

## Record of operational decision

<b>Decision title:</b>	To accept the increase in the Department for Education (DfE) funding offer towards the programme of capital improvements to The Brookfield Special School To enter into a:- <ul style="list-style-type: none"> <li>a) Development Agreement with the Department of Education and MET for the Brookfield School Improvement project and</li> <li>b) Works Funding Agreement with the Department for Education relating to the Brookfield School Improvement project</li> </ul>								
<b>Date of decision:</b>	20.02.24								
<b>Decision makers:</b>	Director of Resources and Assurance Corporate Services and Corporate Director, Children and Young People								
<b>Authority for delegated decision:</b>	Original Cabinet decision <a href="https://www.herefordshire.gov.uk/decision-brookfield-special-school-capital-improvement-programme">Decision - Brookfield Special School Capital Improvement Programme (herefordshire.gov.uk)</a>  On the 21st July 2022 cabinet approval Brookfield Special School Capital Improvement Programme – re-profile of spend. - <a href="https://www.herefordshire.gov.uk/printed-decision-brookfield-special-school-capital-improvement-programme-re-profile-of-spend.pdf">Printed decision Brookfield Special School Capital Improvement Programme re-profile of spend.pdf (herefordshire.gov.uk)</a>  b) Authority is delegated for procurement and award of contracts for the lifecycle of the project, informed by methodology advised by the council’s Commercial Services, to the Corporate Director Children and Young People;  d) Authority is delegated to the Corporate Director Children and Young People and the S151 officer to agree the final terms of the grant from the Department for Education;								
<b>Ward:</b>	Countywide								
<b>Consultation:</b>	Consultation has been carried out as part of the Brookfield Special School Capital Improvement Programme – re-profile of spend cabinet decision held on 21st July 2022. Link- <a href="https://www.herefordshire.gov.uk/printed-decision-brookfield-special-school-capital-improvement-programme-re-profile-of-spend.pdf">Printed decision Brookfield Special School Capital Improvement Programme re-profile of spend.pdf (herefordshire.gov.uk)</a>								
<b>Decisions made:</b>	1) To accept the increase in the Department for Education (DfE) funding offer towards the programme of capital improvements to The Brookfield Special School. <ul style="list-style-type: none"> <li>• The DfE have increased their funding offer by £822,073 to fund the increased costs, they are funding 70% of the overall project budget (up to a maximum of £4,054,236.00).</li> <li>• The re-profiled project budget is <table style="margin-left: 40px; border-collapse: collapse;"> <tr> <td style="padding-right: 20px;">DfE Brookfield Specific Grant –</td> <td style="text-align: right;">£4,054,236</td> </tr> <tr> <td>DfE Special Provision Capital Grant -</td> <td style="text-align: right;">£848,837</td> </tr> <tr> <td>HC –</td> <td style="text-align: right;">£919,000</td> </tr> <tr> <td><b>Total -</b></td> <td style="text-align: right;"><b>£5,822,073</b></td> </tr> </table> </li> </ul> <p>The current budget in the capital programme is £5m and this will be increased to take account of the additional grant award.</p> <p>2) To approve the entering into a:-</p>	DfE Brookfield Specific Grant –	£4,054,236	DfE Special Provision Capital Grant -	£848,837	HC –	£919,000	<b>Total -</b>	<b>£5,822,073</b>
DfE Brookfield Specific Grant –	£4,054,236								
DfE Special Provision Capital Grant -	£848,837								
HC –	£919,000								
<b>Total -</b>	<b>£5,822,073</b>								

	<p>a) Development Agreement with the Department of Education and MET for the programme of capital improvements to the Brookfield Special School; and</p> <p>b) Works Funding Agreement with the Department for Education relating to the Brookfield School Improvement project</p>
<b>Reasons for decision:</b>	<p>Following a competitive tendering exercise in May 2023, an increased funding contribution from DfE was required to cover increased inflation and material costs.</p> <p>Negotiations have recently been concluded with the DfE who have now approved an increase in project funding.</p>
<b>Equality Considerations</b>	<p>Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows: A public authority must, in the exercise of its functions, have due regard to the need to –</p> <p>(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;</p> <p>(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</p> <p>(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</p> <p>The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. Our providers will be made aware of their contractual requirements in regards to equality legislation.</p>
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	Risk that the project exceeds project budget
<b>Details of any alternative options considered and rejected:</b>	<p>An alternative option would be to not accept the increased funding and not complete the programme of capital improvements to Brookfield School</p> <p>This was rejected as;</p> <ul style="list-style-type: none"> <li>• The school buildings have to function efficiently and effectively for a highly vulnerable group of children and young people, with particularly challenging special needs. The current space at the site does not allow for this</li> </ul>
<b>Details of any declarations of interest made:</b>	None

