools and academies to undertake works for Health and Safety, Condition and Suitability issues as identified in Appendix A. The funding will be allocated to schools to procure the works independently, complying with Financial Regulations.</p> <p>The devolved capital for schools has been reduced. This funding stream provides the opportunity for schools and academies to bid into the School's Forum funding to improve the fabric of school buildings. The benefits from allocating the funding would be:</p> <ul style="list-style-type: none">. A reduction in Health and Safety issues. Addressing safeguarding issues through improving access control. A reduction in the condition liability of the particular school. A reduction in the condition liability of the City overall. A reduction in the number of school closures due to heating failures <p>It will also mean an improvement in the learning environment, for example by preventing leaking roofs.</p>
Briefing notes documents:	Appendix A - Capital maintenance programme rev 2 15-16.doc

Other Options Considered: Return funding to School's Forum. This has been rejected because schools do not have sufficient funding to address the ongoing Health and Safety and Condition issues they face. For this reason this option was discounted.
Allocate the funding to the schools in Appendix A which will enable the conditon liabilities of schools to be reduced and health and safety, safeguarding and condition issues to be addressed. This is the preferred option.

Background Papers: None

Published Works: None

Affected Wards: Citywide

Colleague / Councillor Interests: None

Consultations: Those not consulted are not directly affected by the decision.

Crime and Disorder Implications: Improvements to controlling access and security of school sites will have a beneficial impact.

Equality: Please login to the system to view the EIA document: Appendix A - EIA (Conditonmaintenance works).doc

Decision Type: Portfolio Holder

Subject to Call In: Yes

Call In Expiry date: 20/11/2015

Advice Sought: Legal, Finance, Procurement, Equality and Diversity

Legal Advice:

The report for the current delegated decision here refers back to the report to Nottingham City Schools Forum entitled: Building Schools for the Future (BSF) - Wave 5 Allocations from 2012/13 and the subsequent decision taken by the Nottingham City Schools Forum on 29 March 2012.

On 29 March 2012, Nottingham City Schools Forum resolved, amongst other things:-

(2) that the reallocation of £0.707m, as set out in Table 1 of the report, on an ongoing basis, which was set aside for Wave 5 and now needed to be aligned to the following priorities for both maintained schools and academies, be agreed:

- (a) schools accessibility work;
- (b) school health and safety and condition work;
- (c) ICT options appraisal;
- (d) ICT services to schools - this would be a provisional allocation and would be reallocated to the health and safety and condition work stream should it not be required;

Table 1 of the report to the Nottingham City Schools Forum refers to School Health and Safety and Condition and earmarks £0.507m for this on an on-going basis (notably, table 1 in the report to the Nottingham City Schools Forum is reproduced as Appendix 1 to the Finance Advice in the report to the current delegated decision).

There is nothing in the Nottingham City Schools Forum decision stating that expenditure of the above funding would require Portfolio Holder approval. It is understood that this is a finance requirement to ensure allocation of funding to particular schools and approval for them to procure the works. Advice provided by Jonathan Ludford-Thomas (Senior Solicitor) on 07/10/2015.

Finance Advice:

Finance Comments

On 29th March 2012 Schools Forum approved the allocation of £0.707m of Dedicated Schools Grant (DSG) funding to fund the following BSF Wave 5 priorities:

- i. schools accessibility work;
- ii. school health and safety condition work;
- iii. ICT options appraisal;
- iv. ICT services to schools

The funding was phased as shown in Appendix B - Health & Safety Works 15-16 Table 1.

As stated in Table 1 £0.507m was allocated in 2015/16 for school health and safety condition works. These funds have now been earmarked to fund the capital schemes outlined in Appendix A.

If this decision were approved it would ensure that the funding is targeted at the schools in most need within the city and reduce the risks highlighted in the Reasons and Circumstances section of this report.

Any remaining uncommitted funding at the end of the financial year 2015/16 will be returned to the Statutory School Reserve and any overspends on individual schools projects will be the responsibility of the school concerned.

The £0.707m is reported as CERA (capital expenditure from the revenue account) on the s251 statement. This expenditure line is not subject to academy recoupment. Academies will be included in the prioritisation of works. Advice provided by Julia Elizabeth Holmes (Finance Analyst) on 27/07/2015.

The proposed schemes will be funded through identified DSG grant which is currently held in revenue, therefore, there will be no change to the overall net position of the capital programme.

The capital programme will be amended as set out in Appendix A
Advice provided by Tina Adams (Capital and taxation Manager) on 25/08/2015.

Advice documents: Appendix A BSF Wave 5 Allocations.doc

Procurement Advice:

Providing that all procurement activity is carried out in-line with the Councils Financial Regulations and Public Procurement Regulations 2015 there are no significant procurement concerns with the recommendations set out within the report. Advice provided by Sue Oliver (Category Manager - Procurement) on 24/07/2015.

Equality and Diversity Advice:

The proposal offers obvious benefits to young people, however as schools are to be responsible for procuring SME's and small businesses to conduct works it is incumbent on the Authority to encourage schools to ensure that a diverse pool of organisations and small businesses are utilised i.e. BME, and local etc and that where possible a review mechanism can be adopted in order to keep with the spirit and intent of the Equality Act. Advice provided by Adisa Djan (Equalities and Diversity Consultant) on 20/08/2015.

Signatures

Sam Webster (Portfolio Holder for Schools)
SIGNED and Dated: 12/11/2015
Alison Michalska (Corporate Director for Children and Adults)
SIGNED and Dated: 03/11/2015