

North Somerset Council

Report to the Executive

Date of Meeting: 24th April 2024

Subject of Report: Commissioning Plan for the Construction Contract for the Delivery of SEND Safety Valve Programme Updates at the Voyage Learning Campus site in Milton, Weston super Mare

Town or Parish: Weston-super-Mare

Officer/Members Presenting: Cllr Catherine Gibbons, Deputy Leader & Executive Member for Children's Services, Families & Lifelong Learning and Cllr Annemieke Waite, Executive Member for Climate, Waste and Sustainability

Key Decision: YES

Reason:

This contract will incur expenditure over £500,000.

Recommendations

To approve the Construction Contract Commissioning Plan for the Refurbishment and Enhanced Provision scheme at the Voyage Learning Campus site in Milton, Weston super Mare to the value of £1,098,000 as part of approved actions within the Safety Value programme agreed with the Department for Education.

1. Summary of Report

The Voyage Learning Campus (VLC) is located across two distinct sites in Weston-super-Mare. The VLC Milton site is located at Baytree Road in Milton, Weston-super-Mare and provides a Phase 1 Pupil Referral Unit to Year 7 and Phase 3 Medical Tuition Service. The VLC Oldmixon site is located at Oldmixon Crescent in Weston-super-Mare and provides a Phase 2 Pupil Referral Unit for Years 8-11. This report outlines the background and intended outputs and outcomes of the delivery of a refurbishment and enhanced provision scheme at VLC Milton as outlined in the SEND Safety Valve Programme.

The project aims to deliver enhancements to enable the school to accommodate additional pupils at their site, as well as having clearly defined areas within the site for primary-aged pupil referral children, for children and young people with medical and anxiety needs and for wider outreach.

The project now has a sufficiently progressed design proposal to allow for a contractor to be commissioned to deliver the construction of the project. This report is seeking approval of a commissioning plan to proceed with a procurement exercise to award a construction contract to deliver the works.

2. Policy

The provision of the building improvements proposed by this project will support the Council's corporate plan objectives to improve Prosperity and Opportunity, Health and Wellbeing and Quality Place.

The project also supports the corporate plan aim of North Somerset being a council which empowers and cares about people, committed to protect the vulnerable within our communities, tackling inequalities and improving outcomes.

3. Details

In March 2022, the Department for Education announced the High Needs Provision Capital Allocations (HNPCA) for the 2022/23 and 2023/24 financial years. HNPCA is paid to Local Authorities (LAs) to support the provision of places for children and young people (CYP) with special educational needs and disabilities (SEND) and those pupils requiring alternative provision (AP).

In October 2022 the DfE invited North Somerset, as part of its High Needs revenue deficit reduction plan, to submit a bid to secure additional capital to deliver building solutions to help support an increase in the availability of local SEND places so that capital investment might contribute to controlling and reducing the revenue deficit - the Safety Valve (SV) bid. The bid was successful and NSC were granted funding to deliver interventions at 20 schools that included enhancements at the VLC's site in Milton, Weston super Mare.

A Commissioning Plan for the delivery of transformational investment at schools across North Somerset to create and improve places for CYP with SEND or those requiring AP was subsequently approved (22/23 CY102).

A refurbishment of the VLC Milton school site, one of the sites of North Somerset's Pupil Referral Unit, forms part of the SV programme. Work has been ongoing with the school to develop a design to provide enhancements to enable them to accommodate additional pupils at their site on Baytree Road in Milton, Weston-super-Mare as well as having clearly defined areas within the site for primary-aged pupil referral children, for children and young people with medical and anxiety needs and for wider outreach. The refurbishment will incorporate a mix of two new build areas as well as heavy and light refurbishment of the existing site. The school's current lobby will be reconfigured and separate entrances for Phase 1 and Phase 3 students provided, as well as construction of an additional classroom and reconfiguration of the current classroom layout to better suit the school's requirements. The look and feel of each area will be carefully considered during the refurbishment to create the right environment for the needs of the students it will accommodate. The project now has a sufficiently progressed design proposal to allow for a contractor to be commissioned to deliver construction of the project.

The DfE state that HNPCA funding should be used primarily to meet the capital costs associated with providing new places and improving existing provision for:

- Children and young people with complex needs, who have Education, Health and Care plans (EHCPs), and where appropriate other children and young people with SEND who do not have an EHCP; and
- Pupils who require Alternative Provision (AP) (including children in AP settings without an EHCP).

This scheme is focused on these categories of children and young people.

Contract Structure

It is intended that this construction contract will run for 20 weeks, with a 12-month defect period post-completion of construction work.

Anticipated construction contract value will be £1,098,000.

Outline Timeline

The Procurement Plan will provide comprehensive detail of the intended procurement process, the bid assessment criteria and contract option proposed. The current estimated project programme shows the following headline procurement timings:

Item	Estimated Programme
Procurement Plan Sign Off	May – June 2024
Tender Period	June – July 2024
Bidder Site Visits	Late June 2024
Tender Submission	July 2024
Contract Award	August – September 2024
Works carried out	Autumn 2024 – Spring 2025

4. Consultation

On a programme level, the HNPCA consultation was made available on North Somerset's e-consult website and sent to the following groups: All schools and governing bodies across North Somerset, MAT CEOs and Trust Boards, trade unions; the local MPs; Town and Parish Councils; the Diocese of Bath & Wells; Diocese of Clifton; Weston College, Early Years Stakeholders; SEND Stakeholder groups, neighbouring LAs.

Targeted updates were also sent to the SEND Partnership Board, the Education Excellence Partnership Board, the Strategic School; s Forum and it was also highlighted in Noticeboard (our local schools' newsletter) and our SEND partnership colleagues. This scheme has been developed as a result of the consultations held.

On a project level, engagement on this project has taken place with NSC colleagues, including NSC's Procurement Team and Head of Strategic Place Planning, Capital Programmes and School Organisation/Admissions Service. Regular meetings are also held with the senior leadership team of VLC Milton school and will continue to be held throughout the project.

5. Financial Implications

Costs

Estimated project costs at RIBA Stage 1 are outlined in the table below:

Item	Cost
Surveys & Investigations	£15,000
Construction	£1,098,000
Other Fees: Planning, Building Regulations etc.	£16,695
Professional Fees	£100,118
Internal Fees	£40,068
FF&E & IT	£30,000
Design Development/Risk Contingency	£100,119
TOTAL:	£1,400,000

The anticipated value of the construction contract is £1,098,000. In procuring and awarding this contract, NSC's Contract Standing Orders and Financial Regulations will be adhered to.

Funding

The cost code for the project is KCE312. Funding will come from the following capital sources:

Source	Cost
HNPCA	£1,249,750
Safety Valve Grant	£150,250
TOTAL:	£1,400,000

Asset Register

Any capital spend at the end of the year will be assessed and any relevant spend will be added to the asset register A3466-01 VLC Milton School (Site).

6. Legal Powers and Implications

The High Needs Provision Capital Allocations (HNPCA) are being provided as an un-ringfenced grant under section 31 of the Local Government Act 2003, subject to conditions detailed in an associated Grant Determination Letter.

Whilst it is ultimately up to LAs to determine how to best prioritise this funding to address local priorities, the DfE want to work alongside LAs to reform the current system and achieve a shared endeavour to tackle cost inflation and secure a financially sustainable high needs system. Whilst the SEND Review proposals will help to achieve these changes longer term, the DfE expects LAs to make use of the increased capital investment being made available to improve the suitability and sufficiency of high needs provision in their areas over the next three years. Funding beyond 2025 is contingent on the outcomes of future Spending Reviews and additional capital funding beyond this period cannot be guaranteed. It is therefore critical that prudent decisions are taken now to ensure the sustainability of the system for the longer term.

7. Climate Change and Environmental Implications

The DfE is committed to supporting the Government's targets on climate change, including achieving net zero carbon emissions by 2050 target, as set out in the Climate Change Act 2008. To help LAs achieve the sustainability and design standards required to achieve net zero, HNPCA funding for 2022-24 includes an uplift to support LAs with the additional costs associated with net zero construction.

Having more local SEND places within the community assists NSC in reducing our reliance on home to school transport for pupils with SEND or AP needs, which assists with efficient journey planning and contributes towards the reduction of carbon emissions.

Designs will be developed with reference to the Council's policies on climate change and with consideration of their environmental implications.

8. Risk Management

The top risks associated with this procurement exercise are outlined below:

Risk	Impact	Rating	Mitigation
The procurement timeframes outlined above	Jeopardise the ability to meet grant funding requirements, including	High	<ul style="list-style-type: none">Specialist consultant advice on designing the process to ensure

are delayed or unachievable.	construction start and end dates.		<p>compliance with timescales.</p> <ul style="list-style-type: none"> • Close monitoring of progress via NSC standard project tools and procedures. Any potential for delay will need to be communicated to client and funders at earliest possible stage.
Insufficient interest from contractors	Inability to deliver project to desired programme or difficulty in ensuring value for money from the resulting contract due to lack of market competitiveness.	Medium	<ul style="list-style-type: none"> • Soft market testing has been carried out during Phases 1-3 of the SEND programme with current level of market interest believed to be strong, expression of interest stage to be carried out to assess/stimulate demand, engaging with potential suppliers to increase interest
Construction costs are higher than anticipated	Project will not be delivered on budget and within funding constraints.	Medium	<ul style="list-style-type: none"> • Use of consultant market intelligence to verify costs ahead of market launch. • Design reviews to be carried out to ensure proposed scheme continues to fit within budget. • Proposed design is scalable which will allow for control of scope i.e. potential for delivery of Phase 1 student area ahead of Phase 3 student area.
Staff resource is inadequate to support procurement process.	Process will be delayed and not run as efficiently as possible.	Low-Medium	<ul style="list-style-type: none"> • Professional services to be procured to support staff and project during procurement stage. • Monitoring/management of staff time and priorities.

9. Equality Implications

Have you undertaken an Equality Impact Assessment? Yes

An EIA was submitted as part of the Safety Valve bid. The Principles behind our SEND Capital Strategy are to ensure that:

- a) where possible, children and young people are educated locally.

- b) where needs can be met, pupils remain supported on mainstream school sites.
- c) pupils unable to attend mainstream schools temporarily are supported back to mainstream provision as soon as possible through the work of our Pupil Referral Unit (PRU), the Voyage Learning Campus.

This project hopes to:

- a) enhance or make reasonable adjustments to current sites to meet individual pupils SEND needs; and
- b) create new SEND provisions.

There are some pupils who are unable to attend mainstream schools because:

- they have a health diagnosis that prevents their attendance, or their anxiety is such that they are unable to cope with being in school. We are looking to create extra placements for these young people who require a different short-term intervention whilst they undergo medical treatment or anxiety or trauma-based support before returning to their mainstream school.
- they have been permanently excluded from primary or secondary school settings and require specialist support to manage their behavioural challenges that are often a result of trauma or social and emotional concerns before returning to their mainstream school (both schemes as yet unfunded).

Creating the right spaces with the right support has a positive impact for these children and young people.

10. Corporate Implications

The Head of Strategic Place Planning, Capital Programmes and School Organisation/ Admissions Service is acting sponsor and client for this scheme, working with a client project manager in the Children's Services Directorate and a capital project manager from the Projects & Property Team in the Place Directorate who will oversee project delivery. Assistance from NSC internal teams may be required on an ad hoc basis to progress the project e.g. Planning & Technical.

11. Options Considered

1. Use term contract resource: NSC does not currently have term contractor resource available to carry out works of this nature. This option is not recommended.
2. Do not commission the construction contract: This contract is essential to delivering the outcomes as agreed with DfE on award of the Safety Valve and HNPCA funding grants. Not delivering this work would damage NSC's relationship with DfE and NSC would not be able to work towards better controlling and reducing the revenue deficit if this capital expenditure is not undertaken. This option is not recommended.
3. Seek approval to commission construction contract via tender process: This option will allow NSC to deliver on the outcomes agreed with DfE and will help NSC to increase their local SEND provision and reduce revenue their deficit. This option has been pursued.

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Head of Strategic Place Planning, Capital Programmes and School Organisation/ Admissions Service

Appendices:

Safety Valve Programme - Equality Impact Assessment:

North Somerset Council
Initial Equality Impact Assessment



1. The Proposal

Directorate: Children's Services
Service area: School's Capital Programme
Lead Officer: Sally Varley, Head of Strategic Place Planning, Capital Programmes and School Organisation/Admissions Service

Links to a budget reduction proposal: Yes – the Safety Value Programme
Date of assessment: 4 January 2023

Description of the proposal:

What is changing?

The Council has been offered the opportunity by the DfE to bid for new capital to meet any funding gap in the building plans that support our strategies to reduce the overspend on the High Needs element of the Dedicated Schools Grant. This offer has been instigated as part of our Safety Value work.

The bid requires us to provide an overview of all capital proposals to improve the local provision offer over the short to medium term, showing how these plans will meet identified gaps in local provision. To date we had sought the support of schools to our plans through a public consultation that finished at the end of September 2022.

This EIA reviews the impact on the proposed schemes detailed below.

Summary of changes:

The Principles behind our SEND Capital Strategy are to ensure that:

- a. where possible, children and young people are educated locally
- b. where needs can be met, pupils remain supported on mainstream school sites
- c. where appropriate, pupils unable to attend mainstream schools temporarily are supported back to mainstream provision as soon as possible through the work of our Pupil Referral Unit (PRU), the Voyage Learning Campus

Our bid looks at two areas of additional provision that includes:

- a) enhancing or making reasonable adjustments to current sites, and
- b) creating new provisions

We are seeking support to condense a 4-year programme into a 2-year delivery plan that includes :

- o the creation of 8 new Nurture Groups within existing schools' buildings (reasonable adjustments)

	2022/23 FY to open in September 2023	2023/24 FY to open in September 2024	2024/25 YF to open in September 2025	2025/26 YF to open in September 2026	Totals
	Funded	Funded	Not Funded	Not Funded	
Numbers to be provided without additional funds	3	2	2	1	8
Numbers to be provided with additional funds	3	4	1		8

- o the opening of 5 new Resource Bases on school sites, 3 within existing buildings and 2 within new accommodation (new provisions)

	2022/23 FY to open in September 2023	2023/24 FY to open in September 2024	2024/25 YF to open in September 2025	2025/26 YF to open in September 2026	Totals
	Funded	Funded	Not Funded	Not Funded	
Numbers to be provided without additional funds	1	1	1	2	5
Numbers to be provided with additional funds	2	3			5

- o Reasonable adjustments to the site facilities at Churchill CE Primary School to meet the need of 2 pupils with EHCPs with unmet site-specific needs
- o Enhancements to the Voyage Learning Campus (VLC) - North Somerset's PRU – to enable them to accommodate additional pupils with anxiety and medical needs at their Baytree Road site in Weston super Mare) (site expansion)
- o Still in assessment – the creation of two new sites for primary and secondary - aged PRU pupils to meet behavioural needs
- o Still in assessment - support for new early years placements

The Primary-age Nurture Groups are to be located at:

- o Portishead Primary
- o St Andrew's CE Primary, Congresbury
- o Crockerne CE Primary, Pill
- o Christchurch CE Primary, WsM
- o Mead Vale Primary, WsM

The Secondary-age Nurture Groups are to be located at:

- o Hans Price Academy, WsM
- o Broadoak Academy, WsM
- o Gordano School Portishead

The Primary-age Resource Bases are to be located at:

- o Milton Park Primary, WsM ~ ASD with MLD
- o Hannah More Infant and Grove Junior Schools, Nailsea ~ Speech and Language
- o Locking Primary, WsM ~ MLD with developmental needs

The Secondary-age Resource Bases are to be located at:

- o Hans Price Academy, WsM ~ ASD with speech, language and communication needs
- o Worle School, Weston super Mare ~ ASD with Anxiety

Ultimately, we aim for all schools to work to Nurture Group principles and for spaces to be made available across all school settings where practicable. The sites chosen to date reflect need and locations that, whilst for own school pupils, could be accessible to a wider demographic if needed.

Resource Base locations have been chosen based on data location needs and site availability. Over time we aim to have a Resource Base in every school cluster, increasing access to a more local offer.

Churchill CE Primary, Churchill has two pupils on roll whose EHCP needs can be met within mainstream provision provided there are physical spaces available for them to dysregulate before re-integration back into their class setting. The school has no spaces for composure away from the library that is adjacent to the main entrance to the site and is in constant use. Funding has been allocated to create a small calming

room, utilising the design of the site to minimise external walls and internal facilities. The room, adjacent to the junior aged corridor where all aged pupils can access it without fear of returning to a younger-aged setting, will have spaces for calming and equipment and resources to assist the children to learn self-management of their behaviours.

We are reviewing the VLCs sites to redevelop and enhance the spaces to meet a wider range of demand for those needing health, behavioural and ACE/Trauma Informed support and guidance. This includes:

- o enhancing the facilities at the VLC's Baytree Road site with a scheme to increase the capacity of placements for those with health needs who require short-term interventions whilst they undergo medical treatment and to support those who are unable to attend school due to anxiety or trauma-based needs
- o securing a separate primary-aged site (as yet unfunded)
- o moving away from the leased Ashcroft House Industrial Unit (costing £95k pa) with limited overlooked external space that is serving secondary-aged pupils who have been excluded from school into a purpose-built secondary aged PRU with school-designed rooms and outdoor spaces (as yet unfunded)

2. Customer equality impact summary

Will the proposal have a disproportionate impact on any of these groups?

Insert X into one box per row, for impact level and type.

H = High, M = Medium, L = Low, N = None

+ = Positive, = = Neutral, - = Negative

Impact Level	Impact type						
	H	M	L	N	+	=	-
Disabled people		X			X		
People from different ethnic groups			X		X		
Men or women (including those who are pregnant or on maternity leave)							
Lesbian, gay or bisexual people			X		X		
People on a low income			X		X		
People in particular age groups		X			X		
People in particular faith groups							

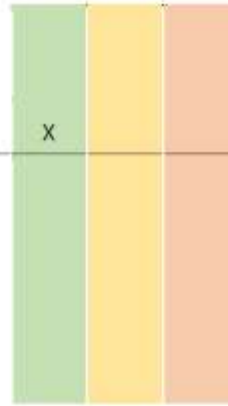
People who are married or in a civil partnership

Transgender people

X

Other specific impacts, for example: carers, parents, impact on health and wellbeing, Armed Forces Community etc.

Please specify:



3. Explanation of customer impact

1. The focus of the Nurture Units is to provide short-term intervention for children and young people with particular social, emotional and behavioural difficulties which is creating a barrier to learning within a mainstream class. This may be, for example, due to trauma within their family or home life, an experience that has created anxiety, pressures brought about due to financial or emotional poverty or due to sexual or identity orientation. These pupils will often not have an Education, Health and Care Plan but they need early support from staff trained in the theory and practice of Nurture. The integration of these principles across schools should remove some of these barriers and aid successful integration, good behaviour and appropriate age-related attainment. North Somerset Nurture Groups are available to the pupils at the school they are located at and offer support to 10-pupils at a time over around a 3-term basis. Having the right provision in place will provide a positive impact.

2. Resource Bases have a specialist delivery designation and provide dedicated and specialist separate provision on a mainstream school site for up to 12 pupils with an Education, Health and Care Plan (EHCP). Pupils can only be allocated a place at a Resource Base via a named plan. Some pupils require strategies and specialist support outside of a mainstream classroom that may not meet the criteria for the allocation of a special school place but requires the support of a local specialist setting with smaller classes and a more bespoke curriculum and educational offer. Over time the pupil will integrate into some mainstream classes and activities, and this can develop to a stage where the strategies and support provided means that a bespoke offer is no longer required. The pupil can then fully integrate into a mainstream place either at the school where the base is located or their local school.

Resource Bases provide recognised specialist support across a range of diagnosis including those with seen and unseen disabilities and those with behavioural, social or emotional needs and this will positively impact on those within their care.

3. Some pupils can attend mainstream placements but, due to particular social, emotional and behavioural difficulties, may require a physical space at their school

where they can dysregulate before re-joining their mainstream class. The designs of many schools do not allow for such spaces that have to be delivered retrospectively. Without such rooms some pupils can become disruptive in class, and this can lead to fixed-term and permanent exclusions. Having the right spaces and the support of school staff can teach these children and young people to self-manage their outbursts and enable their attendance and learning at school to match that of their peers.

The creation of new rooms will positively impact on those who require break-out spaces that meet their anxiety, behaviour and emotional needs that can, at times, be different from those of their peers.

4. There are some pupils who are unable to attend mainstream schools because:
 - o they have a health diagnosis that prevents their attendance, or their anxiety is such that they are unable to cope with being in school. We are looking to create extra placements for these young people who require a different short-term intervention whilst they undergo medical treatment or anxiety or trauma-based support before returning to their mainstream school
 - o they have been permanently excluded from primary or secondary school settings and require specialist support to manage their behavioural challenges that are often a result of trauma or social and emotional concerns before returning to their mainstream school (both schemes as yet unfunded)

Creating the right spaces with the right support has a positive impact for these children and young people.

4. Staff equality impact summary

Are there any staffing implications for this proposal? Yes No

Explanation of staff impact

If yes, please describe the nature of the impact, including how many posts could be affected, please state whether they are vacant, or filled permanently or temporarily.

5. Consolidation savings

Please complete for medium or high impact areas

Does this budget saving include many service areas/savings/projects?

If so, please identify the areas included in this proposal that could potentially have a medium or high impact for equality groups.

As at January 2023, using the estimated capital delivery costs, the Dedicated Schools Grant (DSG) savings over a 5 year period, calculated as part of the submission to the DfE are estimated to generate the below savings. These have been categorised in alignment to the type of provision being delivered.

Service area	Value of saving
Nurture Groups	£ 3,542,500
Resource Bases	£10,142,542
Reasonable Adjustments	£ 24,630
Expansion of VLC, Baytree Road site	£ 1,985,200
Total	£15,694,872

NB. The savings associated to Early Years intervention and the VLC Primary and Secondary provision have not been included in these savings as these are being assessed as noted on page 3 above.

6. Review and Sign

The EIA has been reviewed by the SEND Pupil Places Delivery Group.

Service Manager Review -

Is a further detailed equality impact assessment needed? **Yes** **No**

If 'yes', when will the further assessment be completed?

Once the schemes are completed and have been in operation for at least one school year.

Service Manager:



Head of Strategic Place Planning, Capital Programmes & School Organisation,
Children's Services Directorate:

Date: 15/8/2023

Background Papers:

22/23 CY102 – Commissioning Plan for the delivery of transformational investment in schools across North Somerset for CYP with SEND or those requiring AP