



Permanent Secretary

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Dame Meg Hillier MP
Chair, Public Accounts Committee
House of Commons
London
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7 September 2023

Dear Meg,

Condition of School Buildings

I am writing to provide you and the Committee further information on topics covered during your evidence session on the condition of school buildings, held on 13 July 2023, and ahead of the evidence session on RAAC and schools scheduled for the 11 September 2023. My apologies for the delay in doing so.

I have set out this information in the order in which the topic was raised during the session.

Success metrics in relation to vulnerable children

We committed to providing more information on our programmes and success metrics in relation to vulnerable children. We regularly report on outcomes for vulnerable children, through metrics set out in our departmental Outcome Delivery Plan (ODP) such as school absence rates and delivery of key programmes such as Supporting Families. The government also publishes reports on individual issues, or clusters of issues that affect vulnerable children.

We report progress against our ODP in our annual report each year. Pages 58-88 of [The DfE Consolidated annual report and accounts](#) set out the most recent performance against our ODP. Performance against these key metrics is shown below, with reference to prior year performance:

- Overall absence rate increased to 7.6% from 4.6% (2021/22 academic year compared to 2020/21 academic year)
- Absence rates for pupils eligible for Free School Meals pupils increased to 10.8% from 7.8% (2021/22 academic year compared to 2020/21 academic year)

- Absence rates for education health and care plans pupils decreased to 12.1% from 13.1% (2021/22 academic year compared to 2020/21 academic year)
- Absence rates for 'children in need' increased to 15.2% from 13.3% (2021/22 financial year compared to 2020/21 financial year)
- 8.6% of Local Authorities (LAs) were rated inadequate for children's social care services in January 2022 - down from 12.5% in January 2021. There are now 65% fewer children (approximately 1.7 million) aged 0-17 living in inadequate LAs than in 2017.
- 87.1% alternative provision schools were rated good or outstanding by Ofsted in January 2022 - up from 84.7% in January 2021
- In December 2022, 55% of LAs had a written statement of actions (or equivalent) for SEND services issued by Ofsted. Of the 54 areas that had a written statement of actions revisited since December 2018, 39% of LA SEND services were judged to have made significant progress (or equivalent judgement)

Asbestos

We committed to providing the Committee with our plan to support schools to address asbestos in their estates. The Department follows expert advice from the Health and Safety Executive (HSE) that, as long as asbestos-containing materials are in good condition, well protected either by their position or physical protection, and are unlikely to be worked on, it is usually safer to manage them in place.

Our aim is to support schools through funding and guidance so they can manage asbestos safely. DfE launched the Asbestos Management Assurance Process (AMAP) in March 2018 – a survey to understand the steps schools and those responsible for their estate were taking to manage asbestos. Over 93% of schools responded, with nearly 99% of respondents confirming they have taken professional advice on asbestos management and nearly 96% of respondents confirming their asbestos management plan was in place. The survey results showed that most schools continue to follow core statutory duties.

DfE worked closely with HSE and other experts, unions, and sector representatives to review and update the Managing asbestos in your school or college guidance, a new version of which was published on 14 October 2020.

We are gathering updated information from the sector on asbestos management through the department's Condition Data Collection 2 programme (CDC2), which started in 2021 and will complete in 2026 – and is expected to cover all state funded schools. Through this programme, we have already gathered information from 511 of the 1,491 schools who did not respond to the AMAP survey. We share data with the HSE to inform their risk-based approach to compliance including their future programme of inspections.

We expect the number of school buildings with asbestos to reduce over time through the capital funding we provide to the sector to address condition issues, including

through our School Rebuilding Programme, which will rebuild or significantly refurbish buildings at 500 schools over the next decade. We provided an interim [report on the prevalence and management of asbestos in the estate to the Committee on 28 September 2022](#) using data from CDC2 in 2022. We will share a final report on completion of the CDC2 programme, scheduled for 2026.

Where the Department is notified of a significant safety issue with a school building that cannot be managed within local resources, including due to the presence of asbestos, the Department provides support on a case-by-case basis, ensuring any threat to the safety of those using the building is mitigated.

Temporary buildings in the school estate

The Committee asked about the number of temporary buildings in use across the school estate. Data from our Condition Data Collection (CDC1) programme showed that there were 5,749 relocatable mobile blocks in use in the estate based on school visits taking place from 2017-2019. A regional breakdown of that figure is shown below. We are collecting an update to this information through our CDC2 programme. The number of relocatable mobile blocks in use in the estate at any point will vary depending on the number and progress of refurbishment and rebuilding projects underway in the school estate as well as other factors.

Region	Number of relocatable mobile blocks
London	650
West Midlands	818
North West	336
Yorkshire and the Humber	372
North East	185
South West	965
East of England	914
South East	976
East Midlands	533
TOTAL	5,749

Disposal of school buildings

The Committee asked whether academy trusts could dispose of buildings in one part of the country and invest the money elsewhere. Where an academy trust holds the freehold to its own land as a result of that freehold being originally provided by either a local authority or the Secretary of State, the land is protected by both contractual and statutory protections.

Under the terms of the Funding Agreement, any academy trust wishing to dispose of land interests they hold must seek the consent of the Secretary of State. Where the site was previously bought in the name of the Trust by the Department the Funding Agreement will have specific provisions requiring an option on the land title, such that if the school is closed and funding agreement terminated, the Secretary of State has the right to either direct the site to be given to another Academy Trust or that the site ownership is transferred back to the department. If the site is transferred back to

the department, then the Department will manage that site and implement procedures for potential disposal in compliance with Managing Public Money and any other relevant legislation and guidance. This includes considering wider education use (including further and higher education) as well as offering the site to other central and local government/public service providers (e.g. NHS).

Beyond the Funding Agreement, part 3 of Schedule 1 to the Academies Act 2010 applies. It makes clear where an academy is to close, the Secretary of State may direct the land itself, or the value of that land, back to the relevant local authority, or may instead decide that the land be kept in education use by directing it for the purposes of another academy, or to the governing body or trustees of a maintained school. Where an academy is continuing but the academy trust wishes to dispose of any part of the land and buildings, then part 3 of the Schedule requires that the academy trust give notice to the Secretary of State of their intended disposal. The Secretary of State can then direct the land back to the relevant local authority; direct that some or all of the value of the land goes to a local authority or returns to the Secretary of State; or direct the transfer of the land to someone for the purposes of an academy. In the case of playing field land, the Secretary of State can also direct that the disposal is not made. The Act goes on to make clear that the disposal may not be made until such time as the Secretary of State has made a decision on whether to use these powers.

There may be circumstances where the Secretary of State agrees to proceeds of sale from a publicly funded school site being invested in a different location – for example if a school moves site or amalgamates with another, or if demographic changes mean the school is no longer required but pupils will attend another school which could benefit. These decisions are taken on their individual merits.

PFI schools

Based on information provided by local authorities at the start of the 2023-24 financial year, the Department is aware of two schools constructed using PFI arrangements that have recently had no pupils in them. These are:

- Parklands High School, Ganworth Road, Speke, Liverpool, L24 2RZ; and
- Kingsway Academy, Birket Avenue, Moreton, Wirral, CH46 1RB.

As these are PFI Schools, the Local Authorities have been proactively working with DfE to ideally find alternative educational uses of these buildings. For Parklands High School, the educational part of the PFI building is partially occupied by a Pupil Referral Unit. The Local Authority continue to investigate alternative uses of the remaining educational part of the PFI building. For Kingsway Academy, Claremount Special School are currently occupying part of the site. Adaptive works are taking place and are due for completion in Autumn 2023. Claremount Special School will fully move onto the site from September 2023. In addition to this, part of the PFI Site has been carved out to form a city learning centre which Foxfield Special School intend to partially occupy.

We discussed the presence of Reinforced Autoclaved Aerated Concrete (RAAC) in the school estate during the session. The Committee will have seen the Department's 31 August [Identification guidance on RAAC](#) and the [Secretary of](#)

[State's 4 September oral statement on this issue](#). We will provide the Committee with a further update on the prevalence of RAAC in the school estate once our survey programme to identify RAAC, which we are accelerating, is complete.

Best wishes

A handwritten signature in black ink, appearing to read 'S Acland-Hood', with a stylized flourish at the end.

**SUSAN ACLAND-HOOD
PERMANENT SECRETARY**