

# **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

## **CABINET**

**4th October 2017**

### **REPORT OF HEAD OF TRANSFORMATION ANDREW THOMAS**

#### **MATTER FOR DECISION**

**WARDS AFFECTED: All**

#### **STRATEGIC SCHOOL IMPROVEMENT PROGRAMME: PROPOSED PROJECTS FOR THE COUNCIL'S 21<sup>st</sup> CENTURY SCHOOLS CAPITAL FUNDING PROGRAMME - BAND B (2019- 2024)**

#### **Purpose of report**

1. To obtain approval of the Council's submission for Welsh Government 21<sup>st</sup> Century Schools and Education Programme of capital funding - Band B (2019 – 2024).

#### **Executive summary**

2. The Welsh Government, through its 21<sup>st</sup> Century Schools and Education Programme of grant funding, supports capital build projects for new and replacement schools. This Council has benefitted from Band A (2014 -2019) of Welsh Government grant funding programme, enabling c.£122m of capital investment to be made in new school builds.
3. The Welsh Government is seeking grant funding submissions from local authorities for the next tranche of 21<sup>st</sup> Century Schools and Education Programme funding (2019 – 2024). An outline programme of projects for this Council has been submitted to the Welsh Government for initial consideration.
4. Member approval of the outline programme is sought.

5. The projects proposed in the outline Band B submission comprise:
  - a. Cefn Saeson Comprehensive c.£29m**

A new build English-medium school for 900 pupils aged 11-16 years to replace an existing secondary school assessed as building condition category grade D.
  - b. Ysgol Gymraeg Ystalyfera – Bro Dur c.£6m**

New build replacement accommodation as part of the site transformation of the north campus at Ystalyfera. This work complements the new build facilities at the school funded by Band A.
  - c. Ysgol Newydd (Cwmtawe) c.£14m**

A new build English-medium school in the Pontardawe area to accommodate primary age pupils as part of an ‘all-through’, 3-16 development involving Cwmtawe Comprehensive and four existing primary schools.
  - d. Ysgol Newydd (Coed Darcy) c.£9m**

A new build school for 450 pupils aged 3-11 (incl. Nursery) at Coed Darcy urban village. The language medium of the school is yet to be determined. This scheme is carried over from the initial Band A submission.
  - e. Abbey Primary School c.£9m**

A new build English-medium school for 450 pupils (incl. Nursery) on a single site to replace the existing buildings located over 3 sites.
6. These projects address the poorest condition school buildings (building condition category D) whilst also seeking to improve service delivery and address potential risks to business continuity. There are many more schemes that need be tackled with the support of future funding initiatives.
7. To support Band B, the Welsh Government is offering two grant funding options: the traditional capital grant funding route based on a 50% contribution from the Council; and a Mutual Investment Model (MIM) requiring a 25% contribution from the Council.
8. Authorisation is sought for officers to explore with Welsh Government Officials the grant funding opportunities available

within the Band B programme and secure the most beneficial option for the Council.

## **Background**

9. The Council is responsible for promoting high educational standards and for delivering efficient primary and secondary education. Having the right schools in the right place and ensuring that they are fit for the 21<sup>st</sup> century learner is the ongoing challenge facing the Council. Achieving this involves reviewing the number and type of schools the Council has in its area and assessing whether or not best use is being made of resources and facilities. This will include ensuring suitable provision for those pupils with special educational needs/additional learning needs.
10. The Council established a Strategic School Improvement Programme (SSIP) in 2008; a programme that has brought about significant change to the school estate during the ensuing period, including new build schools supported by Band A of the Welsh Government's 21<sup>st</sup> Century Schools programme of capital funding.
11. The SSIP is supported by a principles paper that sets out a programme of development ensuring that schools are "fit for purpose" and capable of delivering high quality education. Proposals for change are to be based on:
  - educational standards
  - the need for places and the accessibility of schools
  - the quality and suitability of school accommodation
  - effective financial management
12. Implementing the SSIP has involved reviewing existing provision in order to deliver education effectively and efficiently across the County Borough. It has led to substantial change involving opening new schools, closing existing schools, merging or amalgamating schools, federating schools and promoting new initiatives that support collaborative working between schools. It has also involved re-organising education provision to ensure pupils gain access to and benefit from the specialist support, skills and expertise available within the County Borough.
13. School reorganisation involving capital build projects has been supported by the Welsh Government's 21<sup>st</sup> Century Schools capital funding programme, Band A (2014 – 2019). This has provided up

to 50% grant funding for capital schemes, the remaining 50% being found from the Council's own resources, substantively from its prudential borrowing capacity.

14. When complete in 2018, Band A capital funding will have delivered two new build, 3-11, English-medium schools (Awel y Môr & Ysgol Newydd Briton Ferry); two new build, 3-16, English-medium middle schools (Ysgol Bae Baglan and Ysgol Newydd Margam); and a new build, 3-18, Welsh-medium middle school on two campuses one in the north and the other in the south of the County Borough (Ysgol Gymraeg Ystalyfera-Bro Dur).
15. Awel y Môr Primary School opened in September 2013 and Ysgol Bae Baglan opened in September 2016. Phase 1 of Ysgol Gymraeg Ystalyfera – Bro Dur (north campus) was occupied January 2017 with phase 2 (primary/lower school - north campus) scheduled to open in the Autumn term 2018. The new build at the south campus is also scheduled to open in the Autumn term 2018 as is Ysgol Newydd Briton Ferry and Ysgol Newydd Margam, completing the Band A programme of projects.

### **School estate – the context**

16. In 2010, Neath Port Talbot supported 71 primary schools, 11 secondary schools and 3 special schools with a school-based pupil population of approx. 21,000.
17. Coupled with Council's overarching programme of school re-organisation the following changes to the school estate will have been effected during the period 2010 - 2018:
  - 7 x primary schools opened (2 x new school builds)
  - 3 x 'all-through' middle schools opened (3 x new school builds – 4 x schemes)
  - 1 x special school opened
  - 2 x specialist units opened
  - 7 x schools federated (2 x subsequently merged to form new school)
  
  - 26 x primary schools closed
  - 5 x secondary schools closed
  - 2 x special schools closed

- 4 x specialist units closed
  - 3 building condition category grade D schools removed; and
  - c. £40m backlog maintenance removed
18. For Neath Port Talbot County Borough Council, 21<sup>st</sup> Century Schools and Education Programme of capital investment, Band B, commences with a more efficient and much improved school portfolio which, by September 2018, will consist of:
- 52 x primary schools – no building condition grade D schools although c.50% of schools are assessed as building condition grade C
  - 6 x secondary schools – 1 x building condition grade D, 3 x condition grade C buildings and 2 x condition grade B
  - 3 x ‘all through’ middle schools – 2 x building condition grade A and 1 x substantially A (with condition grade D blocks)
  - 2 x special schools – 1 x building condition grade A and 1 x condition grade B
19. In 2019 the school-based pupil population is estimated to be approx. 20500

### **The need for change**

20. The Council, like many other authorities across Wales, is managing an ageing school estate. Maintaining a school building portfolio where many premises are experiencing deteriorating internal/external fabric and end of life mechanical and electrical services presents a dilemma for the Council financially and operationally.
21. At the start of the SSIP the Council had in excess of c.£100m of backlog maintenance and accessibility costs associated with its schools. This rose to c.£110m as building conditions continued to deteriorate.
22. With limited finances to support this area of work the identified backlog maintenance requirements for schools significantly exceeds the amount of capital resources available annually.

23. In very many schools the mechanical and electrical services are in need of replacement due to their age and condition whilst leaking windows, deteriorating kitchens and utilities, damp and flat roof replacements pose challenging problems requiring costly refurbishment solutions. In some instances it may not be fully practicable to undertake a complete refurbishment scheme of the building, due to the dated systems of the original construction and inadequate site conditions.
24. Backlog maintenance costs have been calculated to provide a 'like-for-like' replacement of the element. The maintenance costs only considers the work to be undertaken within the next five years and does not include for future works outside this timescale. Once the identified work is developed into a scheme, these costs can rise considerably to allow for the upgrading of areas for modern and future use, and reorganising layouts to address the current teaching requirements of the school.
25. Undertaking backlog maintenance works identified in the condition reports will have a significant effect on the service delivery of the school. The school would have to close for a substantial period and in certain cases, there would be a need to construct a temporary building of similar size, for teaching pupils in the interim. This cost has not been allowed for within the backlog maintenance estimates.
26. Even if the work was affordable, the effect would be to make good the sustainability of the building but is unlikely to result in the delivery of a 21<sup>st</sup> century school environment or address provision and sufficiency of places, i.e. having the right school in the right place.
27. The completion of 21<sup>st</sup> Century Schools' Band A Programme in 2018 along with other school reorganisations, such as school closures, will have removed c.£40m of existing backlog maintenance and accessibility costs. Liabilities for maintaining schools with excess surplus places have also been addressed.
28. Investment in the proposed projects within Band B will result in 4 new build schools replacing 7 existing builds. This will remove a further c.£15m of backlog maintenance and accessibility costs. It will also complete the rebuild and reorganisation of the Welsh-

medium secondary school estate, the latter confirming this Council's long term commitment to Welsh-medium education.

29. Band B does not aspire to fully address building condition liabilities across the school estate as capital investment is limited, not least by the ability of the Council to match fund from its own resources and borrowing capacity.
30. Projects in the Council's Band B programme address the poorest condition school buildings (building condition category grade D) whilst also seeking change to improve service delivery. They also address risks to business continuity, the potential impact of which in a large secondary school setting would be significant. There are many more schemes that need to be tackled with the support of future funding initiatives.

### **Band B (April 2019 – March 2024)**

31. The Welsh Government's 21st Century Schools and Education Band B Programme is anticipated to start in April 2019 and run to March 2024. Planning work for this Programme has started and the Council has been asked for information about emerging priorities and which projects are to be taken forward during this period that address poor condition and sufficiency of places - and are affordable.
32. The proposed Band B programme of projects comprises:

#### **a. Cefn Saeson Comprehensive c.£29m**

A new build English-medium school for 900 pupils aged 11-16 years to replace an existing secondary school assessed as building condition category D with c.£7.4m of backlog maintenance and accessibility costs.

The new build school will continue to serve the existing catchment as well as deliver specialist provision, admitting pupils from across the County Borough. It will be of sufficient size to accommodate potential growth.

#### **b. Ysgol Gymraeg Ystalyfera – Bro Dur c.£6m**

New build replacement accommodation as part of the site transformation of the north campus at Ystalyfera. This complements the new build facilities at the school funded by

Band A and will see the removal of two teaching blocks assessed as building condition category D, reducing backlog maintenance and accessibility costs by c.£3.6m.

This project will deliver a site suitable to meet demand for Welsh-medium education in the north of the County Borough.

**c. Ysgol Newydd (Cwmtawe) c.£14m**

A new build English-medium school in the Pontardawe area to accommodate primary age pupils as part of a 3-16 development involving Cwmtawe Comprehensive and four existing primary schools: Alltwen, Llangiwig, Rhydyfro and Godre'rgraig.

The new build will have capacity for approx. 750 pupils aged 3-11 (incl. nursery) and will require the relocation of four existing primary schools. The 'all-through' school will also accommodate 1284 pupils aged 11-16 in the existing accommodation of Cwmtawe Comprehensive school.

This proposal will deliver in a reduction in backlog maintenance and accessibility costs of c.£2.7m

**d. Ysgol Newydd (Coed Darcy) c.£9m**

A new build school for 450 pupils aged 3-11 (incl. Nursery) at Coed Darcy urban village. This is the first phase of the primary and secondary school builds intended to serve this urban village development.

The language medium of the school is yet to be determined.

This project is carried over from Band A and will be delivered by the developer as part of the existing Section 106 agreement.

**e. Abbey Primary School c.£9m**

A new build English-medium school for 450 pupils (incl. Nursery) on a single site to replace the existing buildings located over 3 sites.

This will remove c.£1.26m of backlog maintenance and accessibility costs.

Abbey Primary is a school that has recently been established from the amalgamation of separate infant and junior schools. It



hosts a specialist assessment centre for Early Years pupils from across the County Borough. The new build school would include this specialist provision. The school will continue to serve its current catchment area.

33. The total cost of Band B amounts to c.£67m.
34. Where a need has been identified and relevant capital funding is available, Early Years/Child Care provision will be developed alongside Band B projects.

### **Consultation**

35. This report seeks Member approval for a submission to the Welsh Government for funding under its 21<sup>st</sup> Century Schools and Education capital grant funding programme, Band B.
36. As the programme is developed, each project within this Council's Band B programme of projects will be subject to consultation with the respective school communities. Where a project involves the closure of a school formal consultation will be undertaken in line with legislative requirements.

### **Impact on pupils**

37. There will be no change to catchment areas served by the schools within the outline Band B programme or in the designated partner schools.
38. The arrangements for admission will allow full-time pupils currently on roll at schools within the programme to transfer to the roll of the new school, subject to the wishes of parents or unless pupils are transferring to secondary education. Prospective pupils (including nursery pupils transferring to full-time education) will need to apply for a place at the new school, in line with the Council's school admission policy.
39. Class sizes are set by the head teacher and governing body of the respective schools. When setting the class sizes the relevant Welsh Government legislation and guidelines will be followed, including the recommendation that classes are no larger than 30 pupils.

40. Where pupils are relocating to another site, the Council's home to school travel arrangements will apply. Prior to the new school opening suitable walking routes will be identified to ensure the school is accessible to all pupils.
41. Under the School Travel Plan requirements, all schools, with the support of the Council's Road Safety Team, are committed to meeting the School Travel Plan objectives by :
  - improving road safety within the local community
  - raising awareness about travel issues
  - encouraging walking, cycling and public transport for the school journey where applicable
  - encouraging independent travel where applicable

### **Impact on special needs education provision**

42. There are no additional specialist units for children with statements of special educational needs specific to the Band B programme of projects. Where provision exists in a school associated with a Band B project, it is anticipated that this will transfer to the new facility.
43. Where pupils with additional learning needs, including children with statements of special educational needs, are supported in a mainstream setting the new facility will continue to provide support with appropriate funding for this purpose. In this regard, the Band B programme will provide 21<sup>st</sup> Century teaching and learning facilities for pupils with additional learning needs, including children with statements of special educational needs.

### **Financial Impacts**

44. To support Band B, the Welsh Government is offering two grant funding options: the traditional capital grant funding route based on a 50% contribution from the Council; and a Mutual Investment Model (MIM) requiring a 25% contribution from the Council.
45. Discussions are ongoing with the Welsh Government over the most beneficial route for the Council to follow.
46. One of the projects contained within the Council's outline Band B submission will generate annual revenue savings. Savings generated as a result of the Strategic School Improvement

Programme (SSIP), of which 21st Century Schools is a significant component part, are ring fenced for further reinvestment in the Education Service. In order to assist with the funding of this programme, opportunities to convert the revenue savings into 'Prudential Borrowing' using its powers under the 2003 Local Government Act and corresponding WAG regulations will be maximised. In addition to utilising Prudential Borrowing, the Council will supplement its funding through the use of capital receipts where available.

47. The combined potential revenue savings generated by the Band B programme of projects and school reorganisation separate to Band B will allow the Council to realise c.£20m+ of capital investment. Should sufficient match funding not be secured then the programme of projects will need to be revised in line with the resources available.
48. The proposals outlined will result in a number of existing school sites being surplus to requirements. Assumptions in relation to potential capital receipts have not been made as there is too much uncertainty surrounding the timing, alternative usage and the amounts of any potential receipts that might be generated. Land values within the County Borough are not generally high, however and as appropriate, receipts will be included as schemes develop and as design details lead to greater cost certainty.

### **Management of programme**

49. Since September 2008, the Council has adopted a structured approach to the rationalisation of educational provision in the County Borough – the Strategic Schools Improvement Programme (SSIP). This Programme is underpinned by four key principles: standards in education; the need for places and the accessibility of schools; the quality and suitability of school accommodation; and effective financial management.
50. This approach enables the Council to meet its statutory duties to provide 'fit for purpose' schools that deliver high quality education across the County Borough. The SSIP sets the context in which decisions on the organisation of school places in Neath Port Talbot are made. It facilitates the planned delivery of a managed programme for change.

51. The programme of projects is overseen by the Council's Corporate Directors' Group (CDG) reporting to the Council's Executive. The Senior Responsible Officer (SRO) is the Corporate Director for Education, Leisure and Lifelong Learning who sits on the CDG.
52. There is appropriate senior officer representation in the areas of Business Change Manager, Senior Users and Senior Suppliers. The SRO and CDG is supported by Programme Managers and a Programme Team, which is responsible for the day to day delivery of the Programme.
53. Programme managers are supported by a programme team of officers with specific disciplines – teaching & learning, data analysis, school building estate, legislative procedures and media/communications. Officers with complementary specialisms are engaged as needs arise.
54. To ensure decisions are informed by a wide base of stakeholders key officers of the Council from Finance, Human Resources, Corporate Strategy, Environment, ICT and Legal Services will be engaged as necessary as will Service Users. Additional stakeholders and project sponsors are involved on a specific programme/project basis.

### **Equality Impact Assessment**

55. An equality impact screening has been undertaken and it has been determined that an equality impact assessment is not required for this report. As the Band B programme of projects is developed, each project will be separately screened for equality impact and an assessment, as required, will be completed as part of the business case approval process to ensure proposals are accessible and inclusive.
56. Where the project involves new build or major refurbishment of buildings, Welsh Government's grant conditions require the Council to comply with equalities and accessibility legislation under the Equality Act 2010 and that schemes are DDA compliant.

### **Workforce impacts**

57. Across the programme of projects that comprise Band B there will be changes that impact on the employment of school staff,

particularly where existing schools will close. Upon closure all staff will cease to be employed at their respective schools. The new school will set a new staffing structure appropriate to its needs and budget.

58. Staff impact will be scheme specific and, as such, will be managed on a scheme by scheme basis. However, in all cases staffing structures will be the responsibility of the head teacher and the school's governing body. In the case of a new school, this will be the temporary governing body. In relation to school closures, the Council's policy is for the posts of head teacher and deputy head teacher to be advertised nationally. For other school based staff, i.e. teaching and support, as part of any re-organisation process staff will be supported by the relevant school policies and procedures which will include full consultation. Previous experience has shown that some staff wish to secure employment in the new school but others take the opportunity to take on new challenges elsewhere. Employees identified at risk of redundancy will be given access to the Council's prior consideration register.
59. The Council is committed to supporting staff at risk of compulsory redundancy and has secured the support and goodwill of the teacher associations/trade unions and governing bodies across the Council, via an employers' pledge. The Council has a good track record for supporting staff in such situations.

### **Legal impacts**

60. Welsh Government's 21<sup>st</sup> Century Schools and Education Programme funding is granted subject to specific conditions.
61. The Council is required to comply with the European Commission's State Aid Rules.
62. Procurement of contractors in respect of Band B schemes will be in line with the South West Wales Regional Contractors Framework and subsequent arrangements when the current Framework ends in 2020.

### **Risk management**

63. The potential risks associated with the proposal comprise the Council's reputation, educational standards, service delivery,

financial management of public money, procurement and contractual arrangements.

64. The Council will work to manage the risks and associated dependencies and constraints through strong programme/project management and robust governance arrangements.
65. A risk mitigation strategy will be employed to lower the likelihood of the risk occurring and/or to minimise the impact on the programme if the risk did occur.
66. Effective risk management will be fundamental to the successful delivery of the programme and as such, the programme risk register will be reviewed regularly throughout and identified risks arising from the projects will be scrutinised, evaluated and mitigated.

### **Risk Assessment**

67. New school builds provide greater prospects for improving educational attainment for pupils
68. Realising the benefits of reorganisation together with the planned actions/measures, particularly thorough and detailed preliminary planning and negotiations, will mitigate the effects of identified risks.
69. The Council has demonstrated through its delivery of c.£122m of Band A projects that it has the experience, expertise and capability to successfully deliver the Band B programme of projects
70. The risk assessment is attached to this report as Appendix A.

### **Impact on community**

71. As the Band B programme of projects is developed, each scheme within the programme will be subject to an impact assessment on community usage. Each scheme's delivery should result in an improved community usage offer with a wider range of better quality facilities.
72. Schemes will be developed with a clear focus on community usage, delivering new builds that work hard for the school and

which can be worked equally hard as a resource for the local community. In this regard, the proposal should have no adverse impact on community usage.

73. The Council remains committed to maximising procurement opportunities that contribute to regenerating the area by ensuring wherever practicable, money spent on procuring goods, works and services benefits local people, businesses, communities and the Welsh economy.
74. Since the introduction of the South West Wales Regional Contractors Framework, the Council's Regeneration and Economic Development department have worked successfully with framework contractors to deliver economic and community benefit.
75. Neath Port Talbot Employer Support Group (ESG) is used to manage and bring together a number of organisations that provide services to contractors, ranging from support for training and employment to helping businesses with tendering.

### **Welsh Language Impact assessment**

76. The Council is committed to Welsh language education. Its Welsh in Education Strategic Plan (WESP) is integrally supported by its school reorganisation programme which has used Welsh Government 21<sup>st</sup> Century Schools Programme capital funding (Band A) together with its own resources to enhance provision for Welsh language education. This has included specific investment in Welsh-medium education, delivering new build, replacement facilities in the north of the County Borough, at secondary and primary phase level, and by establishing a new build facility for pupils aged 11-16 in the south.
77. The expansion of secondary phase education improves access which will have the effect of stimulating demand for education through the medium of Welsh. These developments, combined with reorganisation of primary phase education in the north of the County Borough, ensure a more sustainable Welsh-medium offer and reaffirm the Council's commitment to Welsh language education.
78. The Band B programme seeks to build on Band A investments by further enhancing the quality of the Welsh-medium school estate

by replacing poor condition buildings in the north of the County Borough with new build accommodation. It also supports Welsh second language education by delivering new build English-medium schools.

79. Implementing the Band B programme of projects should result in a positive impact on Welsh language development with increased access to Welsh-medium education and improved provision in Welsh second language settings. The proposal will consolidate Welsh-medium education in the County Borough by creating a viable and sustainable provision. The proposal contributes to the Welsh Government's aspiration for Welsh language and Welsh language education.
80. The provision of services associated with Band B will not treat the Welsh language less favourably than English, in line with the Welsh Language Measure (Wales) 2011.
81. The Welsh language impact assessment is attached to this report as Appendix B.

### **Recommendation**

82. Having given due regard to the impact assessments in relation to equality, risk, and Welsh language, it is recommended that:
  - a. Members approve the Band B programme of projects as submitted to the Welsh Government for grant funding consideration; and
  - b. Officers be authorised to explore with Welsh Government Officials the grant funding opportunities available within the Band B programme and secure the most beneficial option for the Council.

### **Reasons for proposed decision**

83. This decision is necessary to access Welsh Government 21<sup>st</sup> Century School and Education Band B Programme grant funding for capital projects.
84. Subject to the outcome of the grant funding application, implementation of the programme of projects will enable the



Council to promote high educational standards and the fulfilment of every child's potential. It will also enable the Council to meet its duty to secure efficient education in its area.

### **Implementation of the decision**

The decision is proposed for implementation after the three day call in period.

### **Appendices**

Appendix A: Risk Assessment

Appendix B: Welsh Language Impact Assessment

### **List of background papers**

- a) Strategic School Improvement Programme Principles Paper: September 2008  
[https://democracy.npt.gov.uk/Data/Cabinet/20080924/Agenda/\\$CAB-240908-REP-EL-KN.doc.pdf](https://democracy.npt.gov.uk/Data/Cabinet/20080924/Agenda/$CAB-240908-REP-EL-KN.doc.pdf)
- b) Cabinet – reconfiguration of Band A: July 2015  
<https://democracy.npt.gov.uk/documents/s16179/CAB.%20090715%20Band%20A%20reconfiguration.pdf>
- c) Welsh Government - School Organisation Code: July 2013  
<http://gov.wales/docs/dcells/publications/130719-school-organisation-codes-en.pdf>
- d) School Standards & Organisation (Wales) Act 2013  
[http://www.legislation.gov.uk/anaw/2013/1/pdfs/anaw\\_20130001\\_en.pdf](http://www.legislation.gov.uk/anaw/2013/1/pdfs/anaw_20130001_en.pdf)

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