

**The Standing Group for the  
National Conference of Education Building  
And Development Officers**

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May 2003

To: Peter Stanton Ife  
Schools Capital and Buildings Division  
Department for Education And Skills  
Sanctuary Buildings  
Great Smith Street  
London SW1P 3BT

Dear Peter

### **Schools Capital: “Building Schools for the Future” Consultation**

Thank you for the opportunity to comment on this consultation and I am responding on behalf of the Education Buildings and Development Officers Standing Group that discussed this consultation paper at its meeting on 19 March 2003.

Individual LEAs will be responding using the question and answer form. This response gives a number of comments that do not fit easily into the Q & A format.

First of all, the Standing Group welcomes the significant increase in capital funding but is disappointed that it is to be directed to where the DfES decides the need is greatest. The preferred route would be for funding allocation for local decision-making rather than a national bidding process.

In addition the Standing Group would like to highlight the following areas of concern which run as themes throughout the documentation:

#### Potential to undermine the “powerful local partnership” and LEA vision

- ❑ The role of local authorities under these arrangements is ambiguous. The consultation paper refers continually to a “local vision” in which local authorities are a partner, but not necessarily the lead partner as expected under current procurement methods and PFI. Local authorities are viewed as slowing rather than speeding the process of procurement. This is not exclusively the failure of local authorities, as it is often market conditions that leads to delays in procurement;
- ❑ The signals are very confused between the way in which the government talks of greater freedom for local authorities and the DfES trying to direct the use of funding;, with an increasing number of ministerial priorities;
- ❑ DfES must indicate to all LEAs if there are to be focused priorities that will exclude some LEAs e.g. deprivation, poor condition, low standards all likely to result in a certain geographical areas and as priorities for this funding could be seen to rewarding failure to adequately maintain schools buildings. The timing of inclusion of LEAs within the BSF programme needs to be considered in detail with strategies agreed for how LEAs might operate effectively in any intervening period (see points below).

### Potential conflicts with the strategic role of the LEA

- What are the implications for capital investment in those LEAs that are ineligible or will be so far down the priorities over the 10-15 year period planned? In the How proposed procurement without the local authority impacts on School Organisation Plans and vice versa needs to be clarified. The DfES should issue guidance and distribute further funding to local authorities to enable them to be adequately prepared to bid to the JVCo, to reflect the new step change in renovating the secondary school estate. The alternative to inadequate local authority plans will be the JVCo removing this strategic planning role. Therefore, adequate resources should be provided to local authorities to plan for this.
- The local authority should be the procurer, as this fits with the strategic management of school places in an area and system or process that undermines this should be resisted. There is the possibility that the schools or groups of schools could bypass councils and bid directly for this money to the JVCo. The likely impact of this scenario on local strategic leadership by the authority would be unacceptable.
- How will the LSC be involved where schools have sixth form provision?
- short/medium term this initiative could be prejudicial to secondary schools as LEAs need to consider whether to invest beyond the minimum. Equally, the focus on primary provision under formulaic funding will be impossible to deliver in the short term, in those LEAs where BSF for secondary is not forthcoming.
- Of major concern is the LEA's ability to sustain a transparent AMP mechanism to underpin the BSF bidding process as the means for investment in provision equitably during the lead into a BSF programme for the secondary sector. Many LEAs will wish to continue to embed the good practice developed under the recently introduced regimes and schools should be encouraged to view BSF as an overarching strategy which supplements to core AMP approaches, rather than replaces them.

### Technical issues

- Forecast pupil numbers suggest falling rolls, therefore when planning replacement and renewal of secondary schools this should be addressed and is best achieved at local level.
- Scope in the number of projects may be limited even with £2.1 billion.
- The consultation paper explains that exemplar designs will only be used when they fit with the local environment, local authorities not using the exemplar designs should not be discriminated against or access to funding restricted.
- Clarification is needed as to whether this funding will be grant or credit approval which some LEAs may or may not be able to take up.
- There are concerns that the market may not have the capacity to respond with speed and cost will increase as a consequence. This will defeat the value for money objective of the new method of procurement. Consideration also needs to be given to the capacity of single LEAs to deliver large numbers of projects. To address both

of these issues allocating the initial £2.1bn in 2005/06 to a larger number of smaller projects across a greater number of LEAs might be preferable.

- ❑ Many authorities are happy with the present situation and deliver capital programmes successfully and cost effectively and this could be continued with the increase in funding. Relaxed borrowing regulations should be allowed to continue where this is appropriate for local need.
- ❑ There is a need to collaborate and join up the thinking between other funding and decision-making bodies as well as a need to raise awareness in other government departments and agencies. All of which would lead to clarity in long-term funding allocations (for example NOF);
- ❑ Clarity is required over the ownership of the asset once build – whether, for example, the local authority would be expected to maintain a property if it were not the client during procurement and the extent to which in these circumstances the LEA could ensure consistent of standards between all new schools.
- ❑ Roles and responsibilities are unclear under the proposed procurement arrangements and will require further amplification, without which it is difficult to agree that this is the best way forward for local authorities.
- ❑ There is a lack of clarity as to how BSF might fit with other bidding opportunities, in particular, TCF.

I trust that you will find these points helpful. I should be happy to discuss them with you and look forward to the outcome of the consultation process.

Yours sincerely

Shirley Turner  
Chairman