
Meeting: Executive
Date: 15 September 2009
Subject: Transforming Learning In Central Bedfordshire
Report of: Cllr Mrs Anita Lewis - Portfolio Holder for Children's Services

Summary: This report provides an update on the progress made by the Learning Transformation Board since March 2009 and also recommends outline principles for the development of an educational vision and principles for any future review of school organisation for Central Bedfordshire.

This report also provides an outline of the statutory process for proposals to make changes in school provision and details three transitional issues where an Executive decision is sought.

Advising Officer: Edwina Grant (0300 300 4229)
Contact Officer: Roy Waterfield (0300 300 4239)
Public/Exempt: Public
Wards Affected: All
Function of: Executive
Key Decision: Yes
Reason for urgency/
exemption from call-in
(if appropriate): Recommendation g is exempt from call in accordance with the provisions of Rule No.15 of the Access to Information Procedure Rules.

RECOMMENDATIONS:

1. **that the Executive**
 - (a) **note the progress made in the development of an educational vision for Central Bedfordshire since the report to Shadow Executive in March 2009**
 - (b) **approve the amended governance and management arrangements as detailed in the report**
 - (c) **approve the principles set out in this report to establish review criteria for school organisation in Central Bedfordshire and to inform future reports to the Executive**

- (d) approve an initial desktop review of school organisation in the Dunstable and Houghton Regis area of Central Bedfordshire**
- (e) note the statutory process for proposals for changes in school provision outlined in the report and the role that the Executive plays as decision makers**
- (f) note the update provided on the proposal to provide specialist autistic provision at Holmemead Middle School and approve the issuing of replacement statutory notices.**
- (g) approves the statutory proposals for the opening of a nursery class at Shelton Lower School, with a modified implementation date of 21st September, 2009. Consideration of this statutory approval is exempt from call in.**
- (h) notes that the proposal relating to St Andrew's Lower School early years arrangements will be referred to the Schools' Adjudicator**
- (i) notes the steps intended to regularise the consideration of future statutory proposals by Central Bedfordshire Council in its role as decision-maker**

| | |
|-----------------------------|--|
| Reason for Recommendations: | <ul style="list-style-type: none"> <i>(a) The Shadow Executive approved, at its meeting on the 17th March 2009, a set of principles for the early preparation of planning for Central Bedfordshire's potential entry to the national BSF programme. This report provides an update on progress made.</i> <i>(b) following a self assessment of the current governance and management arrangements, approval is sought to provide an effective structure for the next phase of this programme</i> <i>(c) further Member agreement is required to focus continuing work on a set of clear criteria by which school organisation in Central Bedfordshire should be reviewed,</i> <i>(d) Dunstable and Houghton Regis would be Central Bedfordshire's priority area of focus in any strategy for school re-organisation</i> <i>(e) this is the first time that the new Authority has considered statutory proposals for schools</i> <i>(f) following a period of statutory consultation, approval for the provision of a specialist Autistic Spectrum Disorder unit at Holmemead Middle School will be sought at the December Executive</i> <i>(g) statutory proposals to add a nursery unit to Shelton Lower School were published on 11th June, 2009. The objections/observations period has now expired and the proposals need to be considered. A modified implementation date, later than the date of this meeting, also needs to be agreed.</i> |
|-----------------------------|--|

- | |
|--|
| <p>(h) <i>Statutory proposals to amend the early years provision at St Andrew's Lower School, Biggleswade, need to be referred onwards to the Schools' Adjudicator, for the reasons set out in the body of the report.</i></p> <p>(i) <i>Clear arrangements, in line with this Council's constitution, need to be in place to enable future statutory proposals to be considered and determined in a timely manner</i></p> |
|--|

Background to Transforming Learning in Central Bedfordshire

1. As Central Bedfordshire worked in shadow form and since it became an authority in April the message given out to schools, governors and parents is that Central Bedfordshire wants the best for children in terms of their achievement and to listen to communities as it considers transforming learning in Central Bedfordshire. This transformational agenda is about schools in their local communities, what learning for the wider community will mean and how increased community use of schools for childcare, adult learning and family support can be facilitated. School facilities should be open to the whole community, taking into account local needs and priorities. Schools must be at the heart of the community.
2. 'Building Schools for the Future' (BSF) is the Government's 15 year programme of investment in secondary schools (including middle schools in Central Bedfordshire). The programme enables a mixture of new build and refurbishment of existing schools and aims to support the transformation of learning and achievement in Central Bedfordshire schools by:
 - Enhancing school diversity and parental choice;
 - Increasing the use of schools by the community;
 - Seizing new technologies;
 - Developing more creative approaches to learning;
 - Producing places for learning that are exciting, flexible, healthy, safe, secure and environmentally sustainable.

It is by no means certain that BSF funding will be available when Central Bedfordshire is able to bid for the funds, however transforming learning and reviewing the place of the school in the community and the standards of school buildings will be a focus for the Council whether or not it can access substantial funding through the BSF scheme.

3. Levels of deprivation and of educational underachievement have historically been used by Partnerships for Schools (a non departmental organisation) to prioritise Local Authorities entering the national BSF programme. It should be noted that educational underachievement is the predominant factor in these calculations and it may be that some local areas with lower levels of deprivation may in fact be given a greater priority under BSF than areas of higher deprivation.

Using these criteria at a local level, the first area for the focus of BSF in Central Bedfordshire would be Dunstable and Houghton Regis. This area would be followed by Leighton Linlade, Sandy and Biggleswade, and then rural mid-Bedfordshire in order of priority.

4. Central Bedfordshire has received an indication that whilst it will be included in the Building Schools for the Future Programme, it is not currently prioritised highly at 58th out of 70 Local Authorities yet to join the programme. Taking account of this, the Central Bedfordshire Shadow Executive agreed (17th March 2009) that preparatory work should be undertaken for the Authority's possible inclusion in this programme. This early work has followed a framework prescribed by the Department for Children, Schools & Families in order to prove the Council's 'readiness to deliver' it's BSF Programme.

5. The key stages of the BSF programme are:

- Project Inception
- Readiness to Deliver
- Strategy for change
- Outline Business Case
- Procurement
- Preferred bidder
- Financial close

On entry to BSF, the Council would be supported through the programme by Partnerships for Schools, the non departmental public body set up by the Government to deliver the Building Schools for the Future programme.

6. Crucially, aside from BSF, this framework provides an important context for the new Council to develop its educational vision with its partners and to deliver its aspirations for children and communities. It also requires the development of a planned approach to improving teaching with personalised learning at its heart to ensure all pupils reach their full potential through innovative and modern approaches. Therefore, as referred to earlier, much of this work would need to be done as a matter of course.

7. BSF is broader than the educational agenda and cuts across Corporate and the delivery of partnership services to schools, young people and the community. It will be required that the following aspects are taken into account:
 - The impact on regeneration and renewal initiatives across the whole Council area
 - The extent to which culture and leisure activities and extended schools provision are factored in
 - The involvement of statutory partners such as the Primary Care Trust in co-location initiatives
 - The extent to which the Council can illustrate that this is a corporate activity and supported by the Council, through political and managerial leadership.
8. The development of localised special needs provision, including proposals for special schools and co-location with mainstream schools, must dovetail with this programme. Similarly, there must be support for mainstream schools, ensuring they are more inclusive. The needs of all pupils must be met, especially vulnerable groups. The Council has already adopted aspects of the special needs review undertaken by the previous council and the next steps on special school reorganisation for the east of the county are currently being progressed.
9. The guidance for writing a submission for BSF funding suggests that a number of Children, Families and Learning policy areas combine within the BSF published framework to provide an educational vision for Central Bedfordshire. These include:
 - Children and Young People's Plan
 - Statutory assessment on children's workforce reform
 - Extended schools and community links
 - How through the admissions policy the authority promotes parental preference and diversity of school type
 - Information on learning technology developments
 - Existing capital programmes including the Primary Capital Programme
 - Special education needs and inclusion policies
 - Work on supporting pupils with their behaviour and attendance
10. As set out in the detail of the previous report in March 2009, Central Bedfordshire's acceptance of an invitation to enter the national BSF programme would require a commitment to follow a procurement model set down by DCSF that involves the creation of a Local Education Partnership. This Public Private Partnership would hold exclusive rights for the school building programme, ICT and other building related services.

11. Central Bedfordshire may wish to consider its options in terms of this procurement model. Further work is required to determine the potential offered by:
- Creating a Local Education Partnership- pre BSF
 - Creating a Local Education Partnership but only on entry to BSF
 - Not utilising this model at all
 - Joining an existing LEP, established elsewhere

The latter of these options is being investigated further shortly through a visit by the Portfolio Holders for Childrens Services, Culture & Skills and Sustainable Development, Director for Corporate Resources and HoS School Organisation & Capital Planning to the South Tyneside and Gateshead joint LEP.

12. Under BSF the Council would also be required to set out a 'Strategy for Change' document against a national template. This set's out the Council's educational vision and its plans for implementation, reflecting the wider Every Child Matters agenda. Central Bedfordshire's Strategy for Change document will be prepared at the end of 2009, or early 2010. Discussions about the strategy have been taking place, without addressing the question of school reorganisation. It is suggested that this strategy is called an Education Vision for Central Bedfordshire.
13. For modelling purposes there are effectively however, four options for the future structure of school provision in Central Bedfordshire. These are:
- Maintain the existing 3 tier system
 - 3 to 2 tier reorganisation
 - A mixed economy, local solutions for local areas. This would probably need to rely on taking a view of the curriculum across the 3 – 19 age range (3 – 19+ for those with significant special education needs)
 - A blank sheet, how the authority would organise its schools if it were starting from scratch, i.e. any suggestion that stakeholders may come up with

Project Governance and Management

14. On March 17th 2009, the Shadow Executive approved the proposed governance and management arrangements for developing the Council's programme to transform teaching and learning in Central Bedfordshire. The Learning Transformation Board was established to oversee the development of our educational vision and to gather the information necessary to help elected members make informed decisions about the future direction of our work and the appraisal of the following options for the project, set out in the March report.
- To develop the project plan and decide to proceed with the BSF bid.
 - To develop the project plan and not proceed at all.
 - To develop the project plan and decide to take an individual Central Bedfordshire approach to the capital investment in our schools and regeneration of the area.

15. The Board is currently comprised of elected members, chairs of headteachers' groups and officers. It is not a decision making Board but provides an advisory function. The Board's early work has been driven through a number of work streams which were identified in preparation for developing the Strategy for Change and to demonstrate a readiness for BSF. The workstreams are:
- Transforming Teaching and Learning;
 - Governance and Management;
 - Finance and Legal;
 - Property, Regeneration and Sustainability;
 - Information and Analysis for Decision Making;
 - Partnerships, Sport and Culture;
 - Communications;
 - Information and Learning Technology;
 - Every Child Matters and Extended Schools; and,
 - Special Educational Needs and Inclusion.
16. A self assessment of this structure and of the outputs of the workstreams has recently been undertaken through a workshop to ensure a continued focus on the expectations set by BSF and the robust programme management that is required as the project moves into its next phase.

Recommendations resulting from this self assessment include the restructuring of the existing Board, the establishment of a member steering group, a PE and sports stakeholder group and the rationalisation of existing workstreams.

17. It is recommended that the Learning Transformation Board will comprise the Director for Children Families & Learning, who will also act as Chair although the incoming Chief Executive may wish to adopt this role, with the Directors for Sustainable Communities and for Corporate Resources. Assistant Directors of the Children, Families and Learning Directorate will also attend with other senior officers from across the authority, reflecting the wider corporate agenda that BSF entails. This Board will continue to meet monthly and oversee the delivery of the Programme Plan and Risk Strategy. The Chair of the Board will report through to a Members Steering Group.
18. It is also recommended that the Members Steering Group would comprise the Portfolio Holders for Children's Services, Culture and Skills, Corporate Resource, Sustainable Development and the Assistant to Portfolio Holders Children's Services and Culture and Skills with other members invited to attend as appropriate. Meeting bi-monthly, this group would oversee the work of the Board and the delivery of the programme, making recommendations to the Executive as necessary.

Bedford Borough Public Consultation on School Organisation

19. On the 20th May 2009 Bedford Borough Council commenced a two month period of consultation on its proposal to re-organise the structure of educational provision across the Borough to move from a 3 tier system of schools based on a 5-9, 9-13, 13-18 system of Lower, Middle and Upper schools respectively to a two tier system based on 5-11 Primary and 11-16/18 Secondary Schools. It is proposed that the changes are effected in two stages completed in September 2014 and Stage 2 in September 2015.
20. At a meeting of the Children Families and Learning Overview and Scrutiny Committee on the 14th July the Committee advised the Portfolio Holder on their views to inform her response to the Bedford Borough consultation. A copy of the letter that the Portfolio Holder sent is attached as Appendix A. The Portfolio Holder also alerted the Minister for Schools of her views by forwarding a copy of the same letter.
21. A copy of the letter that the Portfolio Holder sent to Bedford Borough was also sent to all Schools and Chairs of Governors where information lists allowed. Any letters or emails from schools about aspects of this work have been acknowledged and are available for inspection.
22. An assessment of the potential impact of Bedford Borough's proposals is on-going but indicates that the proposed reorganisation would be felt most acutely in the areas of Sandy and Cranfield, Houghton Conquest, Lidlington, Marston Moretaine where school pyramids extend across the border with Bedford.

A copy of the current impact assessment was considered by Children, Families and Learning Scrutiny Committee on 11th August 2009 and is attached at Appendix B.

Consultation with Head Teachers and Chairs of Governing bodies

23. An important aspect of the work on transforming teaching and learning is to continue to gather views and information about a range of areas for future development from those involved in schools and communities as the programme develops. This includes the way school places are organised, how innovative curricula can be developed, how transition is effectively managed and how schools can improve the quality of life for all of the people in our communities.
24. Five consultation meetings have now taken place with head teachers and chairs of governors to discuss principles which should be taken into account in the development of an educational vision and to start to explore the wide range of options and issues in relation to possible future arrangements for schools in Central Bedfordshire. These were well attended and the Portfolio Holders for Children's Services and for Culture and Skills were also present at many. This is work in progress.

25. The following summarises the key principles that arose out of the discussions:
- The need to raise education standards and outcomes across all key stages and taking account of contextual added value, i.e. how much improvement a school can make for each pupil whilst they are at that school
 - Continuity of education provision across the pupil age ranges of 3 -19 years
 - That learning should take place in schools that is based around the needs of the community
 - That what is best for children and families should be at the centre of any change
 - That as far as possible services should be delivered locally
 - That the strategy should take account of new models of leadership, e.g. Schools Trusts, shared headships, work across school boundaries
 - That the strategy should be reflective of very recent curriculum reform

Creating our Educational Vision - Strategy for Change – an Education Vision for Central Bedfordshire

26. The Strategy for Change will be a focus for officer work and work with schools from September onwards. This work has slipped a little from the original timescale. It is intended that the strategy for change – an Education Vision for Central Bedfordshire - should illustrate how schools across the local area will provide more choice for parents and carers. The Strategy should be based around a firm commitment to raise standards, especially in the lowest attaining schools. It also needs to address curriculum changes and how these can best be accommodated within school organisation so that schools can deliver vibrant and relevant curricula. These include 14-19 curriculum reform including the introduction of diplomas, the new Key Stage 3 curriculum, the Rose Report on a new primary curriculum and the recent introduction of the Early Years Foundation Stage.
27. The Strategy needs to examine how the Local Authority can best work with Schools Trusts in Central Bedfordshire under the umbrella of the overall Children's Trust, and assess the impact of the Trusts upon school effectiveness. Similarly, the impact of current and future federations of schools will need to be analysed, and work to be done with the schools through Trust Boards and governors on how the Council and schools can work together to improve school effectiveness.
28. The Strategy for Change should also identify and agree the collective vision for community use and agree wider outcomes that could be delivered and supported by the strategy, such as:
- Community regeneration, cohesion and aspiration and adult skills and employability
 - Multi-agency working and the co-location of services
 - Locality working
 - Community access and adult/family learning
 - Sports and cultural facilities;

- Green spaces and play areas;
- Social infrastructure – community venues, houses, spaces; and
- Community infrastructure - other public services such as health, community safety, voluntary sector service provision.

29. A key workstream will also be to establish the relationship between outline BSF plans and wider council development plans (Local Development Framework).

Construction of the new Academy in Dunstable – All Saints

30. The former County Council approved the creation of All Saints Academy, Dunstable in March 2009. The Academy will open in the existing buildings of the former Northfields Technology College this month. However, the Academy proposal includes a significant programme of construction of new and refurbished buildings at the existing site.

31. The funding of the building works will be dealt with by a specific grant from Department of Children, Schools and Families (DCSF). The approvals require that the Council will be the client for the new building project. A budget of £15.3 m has been approved at this stage by Partnerships for Schools (PFS). This is the non-departmental Government body who are managing the Academy build programme on behalf of DCSF. A Technical Advisor has been appointed to the project and is accountable to the Director of Children, Families and Learning. The process will also require significant input by the Council's legal, procurement, finance and professional construction staff, although the building project itself will be delivered by a contractor on the PFS framework list.

32. It is therefore important that the Council provides proper project management as client for the project and a suitable resource does not currently exist in-house. Options are being explored on how this role will be delivered to ensure that the Council's interests are properly protected in the development and building phases. A further report will be made to the relevant Portfolio Holder, however it is important to note that the cost of the capital project for the Academy will need to be included in the Council's capital programme when it is next updated.

Next steps

33. The strategy for change has to be written within a tight timescale during the Autumn. In order to keep a conversation going with the DCSF regarding the aspiration to be in the BSF programme, the following timetable is proposed.

34. Indicative timetable.

| | |
|-----------------|--|
| Sept – Oct 2009 | Further work on the strategy for change - an Education Vision for Central Bedfordshire. Members are asked to note that the first steps in establishing a robust approach to statistical analysis would be an initial desktop review of school organisation across the Council, beginning in the Dunstable and Houghton Regis area and then working through the other three areas of Central Bedfordshire identified in the report. |
| 3 November | Further report on the work to ascertain the view of the Overview and Scrutiny Committee for Children, Families and Learning |
| 8 December | Executive report on which of any of the structural options should be built into the strategy for change. |
| Feb 2010 | Executive approval of Strategy for Change including detail and delivery, estates strategy. Submit to DCSF for approval. |
| June 2010 | Executive approval of Outline Business Case. Central Bedfordshire Council submitted to DCSF for approval. Formal approval to issue OJEU notice (Official Journal of European Union). |
| Sept 2010 | Prepare procurement documentation and evaluation plan. Submit OJEU notice to Board. Partnerships for Schools (PFS) approves OJEU and procurement documents. |
| Jan 2011 | Bidders Day. Interview long list of Bidders. Project Board to agree short list. |
| Dec 2011 | Issue Invitation to Competitive Dialogue (ITCD). Evaluate bids. Issue Invitation to submit final bids (ITSFB). |
| Jan 2012 | Final Evaluation report to Project Board. Appoint preferred partner. Financial close |
| April 2013 | Opening of first improved/rebuilt school. |

Statutory proposals for changes in school provision - decision making framework

35. LAs are under a statutory duty to ensure that there are sufficient school places in their area, promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. They must also ensure that there are sufficient schools in their area and promote diversity and increase parental choice.

36. The changes to community, voluntary and foundation schools that require proposals, other than for expansion or adding a sixth form, include:
- Change of Upper Age Limit
 - Change of Lower Age Limit
 - The addition or removal of, or change to, provision reserved for pupils with SEN
 - Transfer to a new site
 - Discontinuance of one of a multi site school's sites
 - Change of School Category i.e. community, foundation, voluntary aided, or voluntary controlled.
37. Other proposals for status change and the establishment of school trusts can be determined by school governors. Proposals to establish new schools are complex and will be the subject of a further report should the need arise in the future.
38. The Office of the Schools' Adjudicator is responsible for considering proposals that cannot be determined locally and certain types of proposals where there are objections (including new schools).
39. As an overview, there are 5 stages for a statutory proposal to make a prescribed alteration to a school. These are:
- Consultation – Likely to be no longer than 12 months
 - Publication of notice – 1 day
 - Representation – 6 weeks
 - Decision – Up to 2 months (from the end of the representation period)
 - Implementation – As set out in the proposal
40. Further information on this process can be found in the DCSF publication "Decision Makers' Guidance – Making changes to a maintained mainstream school". This is a large document but is available on request from the Head of Service School Organisation & Capital Planning.
41. There are currently three statutory proposals that have arisen during the transition to the new Council which now require Executive consideration. These are outlined in the following sections.

Provision for pupils with Special Education Needs – Holmemead Middle School

42. The Executive will already be aware of the on-going work regarding Hitchmead and Sunnyside Schools considered on the 23rd June 2009. Another provision that needs to be brought forward to ensure that progress can be made, concerns proposals for Autistic Spectrum Disorder provision at Holmemead Middle School.

43. Children with Autistic Spectrum Disorders (ASD) whose needs cannot be met within a mainstream school without specialist support require specialist provision. These pupils will have statements of SEN which will specify that they need an environment which is more highly and expertly resourced than the provision normally made in a mainstream classroom setting.
44. Admissions are through the Local Authority's Children's Services which consults the School prior to admission. This is the case for all pupils with statements of special educational need where the authority intends to name the school on the statement when they intend to admit a pupil to a provision.
45. Central Bedfordshire currently has specialist provision for ASDs in the following areas of Central Bedfordshire:
 - Ramsey Manor Lower School and Arnold Middle School, Barton, and Samuel Whitbread Community College in Clifton;
 - Streetfield Middle School and Manshead Upper School, Caddington.
 - St Swithun's Lower School in Sandy
46. The Special Education Needs Review undertaken by Bedfordshire County Council in January 2008 and adopted in principle by Central Bedfordshire's Transitional Task Force for Children, Families and Learning, recommended the setting up of specialist provision where there are gaps. In line with this, it is proposed to develop a special provision for up to 8 children from the age of 9 with special educational needs (SEN) in relation to significant difficulties arising from autistic spectrum disorders in Biggleswade to open in Sept 2010, and to further develop this provision in the following two years in a local Upper School.

Holmemead Middle School, Biggleswade already provides accommodation for a group of children from Sunnyside School. The authority has worked closely with staff and Governors of the school and they have indicated that they are prepared to host an ASD provision. In future such commissioning of provision will be done via the Central Bedfordshire Children's Trust.
47. Notices were published by the governors on 12 June with an expiry date of 24 July and there were no negative responses. However, it was subsequently brought to the governors attention that a legal discrepancy existed within the notice and it is therefore necessary for the Notices to be republished by the Local Authority.
48. Should Members agree this approach, the Statutory Notice will be republished and it will be possible to bring a report on the outcome to the Executive in December for formal approval. The financial implications of this proposal are set out in the Corporate Implications section of this report.

Approval of statutory proposal – Nursery Unit at Shelton Lower School

49. The Authority has a statutory duty to plan places for 3 and 4-year old children. The former County Council, in line with its early years planning framework, agreed to the opening of a new part-time nursery class at Shelton Lower School, arising from population growth flowing from the development of Marston Moretaine. Statutory notices were then published by this Council on 11th June 2009 and these need to be considered by this Council within two months of expiry of the notices (or the proposals will fall to the Schools' Adjudicator to determine). Given the summer period, this meeting presents the best available opportunity to consider the proposals.
50. The proposed class is for up to 15 pupils and the school have completed a building project to provide suitable accommodation. The revenue consequences have already been factored into the school's budget.
51. Members are advised to approve the proposal, with a modified implementation date of 21st September, 2009.

St Andrew's Voluntary Controlled School – changed early years provision proposals

52. Governors of Voluntary Schools are entitled to publish certain statutory proposals, including those which close formal nursery classes and substitute what are known as a "4+ admissions scheme" allied to pre-school provision. Proposals of this nature were normally supported by the former County Council because the national policy framework supports diversification of early years provision involving a childcare and education blend. This scheme involves a partnership with a local voluntary sector provider.
53. The St. Andrew's governors published proposals on 15th May, 2009, which expired (six weeks later) on 26th June, 2009. As a result of the local government changes in the area the new officer team at Central Bedfordshire were not aware of the proposals until late in August. The proposals need to be determined within 2 months of the expiry of the notices, i.e. by 26th August, 2009. In these circumstances no timely Executive Committee meeting date was available and without an appropriate delegation it would have been inappropriate to take forward a delegated decision.
54. The national decision-making framework provides for non-locally determined proposals to be referred to the national Schools' Adjudicator. Officers have briefed the Adjudicator's Office and have suggested a slightly amended modification date in order to secure a quick decision. Revenue implications of this proposal are being managed within the direct schools grant (DSG). There are no capital implications associated with this proposal.

Future issues

55. For the future there will be a need to put in place a constitutional arrangement which enables the Portfolio holder and Director to consider and approve appropriate limited-scale and non-controversial proposals of this nature which are consistent with this Council's policies. A further report will be provided to the Executive in December to propose new arrangements. In addition, the Director will write to all schools reminding them of the need to consult the Authority at an early stage so that arrangements for decision-making can be made within the statutory timeframe and feature, as necessary, on the Forward Plan.

Conclusion

56. **Members are invited to approve the amended governance and management arrangements as detailed in the report**
57. **Members are invited to approve the principles set out in this report in order that the next steps can be taken to write the Education Strategy for Change – the Education Vision for Central Bedfordshire and to establish review criteria for school organisation in Central Bedfordshire**
58. **Members are invited to approve the publication of statutory notices for the provision of an additional special needs facility to provide for pupils with ASD in Holmemead School.**
59. **Members are invited to approve the statutory notice for Shelton Lower School nursery class, with a modified implementation date of 21st September, 2009.**
60. **Members are asked to note the referral of the proposal relating to St Andrew's Lower School, Biggleswade to the Schools' Adjudicator.**

CORPORATE IMPLICATIONS

Council Priorities:

Achieving BSF funding and transforming teaching and learning would support the Central Bedfordshire Strategic Plan (2009-11) particularly in educating, protecting and providing opportunities for children and young people.

Financial:

When the Shadow Executive considered learning transformation at its March meeting, the potential for Government funding of transformation of change via the Building Schools for the Future (BSF) programme was outlined. It was also noted that should the Council not be granted a place in the programme, the Council would need to take a view on how it would transform teaching and learning to continue to raise standards without the benefit of BSF funding.

The Council has not been included in the list of authorities invited to discuss BSF proposals in the current year. However, discussions are on-going with both DCSF and PfS on how this agenda can be progressed.

Authorities that have already participated in the programme have had to set aside considerable resources. Experience elsewhere suggests that the over all cost of establishing a BSF programme successfully is in the order of £5m to £7m, although the savings from reduced medium term procurement costs, and the construction programme, are expected to outweigh these costs.

At a meeting of the County Council Executive in January 2007 £1.8 million was set aside to fund the implementation plan for Bedfordshire. This allocation has been disaggregated to Bedford Borough Council, as this was needed for their on-going base budget provision for projects already agreed. There will be a need for a future report on budget provision on preparatory work for the Learning Transformation Programme whether or not the Council is accepted in the BSF programme. This issue will be raised in the 2010/11 budget and financial planning process. In the meantime current preparatory work is being funded from existing resources.

Information relevant to sections 42-48 – Holmemead Middle School

The revenue funding for this provision will mainly come from the statementing budget which is allocated annually from Direct Schools Grant (DSG) through the school's Individual Schools Budget (ISB). To ensure continuity of staffing this aspect is annually costed on 8 places, however many children there are in the provision. For the places alone the annual budget for this provision in 09/10 is £132,944. Actual pupils are funded through Age Weighted Pupil Units (AWPU). The school would also receive an increase in formula capital and school meals against actual pupils, and an increase in floor allowance if the school's floor area increases. These are all paid through the ISB via the formula, based on actual pupils and floor data.

The setting up of the provision will require capital investment at the school to ensure that the specialist provision is able to meet needs appropriately. A feasibility study is being completed to establish anticipated costs, and a PID will be submitted to Executive in due course recommending that it be included in the 2010/2011 Capital Programme.

Legal:

A BSF project of the nature set out in this report has significant and wide-ranging legal implications for the Council associated with Governance and the establishment of a Local Education Partnership. Once the project is up and running there could be complex contractual arrangements involving £200 - £300 millions worth of building projects. Partnerships for Schools has produced standard contractual documentation, which the Council will be expected to adopt if it proceeds with the BSF option.

In processing statutory proposals and delivering the Academy scheme it is important for the Council to have due regard to the legal framework for decision making and the contractual issues in relation to the Council's responsibilities for procuring the Academy building scheme.

Risk Management:

Initial risks have been identified and mitigation developed. If Central Bedfordshire was successful in achieving BSF funding then mitigation of risk would be a key part of the project.

Staffing (including Trades Unions):

In the event of specific work streams impacting on staff, appropriate consultations will be undertaken with trade unions and professional associations.

Equalities/Human Rights:

None

Community Safety:

Improvements in the quality of school buildings and the opportunities for extended services will enhance the opportunities for wider community development and improved community safety.

Sustainability:

To develop new school buildings which are well designed and maintained during their lifetime and provide optimum efficiency and effectiveness in relation to their use by schools and the wider community

Appendices:

Appendix A – Portfolio Holder's response to Bedford Borough Council's consultation

Appendix B – Current impact assessment on Central Bedfordshire's schools as a result of Bedford Borough Council's proposals

Background Papers:

- 1) Building Schools for the Future (BSF) - Shadow Executive 17th March 2009
- 2) Building Schools for the Future (BSF) and Transforming Teaching and Learning in Central Bedfordshire - Overview & Scrutiny 14th July 2009
- 3) Next steps on Transforming Teaching and Learning in Central Bedfordshire - Overview & Scrutiny 11th August 2009
- 4) Deliberations of the Transition Task Force in the shadow period 2008/9
- 5) Prescribed information and statutory notices for Nursery Unit at Shelton Lower School and for change to early years provision at St Andrews Lower School, Biggleswade

Location of papers: Priory House, Chicksands