



Building Schools for the Future

A Toolkit for Effective Local
Education Partnerships

Practitioner Note 8:
The Role of National Bodies

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partnerships for schools

building schools for the future

The Role of National Bodies

Introduction and purpose

This Practitioner Note is one of nine that make up a Toolkit to support the successful set-up and operation of a Local Education Partnership (LEP). This note covers the Role of National Bodies.

It includes the following sections:

Executive summary	3
Who are the national bodies?	3
Why are national bodies important in setting up a LEP?	6
When are national bodies engaged?	6
What is the relationship between Pfs and BSFI?	7
What does this mean for an Operational LEP?	7
Further guidance.....	8

Partnerships for Schools (Pfs) and Building Schools for the Future Investments (BSFI) continue to gather examples of good emerging practice from across the Building Schools for the Future (BSF) programme and we encourage and welcome conversations with local projects about how to make their BSF programme as effective as possible.



The Role of National Bodies

Executive summary

This note explains the role of national bodies in the Building Schools for the Future (BSF) programme, from programme inception through to the operation of the LEP.

The extent to which the national bodies identified in this note are engaged and influence particular stages of the BSF programme can vary, with some being engaged throughout the life of a LEP - from inception to operation. To engage successfully with the various national organisations it is important to understand the following: who the various organisations are; how they support the set up and operation of LEPs; when and why the various organisations are involved.

For instance, PfS is engaged throughout the process, providing support to local authorities through the use of multi-disciplinary teams whereas the Commission for Architecture in the Built Environment (CABE) will be engaged during the periods where there is a focus on design in the project cycle; the distinction between some of the organisations where they have close affiliations, for example, as is the case with PfS and BSFI; the varying levels of

support provided to the programme and subsequently to the LEP by the different organisations; the role of the Department for Children, Schools and Families (DCSF) and the Office of the School Commissioner (OSC) in terms of education strategy and the approval process for the school estate, including the new project process as outlined in the Strategy for Change (SfC); and the role of the 4ps in advising local authorities on project management, skills audits, gateway reviews and training.

Who are the national bodies?

The influence of the various stakeholders varies according to their role. For instance a project cannot progress without agreement in the early stages from DCSF. A failed 4ps Gateway Review, however, would be a major concern but would not prevent the project from progressing. This is explored further below in a review of engagement stages throughout the BSF process. The main national agencies involved in the BSF programme are:

- Department of Children, Schools and Families (DCSF) and Office of the School's Commissioner (OSC);

- Partnerships UK (PUK);
- Partnerships for Schools (PfS);
- Building Schools for the Future Investments (BSFI);
- 4ps;
- Learning and Skills Council (LSC);
- The British Educational Communications and Technology Agency (BECTA);
- National College for School Leadership (NCSL); and
- The Commission for Architecture and the Built Environment (CABE).

Department for Children, Schools and Families

The DCSF is the government department responsible for BSF, a key infrastructure programme within the Department's overall capital strategy. The DCSF is the sponsor department for PfS and meets its running costs. It is also a 50% partner in BSFI together with PUK.

The DCSF has responsibility for BSF programme strategy, overall funding and policy. The DCSF also has ultimate responsibility for approving local authorities' education visions, SfC, Outline Business Case (OBC) and Final Business Cases.

Within the DCSF, the **OSC** acts as a national champion for the development of Trust schools and works with potential Trusts. The Commissioner also challenges local authorities that fail to exercise their new duties adequately in relation to school reorganisation or expansion and sixth form provision. The Commissioner advises the Secretary of State on local authorities' plans for major capital investment in schools, challenges local authorities to work together to maximise choice, diversity and fair access, and liaises with local authorities to identify potential Academy projects.

The Schools Commissioner has responsibility in five main areas:

- developing a more diverse school offering for parents and children;
- ensuring fair access to good schools;
- developing a commissioning role for local authorities;
- developing new academies and trust school projects; and
- signing off local authorities' plans for BSF.

The OSC's most significant input is at SfC Part 1 and 2, where it has a role in approving the documents as part of the DCSF approval process, alongside PfS. Where the OSC fails to approve a local authority's strategic plans, this is often in response to insufficient attention around the choice, diversity and access elements of the SfC.

Partnerships UK

PUK is a public-private partnership with a unique public sector mission - to support and accelerate the delivery of infrastructure renewal, high quality public services and the efficient use of public assets through better and stronger partnerships between the public and private sectors. PUK works only with the public sector. It does this in a number of different ways, including: project advice and support; government policy support; co-sponsorship; and investment. PUK is on the PfS Board and provides support to the DCSF in its strategic role as well as to PfS and the BSF programme as required. It is also a 50% partner in BSFI together with DCSF, and is on the Management Board and Investment Committee of BSFI.

Partnerships for Schools

PfS was established in 2004 by the DCSF and PUK to deliver BSF, the capital investment programme that will help transform every secondary school in England. In March 2006, PfS also took on responsibility for delivering the programme to build new Academy schools.

The key role for PfS is to ensure that investment in secondary schools is based on robust educational strategies and that BSF schools and academies are well designed, built on time at a reasonable cost to the taxpayer and are properly maintained over their lifetime.

PfS plays a dual role:

- custodian of the programme, ensuring that each local BSF project meets the required policy and strategy objectives and adopts proper processes. This includes ensuring that the programme goals and transformation are achieved through the use of Collective Partnering Targets (CPTs) and Key Performance Indicators (KPIs) to deliver the required outcomes; and
- providing support to local authorities and other partners to progress projects by providing access to knowledge, expertise, guidance and best practice.

In addition, PfS has been instrumental in developing standard guidance, documentation and templates to facilitate the BSF process throughout the project lifecycle, ensuring consistency, transparency and efficiency across the programme. PfS manages the overall national BSF programme, as well as supporting the local projects. On a day-to-day level, PfS:

- challenges local authorities to define their educational strategy and to plan how they will use the investment opportunities of BSF to deliver transformation and other departmental objectives locally;
- supports and advises the procurement team in each local authority with expertise on education, ICT, design, project management, procurement, financial and legal matters; assists in the evaluation and selection of the private sector partner;
- provides support on communication around key milestones and announcements; and
- works with the BSF team in DCSF functioning as a 'single gateway' to manage the third party support contracts with partner organisations, including 4ps, Becta, NCSL and CAFE to deliver support to local authorities.

From the local authority perspective, the key interface with PfS is through the designated PfS Project Director who co-ordinates support and advice to the local authority and manages the local authority's project through the BSF approval stages at each milestone.

The project directors are supported by multi disciplinary teams which provide Education, ICT, Commercial and Design expertise.

Building Schools for the Future Investments LLP

BSFI is a limited liability partnership whose members are DCSF and PUK. BSFI is the sister organisation to PfS, and is the central investor in the BSF programme.

BSFI's objectives are to ensure that the BSF programme's goals are delivered locally by the LEP and that a financial return is generated for its members. BSFI invests in 10% of the risk capital of each LEP alongside the local authority and its chosen private sector partner. A similar investment will also be made in any Special Purpose Companies (SPCs) that are established by the LEP to deliver Private Finance Initiative (PFI) projects. BSFI will be represented on the boards of all companies in which it invests.

BSFI has been in the unique position of feeding back to PfS on lessons learned as the early LEPs have become operational, and BSFI Investment Directors, with their understanding of commercial issues, have helped to ensure that LEPs are viable businesses.

BSFI also has a crucial role to play in assisting PfS to join up the delivery of mainstream services to deliver the Children's Plan by acting as a catalyst for action in respect of the capital aspects. BSFI is also involved in the promotion of additional opportunities, such as delivery of the Primary Capital Programme through LEPs.

Another valuable role for BSFI, as an investor with no allegiances to the private sector supply chain, is to provide a valuable critical challenge role, similar to that which may be expected of a third party investor. Through this, BSFI has been able to influence behaviours and the effectiveness of partnership working within project companies.

Local authorities will tend to come into contact with BSFI directly when they have chosen their private sector partner and are ready to commit formally to the LEP. At this point BSFI's nominated director for that LEP will play a role in the local programme.

4ps

4ps is local government project delivery specialist. 4ps works in partnership with all local authorities to secure funding and accelerate the development, procurement and implementation of PFI schemes, public private partnerships, complex projects and programmes.

4ps' multi-disciplinary team provides hands-on project support, gateway reviews, skills development and best-practice advice. 4ps supports BSF through elements of its Expert Client Programme, which covers:

- initial authority briefing – aimed at raising awareness among decision makers and change managers early in the process;
- initial stakeholder workshops – to provide a forum for specific stakeholder groups;
- support to Project Board – a member of the 4ps school team can provide regular advice and support to help steer the programme through to contract close and beyond;
- access to 4ps guidance; liaison with other local authorities – 4Ps facilitates a quarterly regional network;
- Project Board workshops;
- project team training – 4ps has prepared six training modules for use at different stages in the process;
- skills audits – a confidential independent review which looks at overall governance and management arrangements, leadership, project management, workload, skills and capacity, and workstream/project structures against perceived requirements;
- Gateway Reviews – 4ps facilitates six confidential peer reviews which take place at various key points in the BSF process to assess the local authority's readiness to proceed to the next stage. The gateways are as follows:
 - Strategic Assessment
 - Business Justification (Mandatory Gateway for BSF) Procurement Strategy
 - Investment decision (Mandatory Gateway for BSF)
 - Readiness for Service

- Benefits Realisation; and
- other workshops and training such as negotiation skills, the Project Director Development Programme, risk workshops and contract management workshops.

The Learning and Skills Council

LSC is a non-departmental public body (NDPB) which began work in 2001, taking over the roles of the former Further Education Funding Council and Training and Enterprise Councils. The LSC is responsible for planning and funding high quality education and training for everyone in England other than those in universities.

The LSC's main tasks are to:

- raise participation and achievement by young people;
- increase adult demand for learning;
- raise skills levels for national competitiveness;
- improve the quality of education and training delivery;
- equalise opportunities through better access to learning; and
- improve the effectiveness and efficiency of the sector.

The LSC currently funds all learning for young people aged 16 – 19 in schools, colleges and training providers and works nationally, regionally and locally.

This will change in 2010, when Local Authorities will become commissioners of some post-16 Education. The LSC needs to be engaged by local authorities early on in the strategic planning process when developing estate options and writing the SfC because of the current LSC investment in post-16 Education. The LSC has to agree the strategy for Post-16 Education in a local authority, including the agreement on sizes of sixth forms particularly where there is a proposal to increase post-16 numbers locally. There may still be some requirement to engage with the LSC from 2010 but this will vary according to local conditions.

The British Educational Communications and Technology Agency

Becta is the government agency leading the national drive to ensure the effective and innovative use of technology throughout learning. Becta works with government in leading the delivery and development of the e-strategy and influencing the strategic direction and development of national education policy, to ensure that best advantage is taken of new and emerging technology.

The National College for School Leadership

NCSL is a NDPB. NCSL's four key goals are to:

- transform children's achievement and well-being through excellent school leadership;
- develop leadership within and beyond the school;
- identify and grow tomorrow's leaders; and
- create a 'fit for purpose' national college that is more strategic and offers school leaders increasing leadership support.

The remit for NCSL with regards to BSF is to deliver leadership programmes in local authorities engaged in BSF. Working at a senior corporate level, NCSL will deliver programmes for school leadership teams that build the skills that enable effective change management to deliver educational transformation. NCSL is expected to work with other BSF delivery partners, such as BECTA and CABE.

The Commission for Architecture and the Built Environment

CABE is the government's advisor on architecture, urban design and public space.

Following concerns that the quality of design of new secondary schools in earlier waves of BSF was inconsistent, CABE now has a formal role in assessing all BSF design proposals. The DCSF funds CABE to provide free support to all local authorities involved in BSF. CABE is working with DCSF and PfS to provide comprehensive advice and support, to enable local authorities to become expert clients.

CABE is supporting those involved in the BSF programme by:

- advising local authorities on the procurement process;
- training school leaders, client design advisors and design champions;
- offering guidance and research; and
- reviewing designs put forward by bidders during the competitive stage of BSF through its schools design panel.

Why are national bodies important in setting up a LEP?

Each LEP is a new, local, start-up joint venture company bringing together three organisations at the strategic, management and operational levels who have never worked together before. Throughout the entire BSF programme, from project initiation through to LEP operation, a number of national bodies are engaged at any one time to help facilitate, support and advise on the programme to ensure an effective LEP is delivered. Understanding the role of national bodies and working with them successfully is integral to the effective operation of the LEP.

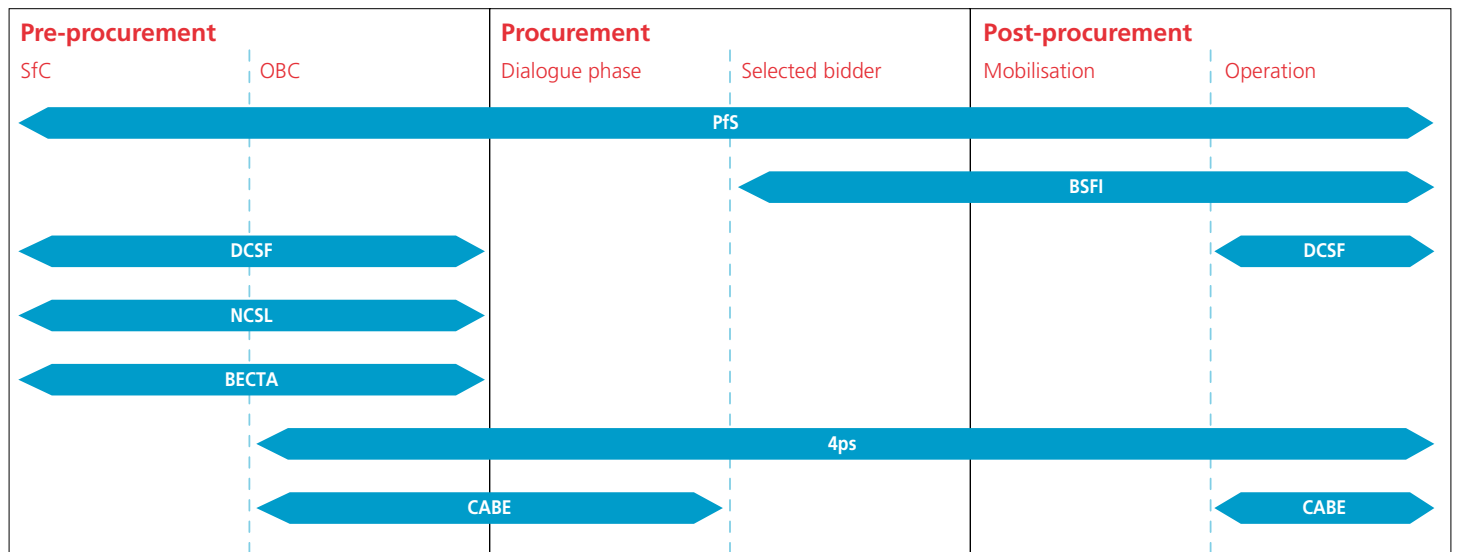
However, the national bodies involved and their role at different points in the life cycle of a project can be unclear. While the note focuses primarily on the national bodies, local authorities should also ensure appropriate engagement with local stakeholders.

When are national bodies engaged?

As illustrated on the following page, the various national bodies are engaged across the lifecycle of the programme and the extent of their engagement varies depending on the stage of the project. Of the national bodies, only PfS' involvement spans all stages of a project, whereas the other bodies are engaged at different points in the process.

The table below illustrates the stages when each national agency is engaged. Where an organisation is shown as being involved in the operation stage,

this will be specific to a local authority and dependant on their engagement in a new wave of projects:



What is the relationship between Pfs and BSFI?

There is often some confusion over the relationship between Pfs and BSFI. Pfs is a NDPB, established by DCSF that is responsible for delivery of the BSF programme. BSFI is the limited liability partnership established by the DCSF and PUK as equal partners, each holding 50% of the capital, to invest in the LEP set up to deliver local BSF projects. BSFI's investment objectives include promoting the BSF national programme objectives at a local level, as well as delivering a financial return to its investors.

There are inherent conflicts of interest between investment and procurement, so Pfs does not participate in the management of BSFI, which is undertaken through its Management Board and Investment Committee.

Similarly, BSFI does not participate in the process of procuring a Selected Bidder. Separating Pfs from BSFI addresses any potential concerns regarding the independence of key decisions in the programme and project procurements and key decisions in the investment process.

However, given their common parentage, it is important for Pfs and BSFI to work together in a complementary way. This is increasingly the case, for example, around managing knowledge networks ensuring that best practice is disseminated to operational LEPs and ensuring that common themes and messages are integrated into decisions about procurement and approvals processes.

What does this mean for an Operational LEP?

BSFI plays a key role as an investment vehicle for the public sector in the effective operation of LEPs and their subsidiary PFI project companies within the BSF programme. In particular, BSFI invests in the equity and working capital of LEPs and their PFI subsidiary companies and a BSFI director sits on the Board of each LEP and PFI company following investment of between 10-20% of its risk capital.

BSFI employs executives who sit on the Board of the LEP and PFI companies and the running costs of BSFI are funded from financial returns. BSFI's role commences once the project is at Selected Bidder stage, for the reasons of conflict discussed above.

Pfs works with local authorities throughout their BSF programme, including during the pre-engagement phase prior to formal entry to the programme. On entering the programme, local authorities are allocated a multi-disciplinary team that is co-ordinated by a Project Director to support the local project. This team includes education, ICT, design and commercial expertise.

The commercial support to local authorities continues throughout the lifecycle of the programme, although this reduces after Financial Close on initial projects, increasing at key stages of new project development and approval. The BSFI Director has a different role to the Pfs Project Director or Commercial lead, which is a common misunderstanding. Pfs continues to play an important role with the local authority in guiding and approving the development of future schemes that are delivered to it by the LEP. Pfs is not however part of the LEP management process, although it may provide support in the form of the 'critical friend' approach.

Whilst they are separate entities, BSFI and PfS work closely together. The role of BSFI in promoting programme and partnership working in operational LEPs complements the role of PfS in supporting Local Authorities in the development of new projects.

Other organisations that continue to be involved to some degree with the Operational LEP throughout the new project process include CABE and the 4ps. Where a local authority is entering a new wave, the SfC has to be updated to reflect any strategic and policy changes and this requires the engagement of and subsequent approval by DCSF and OSC irrespective of the existence of a LEP to deliver the new wave of projects.

Further guidance

Further guidance on the various organisations can be found on their individual websites, listed below although there can be limited BSF information available. If in doubt, the PfS-assigned Project Director is best placed to give advice on the roles of the various agencies and when they should be engaged.

1. **DCSF**
www.dcsf.gov.uk
2. **PUK**
www.partnershipsuk.org.uk
3. **PfS**
www.partnershipsforschools.org.uk
4. **BSFI**
www.bsfi.org.uk
5. **OSC**
www.dcsf.gov.uk/schoolscommissioner
6. **4ps**
www.4ps.gov.uk
7. **LSC**
www.lsc.gov.uk
8. **BECTA**
www.Becta.org.uk
9. **NCSL**
www.ncsl.org.uk
10. **CABE**
www.cabe.org.uk