

SCHOOLS FORUM – 8 December 2016

Title of paper:	The repair and maintenance of school gym equipment in maintained schools.
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Summary Previously school funds have been de-delegated to carry out both the assessment and maintenance of maintained school's gym equipment. The work was carried out through a contract with Sportsafe, with administration for the work provided by the central Education Services Nottingham team. The contract with Sportsafe has now expired, and this report details changes to the way gym equipment in maintained schools will be dealt with going forward with the de-delegation of £120 per school for an annual safety survey, and the delegation of £380 per school to pay for associated repairs.	
Recommendation(s):	
1	For maintained mainstream primary schools to approve the de-delegation of funding for an annual safety survey of school gym equipment at a rate of £120 per school. Total estimated funding to be de-delegated for maintained mainstream primary schools is £0.005m.
2	For the maintained mainstream secondary school to approve the de-delegation of funding for an annual safety survey of school gym equipment at a rate of £120 per school. Total estimated funding to be de-delegated for maintained mainstream secondary school is £120.
3	That Pupil and School Services write to Headteachers and Governing bodies of the maintained schools informing them of the annual survey and the links to recommended suppliers.
4	That Headteachers and Governors take necessary steps to carry out school gym maintenance works for all equipment in their schools using one of the approved suppliers from the Eastern Shires Purchasing Organisation (ESPO).

1 REASONS FOR RECOMMENDATIONS

- 1.1 The authority needs assurance that it is carrying out an annual assessment of the gym equipment in the city maintained schools. These recommendations enable these to be met in the most economical manner.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 In recent years Schools Forum has de-delegated funds for the repair and maintenance of school gym and outdoor play equipment in maintained schools. It needs to be noted that this has been for repair and maintenance only and does not include replacement of obsolete equipment.
- The annual service included a site visit from a registered supplier to carry out a review of the equipment and to list any defects that needed attention. The procurement of these annual inspections gave not only a list of minor repairs, but also gave an ongoing commentary of the state of the equipment in the maintained schools.
- Minor repairs orders were placed and approved with the administration of the contract with Sportsafe carried out centrally within Pupil and School Services in the Education Department. Economies of scale meant that the best approach to this was to manage the contract centrally, but with the increase in number of academies this is no longer the case.
- The contract with Sportsafe has also expired and it is now opportune to look again at the arrangements.
- The Eastern Shires Purchasing Organisation (ESPO) carries a list of approved suppliers within their frameworks. All of these are approved and vetted for school use.
- This report is asking for the de-delegation of £120 per maintained school to carry out an annual appraisal of school gym equipment, and the delegation of £380 per maintained school for any remedial repairs.
- This annual appraisal will generate a recommended list of necessary repairs that will then be passed on to the school for action through one of the approved suppliers on the ESPO framework.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 The option was considered to leave the system as it was and continue to de-delegate funds for both annual assessment and repair works. However, VFM, and the fact that the Sportsafe contract had expired makes this untenable.

4 OUTCOMES/DELIVERABLES

- 4.1 Safe working gym equipment in the city's maintained schools.

5 FINANCE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 5.1. Within the local funding formula the lump sum per school contains £500 per school for schools annual inspection and repairs and maintenance of schools gym equipment. This proposal outlines that from the financial year 2017/18 maintained mainstream primary and secondary schools are being asked to approve the de-delegation of £120 per school for the annual inspection of gym equipment only. The remaining £380 per school will be delegated to maintained mainstream schools to cover the costs of any repairs or maintenance.

- 5.2. Based on the latest Department for Education indicator data and known academy conversions the proposal would result in maintained mainstream primary schools de-delegating £0.004m and maintained mainstream secondary schools de-delegating £120. Therefore, a total of £0.005m would be de-delegated.
- 5.3 For information the proposal would result in the delegation of an estimated £0.014m to maintained schools and for repairs and maintenance. Academies would continue to receive the £500 per school in the lump sum factor for them to carry out their inspections, repairs and maintenance this would total £0.026m. Therefore, the total amount to be delegated is £0.040m.
- 5.4 The funding delegated to academies will be passed through the local funding formula through the lump sum factor and then the total of the academies Individual Schools Budget Shares will be recouped by the Education Funding Agency.
- 5.5 In the short-term some schools may incur peaks in costs but it is anticipated that these will be covered by the funding delegated through the formula over the long-term.
- 5.6 If maintained schools approve the de-delegation of funding for the gym equipment surveys in 2017/18 this would ensure that value for money is achieved through the most economic, efficient and effective means of procurement. How this will be achieved is outlined in paragraphs 2.1.

6 LEGAL AND PROCUREMENT COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

6.1 Legal Implications

- 6.1.1 The schools forum's powers here derive from the School and Early Years Finance (England) Regulations 2015 ("SEYFR"), made by the Secretary of State in exercise of powers under the School Standards and Framework Act 1998 and the Education Act 2002. The SEYFR came into force on 7 January 2016.
- 6.1.2 Chapter 2 of Part 2 of the SEYFR is entitled "Further Deductions and Variations to Limits Authorised by School Forums or the Secretary of State" and it contains regulation 12 of the SEYFR. Under regulation 12 of the SEYFR, on the application of a local authority, its schools forum may authorise *the redetermination of schools' budget shares by removal of any of the expenditure referred to in Part 5 of Schedule 2 (Items That May Be Removed From Maintained Schools' Budget Shares) [of the SEYFR] from schools' budget shares where it is instead to be treated by the authority as if it were part of central expenditure, under regulation 11(4) (SEYFR, regulation 12(1)(d)).*
- 6.1.3 Part 5 of Schedule 2 to the SEYFR contains paragraph 33, which states:-
- Expenditure on insurance in respect of liability arising in connection with schools and school premises.*
- 6.1.4 Part 5 of Schedule 2 to the SEYFR contains paragraph 36, which states:-

Expenditure on licence fees or subscriptions paid on behalf of schools.

6.1.5 Part 5 of Schedule 2 to the SEYFR contains paragraph 37, which states:-

Expenditure on the schools' specific contingency.

6.1.6 Therefore, provided what is proposed in this report fits within one or more of the categories above, Nottingham City Schools Forum has the power to approve the recommendations in this report by virtue of the above legislation. The schools forum's power should be exercised lawfully. Provided the amounts sought through use of this power have been correctly and lawfully calculated, the exercise of this power will be lawful. Furthermore, under regulation 8(9A) of the Schools Forums (England) Regulations 2012 (as amended), only the schools members of the schools forum who are representatives of mainstream local authority maintained primary schools may vote to decide whether or not to approve the recommendations in this report where they relate to mainstream local authority maintained primary schools, and under regulation 8(9B) of the Schools Forums (England) Regulations 2012 (as amended), only the schools members of the schools forum who are representatives of mainstream local authority maintained secondary schools may vote to decide whether or not to approve the recommendations in this report where they relate to mainstream local authority maintained secondary schools.

6.1.7 Whilst this report does in fact propose changes to how the repair and maintenance of school gym and outdoor play equipment in Nottingham City maintained schools will operate, the proposed end result would be broadly the same as previously and therefore arguably the Equality Impact Assessment appended to the previous report to the Nottingham City Schools Forum regarding this matter on 24 September 2015 remains valid.

7 HR ISSUES

7.1 Non to report

8 EQUALITY IMPACT ASSESSMENT

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

No

An EIA is not required because:

There is no change to the final service being provided

9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

9.1

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

10.1 None