

Education, Children and Families Committee

10am, Tuesday, 15 August 2017

Transfer of the Management of Secondary Schools Sports Facilities to Edinburgh Leisure

Item number	8.1
Report number	
Executive/routine	
Wards	City wide

Executive Summary

This report provides an update on progress in relation to the review of Community Access to Schools (CATS) and the transfer of the management of secondary school sports facilities to Edinburgh Leisure.

The Education, Children and Families Committee on 24 May 2016 considered a report on the review of CATS and on 4 October 2016 the Corporate Policy and Strategy Committee considered a report on the business case for the management transfer of secondary school sport facilities to Edinburgh Leisure on the 4 October 2016.

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Transfer of the Management of Secondary Schools Sports Facilities to Edinburgh Leisure

1. Recommendations

- 1.1 To note the progress made to date on the transfer of management of school sports facilities from the Council to Edinburgh Leisure.
- 1.2 To note that officials from the Council and Edinburgh Leisure are working together to address the issues raised in the transfer process to date to ensure that the remaining schools are transferred to Edinburgh Leisure in a timely fashion.
- 1.3 To note that the PPP schools will be prioritised for transfer whilst further work is completed on the issues raised in this report.

2. Background

- 2.1 Following approval by the Corporate Policy and Strategy Committee on 29 September 2015, a joint implementation group consisting of officials from the Council and Edinburgh Leisure have taken forward the transfer of secondary school sports facility management for the period out with core school hours.
- 2.2 The transfer of the management of sports facilities at James Gillespie's High School took place on the 26 September 2016, Portobello High School on 7 November 2016 and Holy Rood High School on 1 May 2017. Due to the delay in the construction of Boroughmuir High School it has not yet been transferred and the anticipated opening date of the new school is now January 2018.
- 2.3 The original ambition was that the management of all secondary school sport facilities would be transferred to Edinburgh Leisure by September 2017. Due to issues uncovered through the due diligence exercise this target will not be met and it is likely that the full transfer will be complete later in 2017 or early 2018.
- 2.4 Officers from the Council and Edinburgh Leisure continue to work together to address the issues raised; operating within a new governance framework developed to take the project forward.
- 2.5 This report follows on from previous reports to Corporate Policy and Strategy Committee on 4 October 2016 and Education, Children and Families Committee on 24 May 2016.

- 2.6 The main report below details the progress made and specific issues that have emerged since the transfer process began in 2016.

3. Main report

- 3.1 Issues have arisen in the following areas since the transfer process began; TUPE, maintenance and investment, PPP2 contractual arrangements and facilities management.

TUPE

- 3.2 In the original programme for this project it was anticipated that only a small number of staff would be affected by the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE).
- 3.3 As the transfer implementation and due diligence exercises were progressed it became clear that staff employed by the Council to support sport and leisure programmes within the school estate may be in scope under TUPE as part of the management transfer.
- 3.4 HR have completed a comprehensive review of all the relevant positions and further analysis will be completed along with consultation and engagement with staff and unions.

Maintenance and Investment in School Sport Facilities

- 3.5 The secondary school estate comprises 23 high schools. Eleven of these schools are managed under a PPP arrangement, therefore maintenance and lifecycle replacement is the responsibility of the PPP contractor. Three high schools (including Boroughmuir when complete) are new builds and therefore have no immediate investment or lifecycle requirements. However, one of the new High School's, James Gillespie's, is managed through a contract with hub South East Scotland Ltd which covers lifecycle maintenance requirements. A new high school at Queensferry should be complete by Easter 2020 and Wester Hailes Education Centre is currently undergoing a planned refurbishment.
- 3.6 This leaves a balance of seven high schools where the condition of the sports facilities is being assessed. Condition surveys will be completed over the school summer holidays and will estimate the cost of upgrading, replacement and maintenance.
- 3.7 Until the cost implications for the remaining seven high schools are known, it is proposed that the transfer of management for school sport facilities should focus on the PPP schools.

PPP2 Contractual Arrangements

- 3.8 For the six high schools operating under the PPP2 contract, access to the school facilities is categorised between core hours and bank hours. Core hours cover the school day with some limited access at times out with the school day and at

weekends. If access is required out with the core hours there is a communal pool of 4,000 bank hours per annum for the PPP2 schools. Once the bank hours' allocation has been used, access out with core hours is at additional cost to the Council. The cost of this type of access is fixed, whether one room or the whole school is used.

- 3.9 Facilities Management within Property Services are leading a review of the bank hours' arrangement to look at options for maximising the use of these hours. This work is essential to inform and direct the approach to managing access and maximising the financial return for the Council.

Facilities Management

- 3.10 Facilities Management provide janitorial and cleaning resources for schools and are currently undertaking a service review as part of the Council's Transformation Programme. Once the review is complete an assessment will be required to ensure the impact of any changes to the staffing and cleaning of schools by Council employees is determined and the costs for access to school sport facilities out with core hours are known.

4. Measures of success

- 4.1 The transfer of management of all secondary school sport facilities for the period out with school core hours by the beginning of 2018.
- 4.2 A mixed economy of sports provision will continue to be available to residents of Edinburgh in secondary schools.
- 4.3 All costs to the Council have been identified and will be met from income generated from the new arrangements.

5. Financial impact

- 5.1 The original business case indicated that delivery of £500k approved savings (effective from 2016/17) would not begin to be delivered until year three (2018/19) of a six-year operational plan. The project board is seeking to identify where savings can be accelerated. The lifecycle maintenance requirements, FM review and TUPE considerations all have potential financial impact which is as yet uncosted.

6. Risk, policy, compliance and governance impact

- 6.1 The transfer to Edinburgh Leisure of the management of community access to school sports facilities which, while not without risk, does support the Council's

existing policies on improving health and well-being through greater participation in physical activity and sport, in line with national priorities and policies.

7. Equalities impact

- 7.1 The new arrangements will widen access to all of the Council's sport facilities and the development of an equalities and rights impact assessment is being progressed.

8. Sustainability impact

- 8.1 Carbon, climate change adaptation and sustainable development impact assessments have enabled consideration of the public body duties under the Climate Change (Scotland) Act 2009. The findings of these assessments will also help to achieve a sustainable Edinburgh regarding progressing climate change, social justice and community well-being objectives.

9. Consultation and engagement

- 9.1 Engagement has taken place and is continuing with sports clubs, **sportscotland**, staff in scope of the revised arrangements, head teachers and trade unions.

10. Background reading/external references

[Corporate Policy and Strategy Committee Report 4 October 2016](#)

[Corporate Policy and Strategy Committee Report 14 June 2016](#)

[Education, Children and Families Committee 24 May 2016](#)

[Corporate Policy and Strategy Committee Report 17 May 2016](#)

[Corporate Policy and Strategy Committee Report 29 September 2015](#)

[Culture and Sport Committee 11 March 2014](#)

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11. Links

Coalition Pledges

Council Priorities

**Single Outcome
Agreement**

Appendices None.