

# The Management of Building Schools for the Future waves 7 to 15

## Consultation Response Form

The closing date for this consultation is: 4 July  
2008

Your comments must reach us by that date.

department for  
**children, schools and families**

**THIS FORM IS NOT INTERACTIVE. If you wish to respond electronically please use the online or offline response facility available on the Department for Children, Schools and Families e-consultation website (<http://www.dcsf.gov.uk/consultations>).**

The information you provide in your response will be subject to the Freedom of Information Act 2000 and Environmental Information Regulations, which allow public access to information held by the Department. This does not necessarily mean that your response can be made available to the public as there are exemptions relating to information provided in confidence and information to which the Data Protection Act 1998 applies. You may request confidentiality by ticking the box provided, but you should note that neither this, nor an automatically-generated e-mail confidentiality statement, will necessarily exclude the public right of access.

**Please tick if you want us to keep your response confidential.**

Name Margaret Parker  
Organisation (if applicable) ADCS  
Address: Ellen Wilkinson Building  
University of Manchester  
Oxford Road  
Manchester  
M13 9PL

If your enquiry is related to the policy content of the consultation you can contact Shaw Warnock on:

Telephone: 020 7925 6454

e-mail: [shaw.warnock@dcsf.gsi.gov.uk](mailto:shaw.warnock@dcsf.gsi.gov.uk)

If you have a query relating to the consultation process you can contact the Consultation Unit on:

Telephone: 01928 794888

Fax: 01928 794 311

e-mail: [consultation.unit@dfes.gsi.gov.uk](mailto:consultation.unit@dfes.gsi.gov.uk)

Please tick the box that best describes you as a respondent:

<input type="checkbox"/> Local Authority	<input type="checkbox"/> Diocesan Body	<input type="checkbox"/> Other Voluntary Aided Body
<input type="checkbox"/> School - Headteacher or other staff	<input type="checkbox"/> School Governor	<input type="checkbox"/> Representative Organisation
<input type="checkbox"/> Private Sector - Financial	<input type="checkbox"/> Private Sector - Design	<input type="checkbox"/> Private Sector - Construction
<input type="checkbox"/> Other		

Please Specify:  
The Association of Directors of Children's Services (ADCS)

Are you an authority, school, organisation or other body that is involved in BSF waves 1 to 6?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
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1 Do you agree that we should have a wider set of criteria for the prioritisation of BSF waves 7 to 15?

Agree

Disagree

Not sure

Comments:

- In principle, yes. We would broadly welcome the wider criteria for prioritisation, particularly if it helps to more effectively refine priorities between LA's currently in later waves (or geographical parts of LA's not already included in the BSF programme) where there is much less difference between their educational and social need.
- It will also be beneficial if the changes proposed enable LAs to plan for, and deliver, a steady and continuous programme of transformation, particularly where they are in more than one wave.
- However, the issue of "changing the goalposts" at this stage of the programme could be a challenge for some LAs. This could be a problem in terms of both the perception of the programme and explanations to their schools and local communities about why/how they have slipped in the programme.
- *If the wider criteria significantly displaces some LA's that are planning/preparing to shortly join the programme as they have been notified they are in the next waves (e.g. 7 and 8) consideration may be should be given to how DCSF should respond to and support these authorities as they may well have committed a considerable amount of resources and time in getting in a position to be "ready to deliver".*
- Additional consideration for a wider criteria includes:
  - School reorganisation and strategic synergy with other school reorganisations such as PCP could be considered as an equally important factor in being able to maximise benefits to a locality.
  - Consideration as to whether building condition and suitability could carry a strong weighting, so as not to discriminate against schools achieving good and excellent standards but continue to operate from very poor and unsuitable buildings.

2 Do you agree that we use educational and social need as a tie-breaker when two projects are otherwise evenly balanced?

Yes

No

Not Sure

3 How could BSF better support local plans to join-up and co-locate services for children, young people and families?

Comments:

FSM is a traditional recognisable methodology; using IMD might be a more refined method for considering deprivation/social criteria.

However, consideration should also be given to using:

- readiness to deliver towards existing wider strategic transformation programme (e.g. existing / ongoing part-authority BSF or PSF programmes)
- sustainability of existing LEP activity

4 Do you agree that all “new” authorities should be given an opportunity to enter BSF with an initial priority project for early implementation?

Agree

Disagree

Not sure

Comments:

In principle it is a good idea for all LA's to enter BSF programmes. However, there are a number of factors to consider:

- It will be more difficult to achieve a “sign up” to a whole LA transformational change agenda (including at corporate level) – particularly if there is a large gap between each of the waves within an LA
- The resource implications for LA's developing a small project, as the amount of strategic, financial and procurement planning needed to develop a joined up and truly strategic SfC is costly in terms of revenue and resources for LA's (as well as the private sector). The smaller projects may affect the available resources that can be identified and supported within an LA. Equally there will be issues to consider about whether the same level of additional resourcing can be effectively sustained over a more extended period of time. In particular the process and costs of engaging advisers for a series of smaller projects over a longer period of time could be prohibitive
- That there could be a higher risk of small projects being more focused on capital development rather than a wider transformation agenda (which takes far longer to develop).
- The timescales for announcing and developing each new wave needs to take into account the length of time needed within LAs for capacity building, planning and gaining stakeholder commitment, including any

competitions issues.

- Market testing / attractiveness to LEP bidders of very small projects
- Scope of procurement within OJEU notice could be harder to define (for both advisers and for the LEP) and potentially less attractive to both markets
- Potential to “overheat” the market if too many separate school capital projects are being undertaken across the country.
- The capacity of PfS, 4Ps, OSC and DCSF may need to be significantly increased and stabilised to support a higher number of smaller projects and programmes, which could be equally as resource intensive as a larger programme

5 Are there barriers to having neighbouring authorities work together in a joint LEP, as a condition of an early start with a smaller project. How could they be overcome?

Comments:

- If BSF programmes in LA's are truly transformational, and aim to have ECM at the heart of their Vision and strategy for change, a key part of plans will be the consideration of joining up and co-locating services. However, the ability to develop any plans/proposals is affected by the problems with trying to align revenue and capital streams with the BSF timetable. Due to the many and varied funding streams this can prove to be very challenging. To assist in smoothing the way for this to work effectively there needs to be:
  - More joined up policy development and planning (and aligning of funding streams) at a national level to support and promote this agenda.
  - Better clarity about when LA's are likely to join the programme - and thus allow improved lead in times to enable negotiations to take place ahead of LA's formally joining the programme and, therefore, attempt to work in partnership to align the funding sources and jointly develop plans.
  - More encouragement/incentive for agencies to work together in achieving this as a key outcome of the transformational change agenda.
  - Opportunities to flexibly adjust plans, designs and LEP contracts for developments of this nature to be added to the programme as and when negotiations can be successfully concluded.
- Given the current constraints LAs must have the flexibility to focus BSF on local needs, priorities and circumstances. If there is a strong local strategic imperative to join up programmes, each LA should identify and progress this in specific areas, but not be pressured to try to “shoehorn” different programmes together which could result in
  - a dilution of benefits to communities and ownership by key

stakeholders

- added complexity leading to extended timescales throughout the programme, particularly at consultation and Competitive Dialogue stages

6 Are there difficulties with proposing “follow on” projects within these size guidelines? What are they and how can they be addressed?

Comments:

- This could be an acceptable approach for most LA's. Providing the cost envelopes can be flexible enough to allow for a strategic approach (particularly where linked to other priorities such as reorganisation or PCP), this approach should make programmes more manageable and sustainable over the long term, allowing for capacity to be built within LA and central government. However, to enable confident forward financial and resource planning, this would realistically require an indicative timetable over the life of the programme, and commitment that “tail end” schools within an authority could remain confident of investment.

*- A potential difficulty may occur if DSCF and PFS follow this approach to rigidly and LA's are unable to group their schools into neat manageable groups of at least £100m.*

*- It is, therefore, presumed possible to have smaller project sizes if an LA already has a LEP in place that can accommodate the additional schools as part of the contract (as this has been negotiated from the outset as an acceptable variant).*

7 Is anything more needed to enable local authorities to be ready to deliver?

Comments:

When preparing for entering the programme there are many competing demands on programme teams time to meet the agenda's and priorities from both internally and external stakeholders. It would be helpful if the external adviser support could be introduced on a more phased basis for new authorities:

- with timing of 4ps support arriving earlier on areas such as programme set up, initial project training opportunities, joining network meetings and gateway 0 reviews). In addition
- an earlier "light touch" engagement with PfS to support understanding and preparation of draft strategy for change, bringing together well ahead of time key plans and strategies such as Forward Capital Plan, Vision for Learning, school reorganisation strategies, inclusion, admissions. This could significantly inform the readiness to deliver when needed
- For existing authorities to provide a realistic appraisal of whether existing cross-wave authorities would be actively encouraged and supported to submit plans to bring later waves forward, or whether priority would generally be given to "new" authorities

8 Do you agree with a programme of rolling announcements and starts, in line with when projects are ready and funding is available? Are there any practical difficulties with this, and if so what are they?

x Yes

 No Not Sure

Comments:

- Welcome and agree with the proposal and principle of rolling announcements and starts that are in line with when projects are truly ready to start. There ought to be better flexibility in this area which will ensure there is a improved, steady rolling profile of investment and expenditure both within LA's and across the country and thereby achieve the ambitions for the programme as soon as is feasible.
- LA's should not necessarily be hampered by where they are, in principle, within the queue for joining the programme and if they can mobilise earlier they should be considered commencement. However, implementing this approach will need to be carefully considered in terms of ensuring that:
  - The relevant approvals to proceed and access the requisite funding is

available and plans and finalising of negotiations are not held up by funding availability (therefore, careful consideration of lead in time and notification at DCSF/ PFS and LA levels will be needed in order that this does not prejudice the credibility and deliverability of the programme).

- If there is a rolling announcement and more/all LA's are started in the programme this will also have implications for the external advisers to the programme (such as 4P's and PfS) being appropriately and fully resourced to support a larger number of programme teams. In order to maintain the momentum across the country the programmes will need to be able to access the appropriate and accessible support, guidance and advice.
- There is an effective management of a rolling timetable of smaller projects coming to market in same geographical area, in order to reduce the potential to create a temporary Overheating of the market for potential smaller LEPs or frameworks

9 Are there problems with LEPs having a wider regeneration remit than just BSF or schools?

Comments:

LEPS clearly could have a broader remit There are a few issues to consider if the LEP is to have a wider regeneration remit which need careful consideration within LA's in order to meet local circumstances. Key issues could include, for instance:

- The potential for the dilution of service -specific interest and expertise
- Less concentration and energy on delivering the BSF programme of investment
- Complexity of contract management to multiple outcomes and indicators
- OJEU procurement notice – scoping of works over longer periods of time (e.g. 15 - 25 years) at a single point in time
- Scale of risk associated with single / sole / primary provider model
- Availability of consortia broad enough to deliver
- Availability of consortia willing / able to afford to bid through competitive dialogue to several output specs
- Restricting market opportunities and subsequent economic regeneration for smaller organisations to work through local/regional frameworks
- Potential reduction in Competitive Pricing in reducing market
- More complex procurement process could slow down programme
- Would it still be called a “LEP”?

10 Are there barriers to co-locating other services for children, young people and families on school sites? If so, what are they?

Comments:

- As indicated in question 3, there are issues associated with timing and constraints of funding programmes across partners
- Issues in relation to differing terms and conditions of employment, responsibility for the site/buildings in and out of school hours, who/how funding full range of FM services (including lifecycle replacement cost) – particularly if there is shared use of various spaces within the school setting.
- Long term sustainability of revenue funding from/between partners
- Multi agency sign up at an early stage for partners to contribute to designing the space would also need to be in place to ensure buildings are fit for purpose /co-location and early planning and engagement could offset some potential barriers
- Buildings would have to be carefully planned outside of the traditional secondary school design to ensure non stigmatised engagement for hard to reach families. They would also need to have areas with suitable design for younger children and families, which may not fit easily with a secondary environment

11 Are there other factors or options for the management and prioritisation of later waves of BSF which we have not considered? Have you any further specific or general points that you would like to make about the management of Building Schools for the Future?

Comments:

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

**Please acknowledge this reply**

Here at the Department for Education and Skills we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

xYes

No

All UK national public consultations are required to conform to the following standards:

1. Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
2. Be clear about what your proposals are, who may be affected, what questions are being asked and the timescale for responses.
3. Ensure that your consultation is clear, concise and widely accessible.
4. Give feedback regarding the responses received and how the consultation process influenced the policy.
5. Monitor your department's effectiveness at consultation, including through the use of a designated consultation co-ordinator.
6. Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.

Further information on the Code of Practice can be accessed through the Cabinet Office Website: <http://www.cabinetoffice.gov.uk/regulation/consultation-guidance/content/introduction/index.asp>

**Thank you for taking time to respond to this consultation.**

Completed questionnaires and other responses should be sent to the address shown below by 4 July 2008

Send by post to: Cheryl Hogarth, Schools Capital Strategy Unit, Department for Children Schools and Families, Sanctuary Buildings, Great Smith Street, London SW1P 3BT

Send by e-mail to: [BSFManagement.CONULTATION@dcsf.gsi.gov.uk](mailto:BSFManagement.CONULTATION@dcsf.gsi.gov.uk)