



CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY COMMITTEE

5 SEPTEMBER 2023

LEICESTERSHIRE SCHOOL BUILDINGS

REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY SERVICES

Purpose of Report

1. The purpose of this report is to provide the Children and Families Overview and Scrutiny Committee with an overview of Leicestershire School Buildings, including the roles and responsibilities of the Local Authority and Academy Trusts.

Policy Framework and Previous Decisions

2. This report is on the agenda following a request of Mrs A J Hack CC to the Chief Executive, in the light of the questions she asked at the meeting of the Children and Families Overview and Scrutiny Committee on 6 June 2023. Her further request was that the Committee has an opportunity to consider the assurances available to members regarding the safety of school buildings within their divisions and to understand the process for raising safety concerns.
3. The Academy Trust Handbook 2021 sets out the expectation of academy trusts to manage their school estate. Academy trusts must comply with this handbook as a condition of their funding agreement with the Education and Skills Funding Agency (ESFA).

Background

4. As of August 2023, there are 282 schools in Leicestershire (46 secondary, 228 primary and 8 special schools). Of this number, 204 (72%) are academies and 78 (28%) are local authority maintained schools.
5. The Council's responsibility for School Buildings is dependent on whether a school is part of an academy trust or maintained by the authority.
6. Local Authority Maintained Schools: Leicestershire County Council is responsible for assessing the condition of maintained Leicestershire Schools. Maintained Schools are inspected every five years, as recommended by Department for Education (DfE), and the inspection information is then used to plan the maintenance required on the buildings.

7. Academy Trusts: Academies are publicly funded schools which operate outside of local authority control. The land of academies which were previously maintained schools is usually held by the relevant academy trust on a long-term lease model, typically over 125 years, from the Council. Academy trusts are responsible for managing their school estate strategically and maintaining their estate in a safe working condition. The DfE, through the Education and Skills Funding Agency (ESFA), is responsible for the maintenance of academy buildings. The Council does not have a role in statutory assessment of the condition of academy buildings. The Ofsted inspection process could also highlight health and safety concerns or the impact of the estate condition on the effectiveness of teaching.

Estate Management

8. Condition relates to the physical condition of buildings in the school estate. This is determined by undertaking condition surveys. Condition surveys are normally non-intrusive surveys, carried out by suitably qualified professionals and cover five-year planning periods for the purpose of strategic estate management. Condition surveys identify what work is needed to maintain the estate, consider how much works might cost, prioritise work within available funds and understand if the nature of the buildings change. This information is then used to prepare a maintenance programme, which reflects potential future capital investment.
9. The condition survey identifies specific building condition issues, deficiencies and maintenance requirements, including, but not limited to structural, roofs, building fabric, windows and doors, mechanical and electrical, utilities, sewage and drainage, and security and site layout. Additional surveys are carried out to manage other building compliance risks such as asbestos, fire safety and legionella, in line with statutory requirements.
10. Condition is generally categorised as:
- A - good, performing as intended and operating efficiently
 - B - satisfactory, performing as intended but exhibiting minor deterioration
 - C - poor, exhibiting major defects and/or not operating as intended
 - D - bad, life expired and/or serious risk of failure
11. Priority is generally categorised as:
- 1 - urgent, immediate or one year remedial action required - work that will prevent immediate closure of premises and/or address an immediate high risk to the health and safety of the occupants and/or remedy a serious breach of legislation.
 - 2 - essential, one to two year remedial action required - work that will prevent serious deterioration of the building fabric or services and/or address a medium risk to the health and safety of the occupants and/or remedy a less serious breach of legislation.

- 3 - desirable, three to five year remedial action required - work that will prevent deterioration of the building fabric or services and/or address a low risk to the health and safety of the occupants and/or remedy a minor breach of legislation.
- 4 - long term, outside of a five-year planning period - work that will prevent deterioration of the building fabric or services.

Maintained Schools Building Maintenance

12. Leicestershire County Council has a record of the condition of Maintained Schools, including sites that have been identified as having building elements within categories C and D.
13. Over the last two years, £6.6m of grant funding has been invested in projects including new roofs, boilers and windows and this year, another £3.7m will be spent on a similar programme of improvements. Continual improvements to fire safety, legionella risk and asbestos remediation are also part of the Council's annual maintenance programme.
14. The scheduled summer works programme for 2023 covers the following 54 projects across Maintained Schools:
 - Five roofing works
 - One roof glazing
 - One pitched roofing
 - Twelve lighting upgrades
 - Ten boiler replacements
 - One heating pipe renewal
 - One window alteration
 - 23 other building works
 - Planned annual gutter cleaning to all schools
15. In addition to this, there is £600k of compliance improvement works planned this year. This includes asbestos removal work, improvements to fire compartmentation and legionella control projects in "Maintained Schools".

Academy Trust School Building Maintenance

16. Academy Trusts are responsible for the maintenance of their own school estate. Queries around the condition of Academy school buildings should be raised with the appropriate trust. Capital is allocated to academy trusts from the DfE via the Condition Improvement Fund and the School Priority Rebuilding Programme. Trusts themselves are responsible for addressing the defects; the Local Authority does not have a role in this.
17. Leicestershire County Council also offers facilities management and property maintenance support to academies through a traded subscription service. As of August 2023, 39 academies subscribe to the Leicestershire County Council Managed Service Scheme. The scheme enables academies to access expertise from the Operational Property Service Team, access to the 24-hour

property helpdesk and support with arranging statutory, planned, and reactive maintenance services via vetted contractor frameworks.

18. The information below provides an overview of Leicestershire Schools benefitting from DfE capital via the Condition Improvement Fund (CIF) and the School Priority Rebuilding Programme.

Condition Improvement Fund (CIF) 2023/24

19. Larger Multi-Academy Trusts (MATs) of 3,000 pupils or more will have a formulaic allocation for capital funding and do not have to bid to CIF. Therefore, the MATs will be prioritising how their allocations are distributed within their Trust.
20. Nationally, 3,061 projects were submitted and 1,033 were successful totalling funding of £455 Million. In the East Midlands, 291 projects were submitted and 101 were successful totalling funding of £41 Million.
21. In Leicestershire, 38 projects were agreed across 31 academies. All projects are connected with building replacements, fire safety and structural repairs and will be delivered by contractors appointed by the individual Trusts involved.

School Priority Rebuilding Scheme

22. The school rebuilding programme (SRP) carries out major rebuilding and refurbishment projects at school and sixth-form college buildings across England, with buildings prioritised according to their condition. There are currently 400 projects in the programme, announced in 2021 and 2022. The table shows the Academy Trusts that were successful in their application for the School Re-building Programme for sites in Leicestershire. The DfE is working directly with the Trusts to deliver the schemes. The schemes are a mixture of total replacement of buildings and refurbishment to deliver schools that are fit for purpose.

School Name	Phase	Responsible Body
Brocks Hill Primary School	Primary	Lionheart Educational Trust
De Lisle College Loughborough Leicestershire	Secondary	St Thomas Aquinas Catholic Multi Academy Trust
Rawlins Academy	Secondary	Rawlins Academy
The Martin High School Anstey	Secondary	Lionheart Educational Trust
The Castle Rock School	Secondary	Lionheart Educational Trust

Background Papers

Good estate management for schools, Department for Education:

<https://www.gov.uk/guidance/good-estate-management-for-schools/understanding-land-and-buildings#assessing-the-condition-of-your-estate>

How we are keeping school buildings safe, Department for Education:

<https://educationhub.blog.gov.uk/2023/06/28/how-we-are-keeping-school-buildings-safe/>

The Academy Trust Handbook 2021, Department for Education:

<https://www.gov.uk/guidance/academy-trust-handbook/part-1-roles-and-responsibilities>

Policy paper - About the school rebuilding programme:

[https://www.gov.uk/government/publications/school-rebuilding-programme/school-rebuilding-programme#:~:text=The%20school%20rebuilding%20programme%20\(%20SRP,prioritised%20according%20to%20their%20condition.](https://www.gov.uk/government/publications/school-rebuilding-programme/school-rebuilding-programme#:~:text=The%20school%20rebuilding%20programme%20(%20SRP,prioritised%20according%20to%20their%20condition.)

Equalities Implications

23. There are no equalities implications arising from this report.

Human Rights Implications

24. There are no human rights implications arising from this report.

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