
EASTBOURNE CHURCH OF ENGLAND ACADEMY – PROJECT UPDATE

Purpose of Report

1. To update Members on the project to establish the Eastbourne Church of England Academy in Darlington.

Information and Analysis

2. In September 2006, the Authority received confirmation from the Department for Children, Schools and Families (DCSF) that Ministerial approval had been gained to enter feasibility stage in developing an Academy to replace Eastbourne School.
3. Since the previous update report, the Authority has been working with the Sponsors and their project management team, Mouchel Parkman, on the tasks required to complete the feasibility stage and commence the implementation stage for the proposal to create an academy to replace Eastbourne School. This paper outlines the recent developments that have taken place.

Outline Business Case

4. A key milestone for the Feasibility Stage of this project has been the approval of the Outline Business Case (OBC) by Partnerships for Schools (PFS) and the Department for Children, Schools and Families (DCSF). An initial version of the OBC was submitted to PFS at the end of April.
5. As an ‘accelerated’ academy project working with the newly established PFS group, Darlington Borough Council have been part of a small number of authorities constantly breaking new ground in the development of the documentation surrounding accelerated academies. As a result we were fortunate to receive some early feedback in relation to our submitted OBC which gave us an opportunity to update some areas and provide supplementary information where required. As a result of this process a revised OBC was re-submitted on 10th July 2007.
6. Following full consideration by PFS and DCSF, the Authority were notified on 27 July that the Outline Business Case had been approved. This confirmed the capital funding allocation for the new Academy to be £15.337 million.

Funding Agreement

7. The other key document prepared during the Feasibility stage of the project is the Funding Agreement. This agreement sets the revenue funding levels for the operation of the school and well as legally committing the sponsors to the proposed academy.

8. Although the responsibility to prepare this document falls to the Sponsors, the Local Authority has been closely involved in developing aspects which will ensure the Academy is confirmed as a member of the family of schools in Darlington.
9. The Sponsors were successful in receiving approval for the Funding Agreement from DCSF on 30th May 2007.
10. The Funding Agreement is a binding contract between the Secretary of State and the Academy Trust for an Academy to open on a specified date. As the School Organisation Committee has already granted approval of the proposals to close Eastbourne School, conditional upon the opening of the proposed academy to succeed the school, this milestone means that the Academy will officially open on 1st September 2007, in the existing buildings.

Implementation Stage

11. Approval of the Outline Business Case and Funding Agreement are the two key milestones that needed to be achieved before the project could move into the Implementation Stage of the project.
12. This stage covers the procurement of a Design and Build Contractor, the Detailed Design Stage of developing the plans for the new building, the actual building of the new Academy and the handover of the building to the sponsors.
13. The Implementation Stage is also a key time for the Management of the Academy, as this stage is an opportunity to implement the detailed plans for school improvement that aim to achieve sustained and sustainable improvements over time.

Procurement

14. As outlined in the previous update report the procurement method for academies has changed and now follows the Building Schools for the Future framework model. As part of this process PFS have undertaken a restricted OJEU (Office Journal of the European Union) tender exercise and secured the services of six companies for local authorities to procure through, at fixed rates and specification levels.
15. The first part of the procurement process is the **Initial Engagement and Short-listing of Framework contractors**. During this stage the Local Authority invite all six of the framework partners to take part in a Local Competition.
16. A Preliminary Invitation to Tender (PITT) has been completed and following approval by PFS was issued to the contractors on 6th August. Contractors have then been given 2 weeks to consider their interest in the Darlington project and submit their initial proposals. Following a detailed evaluation period and consideration by the Council's Tendering panel a short list of two framework partners will be selected. The programme aims for this selection to be approved by 3rd September 2007.

17. Once the two shortlisted framework partners have been selected the Local Authority will issue a full **Invitation to Tender (ITT)** which will contain the information and details required by the partners for them to develop their bids in line with available funds and the framework partners pricing schedule. Once sufficiently developed the selected partners will submit their schemes to the LA for evaluation and selection of a Preferred Bidder. It is envisaged that the selection of a preferred bidder will take place in December 2007.
18. The LA and the Preferred Bidder then work with the Academy and key Stakeholders to finalise designs and seek all necessary consents (planning approval, etc). At this stage the LA are also responsible for preparing and completing a Final Business Case (FBC) which must be approved by PFS and submitted to DCFS for endorsement. Once the FBC is approved, the contract can be awarded. The programme suggests that this will take place in February 2008 and that the contractor will start on site during April 2008 with construction work following in the same month.

Programme

19. The current programme, allowing for the Academy to transfer to its new buildings by September 2009 is very ambitious, particularly when there are so many formal stages of approval from 3rd parties required throughout the process (Sponsors, PFS, DCSF, Planning Committee, etc).
20. The project will require careful project management by the LA, accompanied by a clear critical path and a well-defined risk register. We have made PFS and the Sponsors aware of our concerns and have requested their support in ensuring that delays are not incurred at any time. Regular progress reports will be provided to the Design User Group (DUG) who will monitor progress against the programme. Termly reports will also be provided to the Academy Governing Body.

Design Group

21. This Group has been established to develop the Academy from its initial concept outlined in the design brief, through procurement and to final construction on site. The group incorporates representatives from the Sponsor and the Local Authority and has been meeting on a regular basis. The work of this group is now focusing on the procurement aspect of the programme.

Proposed Use of Existing School

22. It will be necessary for the Eastbourne Church of England Academy to use the existing Eastbourne School from September 2007, until the new academy facility is completed and ready for occupation. This short term use of the existing school buildings and grounds has been formalised by way of a lease agreement which, on transfer of the academy to the new facility, will terminate and the buildings and grounds will revert to the Council.
23. Work has been on-going throughout the summer holiday period to undertake any urgent repairs or health and safety work that needs to be completed before the occupation by the Academy in September 2007. This work has been undertaken in conjunction with a range of small scale improvement works, identified and funded by the DCSF.

Staffing Implications and Developments

24. The Academy has now appointed to their new structure and all staff from Eastbourne School who wanted to, have transferred under the TUPE (Transfer of Undertakings and (Protection of Employment) Regulations, 2006). There were a number of staff resignations at Eastbourne School during the Summer term but recruitment has been undertaken to fill some of these posts on a permanent basis with any remaining posts to be filled on a temporary basis. Plans in place to appoint permanent staff to any temporary positions as soon as possible.
25. The Academy has chosen to select their own Payroll provider, having previously giving indications that this would not be the case. Although the Academy is free to use providers other than the Local Authority, the late notification of this change has caused an increase in workload for the Council's HR and Payroll Departments.

Governance Arrangements

26. A shadow Governing Body has been established for the new Academy which will come into effect on 1st September 2007. The group has begun training on Academy issues and Governance and has had 3 meetings to date.

Legal Implications

27. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1998

28. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect.

Recommendation

29. Members are asked to note the contents of this report.

Murray Rose
Director of Children's Services

Background Papers

No Background papers were used in the preparation of this report.

Rachel Jones: Extension 2026