



Department  
for Education

# Post-16 Capacity Fund 2023 to 2024

**Guidance for Applicants**

**October 2022**

**Version 1.2**

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# 1. Introduction

## 1.1 Purpose of the document

This guidance is for Further Education Colleges, Sixth Form Colleges, 16-19 academies, free schools, and LA-maintained schools with sixth forms, which are eligible to apply to this second bidding process under the Post-16 Capacity Fund. These providers are hereafter referred to collectively as 'eligible post-16 institutions'.

The guidance sets out the objectives of the Post-16 Capacity Fund, which providers are eligible to apply, what types of projects are eligible and how bids for funding will be assessed.

## 1.2 About the Post-16 Capacity Fund

At the 2021 Spending Review the Government committed to additional<sup>1</sup> capital investment to ensure that post-16 providers can accommodate the expected demographic increase in 16 to 19-year-olds.

The core objectives of the post-16 capacity fund are:

- to provide additional capacity in 16-19 providers, where there is due to be a demographic increase in learners in September 2024 and there is not enough existing capacity to accommodate that increase;
- to ensure that provision to be delivered through the additional space developed meets local and national skills requirements and is reflective of learner demand; and
- to do so in the most efficient and sustainable way possible, to ensure value for money in the investment of public funds, and to support the Government's target of achieving net zero carbon emissions by 2050 as set out in the Climate Change Act 2008.

Eligible post-16 institutions are invited to bid to the Department for Education for capital funding to support these objectives.

Bids for capital funding will be assessed and ranked on a competitive basis. The department will assess bids and award funding to those projects which score the highest. Projects funded through the Post-16 Capacity Fund must

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<sup>1</sup> This is in addition to the £83 million available in 2021-22.

be completed by the end of August 2024 to support the delivery of learner places from September 2024.

WITHDRAWN

## 2. Important dates for Post-16 Capacity Fund

Milestones	Dates
<b>Launch of Fund:</b> information for applicants published and online application window opens	7 September 2022
Deadline for all applicants to submit applications	11 November 2022
The department to notify applicants of outcome	Spring 2023
<b>Project completion</b>	31 August 2024

For further information about the Post-16 Capacity Fund and the latest updates, please refer to <https://www.gov.uk/government/publications/post-16-capacity-fund>.

Applications must be submitted through the online [DfE eTendering Portal \(Jaggaer\)](#). You will need to register for an account to be able to access the application form and supporting templates; we encourage you to do this as early as possible and you must have registered by 14 October 2022. See section 5.1 for further information.

### 3. Eligibility for the Post-16 Capacity Fund

To be eligible to apply for the Post-16 Capacity Fund, the institution for which funding is required must be one of the following types<sup>2</sup>:

- an **FE college** established as a further education corporation under the Further and Higher Education Act 1992 (FHEA 1992).
- a **designated institution** as per section 28 of FHEA 1992.
- a **Sixth Form College** as defined by section 91(3) FHEA 1992
- a **maintained school** as defined in section 20 of the School Standards and Framework Act (SSFA) 1998 with a sixth form.
- An **academy** (established as per Academies Act 2010) providing sixth form education, (referred to as academies for the remainder of the guidance) including:
  - Free schools
  - 16-19 only academies
  - University Technical Colleges (UTCs)
  - Studio Schools providing technical education
  - Maths Schools

#### 3.1 Public contract regulations

Applicants should consider whether the institution for which they are bidding for funding is a contracting authority for the purposes of the Public Contract Regulations 2015 and should ensure they comply with these regulations where relevant.

##### 3.1.1 LA maintained schools

Where a school sixth form is maintained by their Local Authority it is the school, with approval from the Governing Body, that should apply to the fund.

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<sup>2</sup> Alternative and special provision institutions should approach their local authority for further information on [high needs funding](#).

### **3.1.2 College corporations**

Where a college corporation has multiple campuses, the corporation will need to apply on behalf of the college or campus.

### **3.1.3 FE designated institutions**

Bid applications must be made through the charitable trust, charitable company, or association.

### **3.1.4 Multi academy trusts**

If an academy is part of a multi-academy trust (MAT) then applications must be completed and submitted by the MAT on behalf of the academy. For each academy, you may submit one application per academy.

## 4. Types of projects which are eligible for post-16 capacity funding

### 4.1 Eligible projects

Funding is available to support projects that create additional space to accommodate increased 16-19 learner numbers as a result of a demographic increase in 16-19 learners in their local area. Applicants looking to expand their estate must demonstrate that:

- the proposed project is required as a direct result of a demographic increase in learner numbers in their catchment area (or travel to learn area) and therefore a forecasted increase in pupil numbers;
- the proposed project is required for their institution to accommodate these additional learners starting from September 2024;
- there are no alternative solutions, including learners attending another local provider; and
- the proposed project best meets the criteria for the Post-16 Capacity Fund .

The Post-16 capacity fund should provide capacity for future demographic growth due to the rising population numbers only and not fund existing/past space requirements prior to population growth.

Applicants will need to demonstrate that any current underutilisation of the existing estate has been considered before an application is submitted to increase physical capacity.

As such there are likely to be two types of building works that are eligible for support:

- those that increase the overall gross internal floor area (GIFA) of learning space and associated functional areas or facilities; or
- those that reconfigure the estate within the existing GIFA to accommodate more learners.

LAs are responsible for proposing and making decisions to expand LA maintained schools (where the statutory threshold is met), subject to following the statutory process set out in The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. Please refer to the 'Making significant changes [prescribed alterations to maintained schools](#)' guidance (see section 4.5.2).

All investment made through this fund will be required to meet the following requirements, but this is not an exhaustive list:

- As a minimum, any projects must seek to increase the capacity in your estate to accommodate at least 30 additional learners aged 16-19 in September 2024.
- Capital investment should be made into an asset held on freehold or long lease (125+ years) at a peppercorn or nominal rental. It is highly unlikely that the tenure arrangements in commercial leases, subject to annual rental payments, will satisfy the department's value for money requirements.
- In exceptional circumstances, where the land is held by charitable trustees for the provision of education by the provider, we may consider alternative tenure arrangements to those set out above, but only where there is strong justification that it is the best value for money option available to you. In such cases we will consider a range of factors, including overall life expectancy of the works, the scope and total value of the works, how confident we are that the premises will remain in educational use, and the amount of grant requested.
- Where freehold or leasehold acquisition is required, the department will only provide funding in exceptional circumstances and will need to be satisfied that the agreed terms represent open market value and secure strong protections for its investment.
- The asset must be used primarily for the provision of education to learners between the ages of 16-19. Where it is appropriate to your institution's remit, we would expect wider benefits to be realised in the provision of adult education or key stages 1-4, in the interests of securing a sustainable investment that provides value for money in the longer term beyond the demographic increase in 16-19 year olds. However, the investment cannot be for the sole purpose of providing adult or key stage 1-4 education.
- Where funding is requested for demolition and rebuilding projects, the demolition must be of blocks that are in poor condition and additional capacity must be provided in the replacement accommodation. See section 8.3.
- Professional fees can be included in project costs where these are proportionate and necessary to the delivery of the project for which you are applying for Post-16 capacity fund support (see section 9.7).

## 4.2 Ineligible projects

Projects or elements of projects that are not eligible for funding include the following, but this is not an exhaustive list:

- Projects which are not primarily concerned with provision for additional learners as a direct result of the demographic increase in 16 – 19 learners. This includes accommodating the 40 additional learning hours for Band 5 and T Level students, and growth due to increasing your market share within the travel to learn area (ie. cohort growth due to popularity of provision and learner choice rather than demographic increases). This is to avoid creating a surplus of places in a local area.
- Purchase of land, except in exceptional circumstances where there is a strong value for money justification. Academies should seek Secretary of State approval for any land transactions including the buying and selling of a freehold or leasehold interest in land or buildings. Please refer to the [guidance](#) for further information, which also sets out the process to follow if the project includes the change of use of a playing field. For all applicants, where the project includes the purchase of land this should be supported by open market valuations, or for land transactions that have not yet completed, agreed heads of terms.
- Estate created that is not demonstrably intended for the provision of 16 – 19-year-old further and technical education, for example large atria, accommodation of non 16-19 further and technical education activities, and commercial activities not related to government funded provision or where the estate is being let to tenants. The primary purpose of the estate created should be delivery of 16–19-year-old education.
- Estate expansion already being addressed through other local and central government grant funding. Examples could include but are not restricted to:
  - Condition Improvement Fund
  - T Levels Capital
  - FE Capital Transformation Fund
  - Institutes of Technology
  - Towns Fund
  - Getting Building Fund
  - Local Growth Fund

Also see ineligible costs under section 9.3

Applicants can apply for Post-16 Capacity funding to complement other project proposals, but they cannot apply for the same expansion project that has already secured funding through another route. Where funding has been secured from multiple routes, applicants should explain how the different sources of funding will complement each other and what the consequences are if an application to another fund is not successful (in part or full). Where there are multiple capital bids relating to the same institution or site, the Department will consider the provider's capacity to deliver multiple projects during the application process for the Post-16 Capacity Fund.

Where we receive multiple applications from one area, including the Expression of Interest (EOI) for free schools, the department will consider the implications and reserves the right to only fund applications that will not result in a surplus of capacity in that area.

### 4.3 Project completion

The planning and preparation, as well as the construction programme, must be realistic and achievable. Projects must be deliverable by 31 August 2024 to support the delivery of learner places from September 2024.

### 4.4 Long term investment in assets and recovery of funding

Where funding is agreed, the department will set out in a Capital Funding Agreement (CFA) with the post-16 provider, the length of time each funded asset needs to be used for education purposes. This is known as the Capital Recovery Period in the funding agreement. This allows the department to recover its investment if the asset is not used for its intended purpose or it is disposed of during this period without the department's consent.

The Capital Recovery Period will depend upon the use and scale of the capital investment. It is possible therefore that an institution may have a range of capital recovery periods within the same CFA. There are however some minimum standards for each type of project:

- **New Build:** where capital is used for new build projects the recovery period would be at least 60 years. For up to 30 years after the date of the CFA, the investment should be used for further and technical education of 16–19-year-olds. From years 30 to 60, it is expected that the building could be used for wider education uses if it can no longer primarily be used for further and technical education.

- **Refurbishment:** for major refurbishment<sup>3</sup>, the department expects a lifespan equivalent to new builds. For lighter refurbishments, the expectation is that the capital recovery period would be in place over a 30-year period. Lighter refurbishment<sup>4</sup> projects would need to be used for further and technical education for 30 years.

## 4.5 Additional processes for applicants

You should be aware that your institution may, dependent on its type, still be subject to any additional requirements relating to expansion projects in addition to the requirements of the Post-16 Capacity Fund.

Of note are the significant change process for academies and the prescribed alterations process for LA maintained schools. Applicants will be subject to the requirements of each process in addition to the requirements of the post-16 capacity fund and the specific process for each (as it relates to applying to the Post-16 Capacity Fund) are set out below.

If your proposal involves a change of use of playing field and that land is, or has been in the last 10 years, used by a LA maintained school (including where the land is now being used by an academy) you will need to obtain the consent of the Secretary of State if your bid is successful. If the local authority holds the land (either a freehold or leasehold interest) at the time of the proposed change of use, the Local Authority requires consent (although the Land Transactions team will accept applications by an academy trust on behalf of a LA). Consent for a change of use of playing field land is not required when an academy trust owns the freehold of the land. We recommend that you consult the Department's [guidance](#), including the definition of playing field land (Part 3A).

Individual providers are responsible for ensuring that you have all necessary statutory permissions, such as planning consents or other approvals in place for your project before project delivery and should factor the timing for any additional requirements into your delivery plan.

### 4.5.1 Significant change process - academy trusts

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<sup>3</sup> Major refurbishment could include some structural repairs/strengthening. It will likely include significant, if not complete, internal strip and replacement of non-structural elements, internal layout re-organisation and remodelling requiring some structural works, replacement of MEP systems, some works to external fabric.

<sup>4</sup> Lighter refurbishment is relevant to where building is structurally sound, and unlikely to require any repairs/strengthening. It will likely include a smaller element of internal strip and replacement of non-structural elements, minor internal layout re-organisation/re-modelling, replacement of some elements of MEP systems or some works to external fabric or to some elements of both.

Academy trusts must submit a significant change application. Please refer to the [significant change guidance](#) for further information.

The application for a significant change will not be reviewed as part of the assessment of bids for the Post-16 Capacity Fund. These are separate processes, which will run in parallel, but approval of funding through the Post-16 Capacity fund is conditional on the approval of the significant change application. The Regional Directors (RD's) approval of any significant change expansion cases is also conditional on being successful in securing funding through the Post-16 Capacity Fund.

As the decisions for applications to the Post 16 Capacity Fund and for the associated significant change are interdependent, we will only be assessing the significant change applications for successful Post 16 Capacity Fund projects. If you have other potential funding sources for your post 16 expansion you will need to make this clear on the significant change application and evidence the potential funding source so that the application can still be considered, in the event your Post 16 Capacity Fund application is unsuccessful.

Significant change applications must be submitted in parallel to applying to the Post-16 Capacity Fund following the process set out in the significant change guidance. The deadline to submit both applications is 11 November 2022.

#### **4.5.2 Prescribed alterations process – LA maintained schools**

At the point of submitting a bid to the Post-16 Capacity Fund, LAs will need to have carried out a consultation on the proposed expansion ('stage 2' of the statutory process as set out in the [guidance](#)).

Paragraph 8(1) of Schedule 3 to the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, specifically para.8(1)(e) permits LAs to approve a change on the condition that the department will agree to support the building project, so they do not have to wait until funding is confirmed before approving the change.

Confirmation of this decision must be sent to the department by the applicant using the email address: [post16.capacityfund@education.gov.uk](mailto:post16.capacityfund@education.gov.uk) by 25 January 2023. Failure to provide LA approval may result in the application being withdrawn.

## 4.6 Project value thresholds for the Post-16 Capacity Fund

Minimum project threshold	Maximum project threshold
£200,000	£4,000,000

### 4.6.1 Minimum threshold

The minimum value of bids to the Post-16 Capacity Fund is £200,000, excluding any ineligible expenditure, such as recoverable VAT. The department reserves the right to amend the lower limit where there is sufficient evidence of need, and the programme funding allows.

### 4.6.2 Maximum threshold

The maximum upper threshold for bid applications is £4,000,000 and grant awards will be capped at that level. The department reserves the right to amend the upper limit where there is sufficient evidence of need and programme funding allows.

The department reserves the right to reject funding requests having regard to value for money considerations and the availability of the Post-16 Capacity Fund. The department reserves the right to implement extra monitoring and conditions of funding for approved projects, especially those projects that are considered to have greater complexity and risk.

## 5. Applying to the Post-16 Capacity Fund

### 5.1 How to apply

Applicants will be required to submit their application via the DfE's eTendering Portal.

To submit an application, you will need to create an account on Jaggaer using this link: [DfE eTendering Portal \(Jaggaer\)](#). If you already have registered on this system previously you do not need to set up a new account. Please note that the Jaggaer platform works best on the Microsoft Edge search engine. We strongly encourage you to log on to Jaggaer and access [Invitation To Tender \(ITT\)](#) no later than the 14 October to ensure you have sufficient time to complete the application and provide the necessary information.

Once you have set up your account, you should log in and click on 'ITTs open to all suppliers' in the lefthand menu. This will bring up a list of open ITTs.

We are aware that there is an issue with locating the Post 16 Capacity Fund ITT\_671 which should be used to register interest. We ask that you take the following steps to locate ITT\_1671.

Please search for any of the following ITTs associated with the Post 16 Capacity Fund: ITT\_1679, ITT\_1680 and ITT\_1681.

Please register an interest in one of the three ITTs listed above and then you will then be able to see ITT\_1671, at which point you should register an interest in ITT\_1671.

You must submit your first application under ITT\_1671, if you wish to submit multiple applications, please action the following;

- To submit a second application, you must register an interest and submit an application under ITT\_1679
- To submit a third application, you must register an interest and submit an application under ITT\_1680
- To submit a fourth application, you must register an interest and submit an application under ITT\_1681

You can use the same account details for multiple applications but will need to submit a separate completed application form and set of supporting documentation for each project.

The application form includes both mandatory and non-mandatory questions. Please ensure you complete all relevant elements of the application in full so that we understand your project.

You will also need to upload supporting evidence and templates at the points indicated in the application form. All the templates required to support your application will be available for download from the portal and Annex A provides a checklist to help ensure you have included all the required evidence. You must not change the format or do anything that could corrupt the templates or the data you have provided, as this may mean we are unable to assess your application in full. Please be aware that for a single file attachment the maximum size is 50MB and for compressed folder attachments the maximum size is 300MB.

We will publish dates for webinars to support your application for the Post-16 Capacity Fund on [GOV.UK](https://www.gov.uk)

## **5.2 Applying for multiple projects**

Applicants may submit multiple projects per college corporation or MAT as applicable, but only one application should be submitted per site. Projects will be assessed separately and independently from each other. If the projects are linked, then please refer to this in the application form. There is no guarantee that if one project is successful, the other one will be too.

## **5.3 Supporting evidence**

Supporting evidence is required under the different sections of the ITT as set out later in the guidance. The documents uploaded should contain all the evidence required and a checklist of supporting evidence to be uploaded can be found in Annex A.

## **5.4 Use of technical advisers**

Applicants can use technical advisers or representatives to help prepare applications and to deliver the works, but advisers or representatives cannot submit a bid on behalf of the applicant. Applicants are responsible for ensuring that technical advisers' work is of a high quality and that their costs are within a reasonable limit.

Applicants who use a technical adviser who may also be working with other applicants, must make sure that any evidence submitted relates to their

institution. Please note that the department can only deal with the lead contact specified on the application form who must be from the provider.

The applicant is responsible for the accuracy and relevance of the information submitted. Please ensure the information provided in the application form matches that in the supporting documents.

## **5.5 Successful applications**

If an application is successful, applicants will be expected to comply with the department's grant funding terms and conditions. We reserve the right to request further information from the applicant to help with assessment of applications where required. This could mean we approve applications in principle, subject to the provision of further information or adjustments to the application.

Successful applicants will need to:

- complete any specified actions before we can start to release funding.
- report the progress of the project throughout its lifecycle; and
- inform us of changes to the planned project milestones, project scope or costs since the application.

## 6. Assessment criteria

Each project will be assessed using the information contained within the application. Assessors will make a relative judgement to award an overall project score. They will assess projects by using financial and performance data generated from the department's centrally held sources, alongside information provided by applicants.

Post-16 Capacity Fund applications will be subject to the criteria in the table below, which will favour bids from applicants demonstrating the greatest need for additional capacity, strong project planning and those presenting the best value for money. It is important that plans are realistic and deliverable. Points will be awarded in the assessment process, as set out in the relevant sections.

<b>Assessment criteria</b>	<b>Heading</b>
Project Need	60%
Project Planning	20%
Project Cost	20%
<b>Total</b>	<b>100%</b>

Sections 7 to 9 of this guidance set out the basis for judgements under each assessment criteria and the information that applicants provided to support their applications. This information is a guide and is not exhaustive.

Where a word limit is stated, we will only assess the information provided up to that word limit.

Post-16 capacity funding can only be used for the project for which it was awarded.

## 7. Assessment of project need

Scores for the Project Need section will be weighted to account for 60% of the total score. Applicants will need to demonstrate that additional capacity to accommodate the demographic increase in 16-19 learners is needed and justified and that the proposed project will not result in a surplus of post-16 places in both the institution and the local area.

Applications will be reviewed against the Office of National Statistics data on demographic trends to ensure there is evidence of need for additional post-16 places and that the applicant has considered other local providers in their assessment of future learner numbers. The review will consider the availability of places within the applicant's travel to learn area and a need in the area for the type of provision proposed.

### 7.1 Learner growth and demand

Applicants need to include historic, existing, and projected future annual data for 16-19 demographic growth and student demand for the institution in the application.

Omission of accurate growth and demand data will make it harder to assess and may cost valuable points in the assessment.

The population projections file on [GOV.UK](https://www.gov.uk) that accompanies this guidance is a tool for applicants to help determine the projected population growth of 16 and 17-year-olds in their area. The data is provided by the Office for National Statistics and will inform DfE's assessment of local area growth (see section 7.1.2). The file provides population change projections for each local authority (up to and including 2030) and a table to show how each local authority ranks nationally. Applicants are encouraged to consider this data to support their bids, particularly for:

- Considering their forecasted learner numbers, by looking at data for their catchment area.
- Considering how their project aligns to local need (for example, Local Skills Improvement Plans).

Further details on the content and how to use the document can be found within the file.

### **7.1.1 Learner demand data**

The following data on learner demand over the previous 4-year period for the site where the project will be delivered is required:

- applications in year 12
- admissions in year 12

### **7.1.2 Local area growth data**

DfE recognises that the level of population growth varies across the country. As mentioned in section 7.1, we have provided projections for the number of 16–17-year-olds in each Local Authority up to including 2030, using data from the Office for National Statistics [GOV.UK](https://www.gov.uk).

For the assessment, projects will be matched to their LA based on the postcode provided for the site of the proposed project. Each LA will be given a score (1-10) based on projected population growth by 2024.

Please see section 7.1.4 for details on providing evidence for a wider catchment area than the LA where the project is based.

### **7.1.3 Forecasted learner numbers**

You should provide forecasted post-16 learner numbers over the next 5 academic years (from September 2023 to September 2027) for the site where the project will be delivered.

These forecasts support the evidence requirements for additional capacity to be created in your estate.

### **7.1.4 Evidence informing forecasted learner numbers**

In no more than 2000 characters you should fully set out your analysis and evidence base for the forecasted learner numbers provided in 7.1.3.

Applicants should demonstrate that in the development of the project proposals they have taken a holistic view of capacity and demand in the local area, to avoid a surplus of capacity of 16 – 19 places in the future. You should:

- provide evidence of the institution's market share of learners and how this has informed the forecasted increases to learner numbers in the future due to a demographic growth in the age range.

- set out if learners attend the project site from another LA district area (refer to published spreadsheet under 7.1.2) and how a demographic increase in that/those area(s), in addition to the LA area in which the project will be located, will affect your learner numbers.
- provide evidence of consultation (informal) with other local organisations, stakeholders and providers to:
  - demonstrate an understanding of the local provider market and the need for the additional capacity that your project will create.
  - explain why the forecast additional learners cannot be accommodated by another local provider.
  - provide assurance that your project will not result in unused capacity in your local area.

We reserve the right to reject applications that score very low marks under this criterion regardless of how they perform against other criteria.

## **7.2 Capacity created by the project**

Applicants must complete and submit the relevant space needs assessment template for your provider type (below) to support the requirement for additional space (either new or reconfigured existing space) due to the forecasted learner numbers provided.

## **7.3 Space needs assessment for post-16 capacity projects**

We will assess your project to ensure you can justify the need for increased floor area or better use of existing space. This applies if you are increasing your gross internal floor area (GIFA), for example by adding a mezzanine or extension to an existing building, as well as if you are creating new buildings or reconfiguring the estate within the existing footprint.

We expect you to make optimum use of existing accommodation and your project can involve reconfiguring your estate within the existing footprint if the main aim of the project is to increase the capacity of your estate. Some projects may contain elements of reconfiguration and new build/extensions to make the best use of the space available.

Where inputting the post-project floor area you should also include additional floor space created by any other project that you have secured funding for or started construction upon, whether funded by the Department or a third-party source.

The space needs templates you require will depend on the type of institution applying. Please refer to the relevant section below.

### 7.3.1 Further education and sixth form colleges and designated institutions

If you are a Further Education college, Sixth Form College (including 16-19 only academies) you are required to complete and submit both of the following templates:

- **Guided Learning Hours (GLH) template:** This allows you to evidence and justify the current and planned guided learning hours you have used to assess your need for space.
- **Estates Utilisation Template (EUT):** This template allows the provider to evidence that the project contributes to optimal utilisation of the existing estate, including addressing or accounting for any under-utilisation, and that any increase to the estate size promotes optimal utilisation of the new or reconfigured estate. The template is available within the application portal and includes full instructions to support completion.

You must use the output from the GLH template and pre and post project campus areas to complete the GLH Analysis section of the EUT to demonstrate whether post project estate utilisation is within the upper guideline, which is 14.5 m<sup>2</sup> per Planned Average Attendance (PAA) for FE Colleges and Designated Institutions, and 13.0 m<sup>2</sup> per PAA for Sixth Form Colleges and 16-19 only academies. Where the GLH analysis shows that the post-project capacity will be above these guideline standards, applicants must explain why utilisation cannot be improved within the scope of the project by completing the workplace analysis and justification case sections. **This justification should be provided in the relevant tab on the template before uploading.**

### 7.3.2 Schools and academies

If you are a maintained or academy school with a sixth form including free schools, University Technical College, Studio School or a Maths school you are required to complete and submit the following templates:

- **Pupil Numbers Template:** Template available within the application portal. Please use this to demonstrate current and planned learner numbers as a result of the demographic increase in 16-19 year olds.

- **Net Capacity Assessment (NCA) Templates:** Template available within the application portal. This should cover the whole institution at the time of application, based on the existing buildings, including any approved projects and a separate NCA including any new or remodelling work proposed within the project applied for. Both NCAs should include the 27/28 learner numbers.

To assist with completing the template, please refer to the supporting NCA guidance document [here](#). You must submit both a completed pupil numbers template and completed NCAs to justify the need to expand your estate to accommodate additional 16-19 learners as a result of demographic increase only.

You should use the NCAs to demonstrate how your current and post-project capacity relates to your planned pupil numbers. If either your current or post-project capacity is more than required for planned pupil numbers, you must explain why utilisation cannot be improved within the scope of the project and provide additional evidence of the need for expansion.

You should also ensure that the overall net internal area of the school is within the Building Bulletin 103 guidelines. If the area is not within the BB103 guideline we expect you to have considered an alternative project that could achieve or get closer to the guideline area and to provide an acceptable justification as to why it is not feasible to deliver an alternative more space efficient solution. **This justification should be provided under the relevant question on the application portal.**

## 7.4 Alignment to local need

It is important that applicants consider how the project proposals align with national and local skills needs and provide long term value for money as set out in the table below.

## 7.5 Criteria, evidence and scoring for project need

Sub Criteria	Evidence	Scoring	Points available
<b>Learner demand</b>	<p>The following data on historic demand over the last 4-year period is required:</p> <ul style="list-style-type: none"> <li>• applications in year 12</li> <li>• year 12 admissions in main year of application</li> </ul>	To score maximum points there needs to be evidence of historical demand and applicants demonstrating the greatest demand compared to admissions will score the most points	10
<b>Local area growth data</b>	The postcode where the project will be based.	To score maximum points the project will be based in a local authority area experiencing the highest growth in 16–19-year-olds.	10
<b>Learner number growth</b>	<p>Applicants should provide a forecast of 16– 19 learner numbers to academic year 2027/28.</p> <p>You should also provide evidence in support of these forecasts. Learner growth should be as a result of demographic growth only and not simply expanding provision. This evidence should therefore link to your current market share and demonstrate an understanding of other local providers and why learners cannot be accommodated in other existing provider’s estate to avoid creating a surplus of places in the local area.</p>	<p>To score maximum points there needs to be evidence of future demand based on current market share to justify investment.</p> <p>Those scoring most points under this section will provide robust evidence behind learner number forecasts based on local demographic growth and demonstrate a good understanding of other local providers to avoid creating surplus places in a local area.</p> <p>Applicants will score low points where there is little or no forecasted learner number growth and/or poor evidence to support learner forecasts.</p>	20
<b>Capacity created by the project</b>	Applicants should complete the relevant space templates and	Applicants will score maximum points where the need for	10

	submit these along with their application.	additional capacity is clearly justified.	
<b>Performance</b>	The latest Ofsted performance information will be used to award a score under the section	To score the maximum points, the establishment needs to be overall Ofsted outstanding.	4
<b>Alignment to local need</b>	<p>In no more than 2000 characters please set out:</p> <ul style="list-style-type: none"> <li>• How the project proposal aims to support the local skills needs analyses and action plans. Where a <a href="#">trailblazer local skills improvement plan</a> is in place this should be considered; and elsewhere the local skills reports of the Skills Advisory Panels and knowledge of business demand from organisations such as the local Chamber of Commerce or designated employer representative body where relevant.</li> <li>• How the project will improve the destinations for young people to move into higher education or employment</li> <li>• How the project proposals could provide additional benefits for learners in future beyond the demographic bulge (sustainable use of additional space).</li> </ul>	<p>To score maximum points the project will have a strong demonstration that the proposed project is aligned to national and local need.</p> <p>An applicant will score low points where there is a limited demonstration provided that the proposed project is aligned to national or local need.</p>	6

## 8. Assessment of project planning

Project planning contributes 20% of the total score.

Applicants must be able to show that projects are designed and planned appropriately and realistically, taking account of potential risks. Assessors must be able to see that applicants have the ability to deliver the proposed project in time to deliver new places for September 2024.

### 8.1 Project design

The project must be designed to a standard that gives assurance that the scope of the works will address the increased capacity requirements of the institution.

You must develop your project to the point where the costs, benefits, and delivery risks are clear and realistic. This should be to at least Royal Institute of British Architects (RIBA) stage 2, or equivalent standard, with supporting cost and designs, including floor plans and elevations, as well as an outline specification of works and materials. You must be able to commit to a firm budget and delivery plan to start accommodating additional learners from September 2024.

We expect that a summary of the estate strategy will be provided within the application.

Applicants should also refer to the technical standards within the relevant Output Specification (OS) indicated below. The OS sets out the quality standards and performance requirements for education buildings and grounds and supports projects to meet net zero carbon in operation at handover. It is comprised of a Generic Design Brief and School/ College Specific Brief and Technical Annexes.

### 8.2 Sustainability and net zero

Projects awarded funding under the Post-16 Capacity Fund will support the government's targets on sustainability and net zero carbon emissions.

Applicants should consider environmental sustainability and carbon reduction issues and develop projects that are in line with the government's net zero carbon emissions by 2050 target, as set out in the Climate Change Act 2008.

To align with the OS, applicants should consider environmental sustainability, carbon reduction and adaptation measures to develop solutions for projects that are in line with the Government's targets and objectives. Your estate strategy or plan should reflect the actions you need to take to support net zero carbon in 2050 and your application should demonstrate how the capital project contributes to this strategy. For example, this should be referenced in your summary estate strategy or RIBA Stage 2 design information. In addition, you must provide evidence on how the capital project aligns to the sustainability standards within the relevant OS. Where you have not been able to do this, you should state this clearly in your application and explain how and why you have had to take a different approach.

You should refer to the relevant output specification for your provider type:

- Schools and academies should refer to [School Output Specification 2021](#) (S21); and
- Colleges should refer to [FE Output Specification 2021](#) (FE-OS)

Applicants may also be eligible for the following funds:

- [Public Sector Low Carbon Skills Fund](#).
- [Public Sector Decarbonisation Scheme](#) (PSDS) that has replaced the Salix Energy Efficiency Loan Scheme.

If you have applied for these schemes, you should include this information in your application form.

### **8.3 Demolition of existing buildings**

A strong justification and supporting evidence of poor condition should be provided to demonstrate that demolishing and rebuilding a block provides the best value for money. Acceptable evidence of poor condition would be a condition survey carried out by a person suitably qualified to undertake a condition survey.

Without sufficient evidence of the need for and value for money of demolishing a building, the applicant would score low points.

### **8.4 Planning permission**

It is the responsibility of the applicant to consult the local planning authority to check if planning permission is required before applying to the Post-16 Capacity Fund. The application should indicate clearly whether or not planning permission is required and whether it has been confirmed with the

local planning authority. If planning permission has not been secured at the time of application, the applicant must ensure their delivery plan takes this into account.

## 8.5 Criteria, evidence and scoring for project planning

Sub Criteria	Evidence	Scoring	Points available
<b>Project design</b>	<p>You should provide a RIBA stage 2 report and, if not already included in the report, existing and proposed floor plans, elevations (if appropriate) and an outline design specification.</p> <p>Where applicable, applicants should provide strong reasoning for the demolition of an existing building, including evidence that the building is in poor condition.</p>	<p>To score maximum points, the application will demonstrate that the project design has been developed to the level of RIBA Stage 2, with existing and proposed floor plans, (elevations if appropriate), outline specifications of materials, or other standard appropriate for the project provided. The information provided will demonstrate sufficient thought, coherence, relevance, and clarity.</p> <p>An applicant will score low points where the application does not demonstrate that the project design has been developed to the level of RIBA Stage 2.</p>	5
<b>Delivery Plan</b>	<p>You must provide a realistic delivery plan (Gantt chart or similar). This should include key milestones for the project size and clearly demonstrate that the project is deliverable within the required time frame.</p>	<p>To score maximum points, a realistic delivery plan for the project size supported by appropriate evidence should be submitted and there needs to be good consideration and mitigation of risks.</p>	8

Sub Criteria	Evidence	Scoring	Points available
<b>Delivery plan (continued)</b>	<p>Applicants must be able to show that projects are resourced and have appropriate governance (please supply diagram showing your management structure) in place to ensure the delivery of the project.</p> <p>The plan must appropriately and realistically, take account of potential risks. This should include:</p> <ul style="list-style-type: none"> <li>• A comprehensive risk assessment with mitigations</li> <li>• Confirmation that plans are in line with an estate strategy.</li> </ul> <p>OR all of the above in a feasibility study, if this has already been developed.</p>	<p>An applicant will score low points where there are concerns over the ability to deliver the project and/or it lacks a sufficiently detailed delivery plan or risk assessment for the size of the project.</p>	
<b>Sustainability</b>	<p>The capital project complies with the relevant 2021 output specification.</p>	<p>To score maximum points the application should fully demonstrate how the project aligns to sustainability design standards within the relevant output specification documents for the capital project being proposed by the provider.</p> <p>Applicants will score low points where there has not been adequate consideration of the relevant output specification in the project design.</p>	7

## 9. Assessment of project cost

The cost section contributes 20% of the total score.

For the department to make a realistic assessment of the value for money for each project, applicants must set out the full amount of funding required for each proposed project in a cost plan.

The department expects all projects to show they are costed appropriately and respond to the project need.

We expect that all project costs are within an appropriate cost range for the type of works proposed, taking into account abnormal factors. Assessors will refer to industry standards and the department's cost models to consider whether the levels of costs per square meter are appropriate.

We reserve the right to reject applications that score very low marks in the Overall Costs and Cost Certainty criterion (see below), regardless of how they perform against other criteria.

When entering figures onto the application form, please round up to the nearest £. Do not enter pence.

### 9.1 Abnormal costs

All cost elements should appear reasonable, but the cost of works will vary from site to site due to local economic variances, site features (e.g. presence of asbestos), planning constraints and project specification/scope. Where local conditions may lead to costs outside of industry benchmarks, applicants must justify these 'abnormals' or high costs and provide supporting evidence.

The Royal Institution of Chartered Surveyors (RICS) defines abnormal costs as those which might be considered as project specific (i.e. they are not a 'typical' construction cost) and are classified as such because they tend to have a notable cost consequence. Examples include asbestos removal, demolition costs, temporary accommodation and specialist substructures works.

### 9.2 Contingency

Any cost overruns will be at the expense of the applicants/institution, although an appropriate level of contingency funding is permitted.

Cost plans should take account of the proposed risk of price increases and local economic conditions. Cost plans should also be realistic about the level of professional fees, allowances, and contingency. The amount of contingency should be clearly identified in the application. Applicants should provide an explanation for the level of contingency included. Applicants' explanation should demonstrate that it is appropriate to the scale and type of the project, and the level of work already undertaken to establish price certainty and reduce residual risks.

### **9.3 Ineligible costs**

The following items of miscellaneous expenditure (not exhaustive) should not be included:

- works being funded through other grant funding streams;
- works that are not directly linked to the provision of facilities for 16-19 year old learners;
- costs incurred before the launch of the Fund on 7 September 2022
- revenue funded items e.g., software, laptops and other devices for staff or learners, annual software licences.
- rent service charges;
- internal staffing costs;
- recoverable VAT costs incurred; and
- supply of loose furniture and equipment.

If an application is successful, we will monitor spend on the project during delivery including regular reviews to ensure ineligible costs are not being included in claims for grant funding or as part of the match funding contribution.

### **9.4 Match funding**

All applicants are invited to contribute match funding towards the cost of their project proposals. It is for the applicant to decide what level of contribution is affordable. Points will be awarded on the basis below (table under 9.4.4 ). Match funding means your contribution to the funded project plus any contribution from third party sources, which are listed as eligible match funding below.

Please check your application and confirm that the total grant requested from the Department and any match funding contribution is equal to the total project costs.

### **9.4.1 Eligible sources of match funding**

Eligible sources of match funding can include:

- applicant's own reserves
- corporate or other donations
- commercial loans
- buildings or land acquired for the project at market value
- buildings or land donated by a third party subject to market value being supported by an independent valuation
- works that have been undertaken to prepare the site for the project proposed in the application
- grant funding provided by schemes outside of central government; and
- locally managed grant funding, including Towns Fund and funding available through Greater London Authority (GLA), mayoral combined authorities (MCAs) and Local Enterprise Partnerships (LEPs) and local authorities.

### **9.4.2 Ineligible sources of match funding**

Central government capital funding from other sources cannot be used as match funding. This includes, but is not limited to:

- FE Capital Transformation Fund
- T Levels Capital funding
- Institutes of Technology capital funding
- Condition Improvement Fund (CIF) funding
- Capital funding from other central government departments
- Levelling Up fund
- School Rebuilding Programme
- Free Schools capital funding
- Priority School Building Programme
- Strategic Development Fund
- Higher Technical Education Provider Growth Fund

### 9.4.3 Match funding for voluntary aided (VA) schools

The legislative requirement for VA schools to provide a 10% capital contribution is set out under the Standards and Framework Act 1998<sup>5</sup>. This sets out that the amount of any capital grant paid under the legislation 'shall not exceed 90% of the expenditure or, in exceptional circumstances, shall not exceed 100% of the expenditure'.

If a VA school is not able to make this minimum contribution, then please set out the exceptional circumstances for your institution which will be assessed along with your application.

Failure to meet this requirement will mean no score is awarded under this sub-criterion.

### 9.4.4 Points available for match funding

Points	Level of match funding
0	Under 5%
1	Over 5% but less than 10%
2	Over 10% but less than 15%
3	Over 15% but less than 20%
4	20% or higher

Points for VA schools only	Level of match funding
0	Under 15%
1	Over 15% but less than 20%
2	Over 20% but less than 25%
3	Over 25% but less than 30%
4	30% or higher

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<sup>5</sup> [School Standards and Framework Act 1998 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

## **9.5 Procurement**

Applicants may choose their own procurement route to secure best value for money. All applicants must ensure their compliance with the Public Sector Equality Duty (PSED) where relevant.

## **9.6 VAT**

You should obtain appropriate advice on your VAT liability as this will depend on the type of provider you are and the nature of the project works. If you are not liable for VAT, you should exclude VAT from your project costs, however, if you are liable to pay VAT and you are unable to recover this, then you should ensure that the project costs presented include this. If you are successful in your application and have included VAT in your project costs, we may ask for supporting evidence to confirm your VAT status before confirming the grant award.

## **9.7 Professional fees**

Applicants may choose to appoint technical advisers to help with the development and delivery of the project. The professional fees must only relate to the project for which you are applying for Post-16 capacity support, and which have been incurred from the launch of this phase of the Post-16 capacity programme on 7 September 2022.

Any technical adviser fees you include in your application must be appropriate to the type and scale of the project and should deliver value for money. We expect you to challenge technical advisers on fees where appropriate. We do not normally expect these to be above 10% of the total project value, however, for larger projects, the technical complexity of the works may justify higher fees. You must justify these costs in your application.

Any costs you incur ahead of approval are entirely at your risk as we are unable to give any assurances that your project will be approved. Only spend of this nature incurred after the launch of the bidding round can be claimed as eligible spend as long as you can demonstrate that these costs are essential to the delivery of the project.

## **9.8 Financial management and governance**

The department wants to ensure that post-16 capacity funding goes to applicants that can evidence robust financial management and governance. This is because we want post-16 capacity funding to be used effectively and

for projects to be value for money. We reserve the right not to award funding where there is a reasonable doubt to an applicants' long term financial viability. We also reserve right to request additional financial information as required. This is regardless of how the project performs against the criteria.

There are 3 points available, and the requirements are specific to the type of institution applying to the fund.

### **9.8.1 Financial management and governance – general FE colleges, sixth form colleges, and designated institutions**

FE Colleges, Sixth Form Colleges and Designated Institutions are required to comply with the obligations set out in the College Accounts Direction (CAD). Failure to comply with those obligations will be taken into account during the Post-16 Capacity Fund assessment as indicated below.

Compliance with the CAD will result in points as follows:

- Applicants will receive 2 points where they have not missed the 31 January 2022 deadline to file audited accounts, or any other deadline agreed with ESFA to file audited accounts.
- Applicants will receive 1 point where they have not had a qualified audit, adverse audit opinion or auditor's disclaimer of opinion in relation to their accounts.

### **9.8.2 Financial management and governance – academies**

Academies applicants including free schools, University Technical Colleges, Studio Schools providing technical education and Maths schools are required by the Academies Accounts Direction to submit their 2020/21 accounts to the ESFA by the given deadline. It is important that accounts are submitted on time as this position will be taken into account during the post 16 assessment process. We will use the following information to identify trusts with finance and governance concerns and allocate points as follows:

- Applicants will receive 1 point where they have not been late submitting the following financial returns to ESFA on one or more occasion. Such returns include:
  - Land and buildings collection tool (LBCT) 9 November 2021.
  - Accounts return (AR) 25 January 2022.
  - Audited Financial statements 31 December 2021.

- Applicants will receive 1 point where they have not missed the deadline to file audited accounts by more than 14 days.
- Applicants will receive 1 point where they have not had must not have a qualified audit, adverse audit opinion or auditor's disclaimer of opinion.

### 9.8.3 Local authority maintained schools (including community, voluntary controlled, voluntary aided and foundation schools)

The Local Authority should provide a letter of assurance that the LA maintained school is in a sound financial position to manage this investment and confirm that there are no significant issues in relation to the school's latest budget forecasts. This assurance should be approved by the Director of Children's Services. This assurance should be submitted by the LA maintained school as part of its application.

We will use this information to identify LA maintained schools with finance and governance concerns and where the necessary assurance has been provided the applicant will receive 3 points.

## 9.9 Criteria, evidence and scoring for project cost

Sub Criteria	Evidence	Scoring	Points available
<b>Overall costs and cost certainty</b>	<p>Evidence should include (appropriate to the size and scale of the project):</p> <ul style="list-style-type: none"> <li>• cost plan (breakdown of costs)</li> <li>• hard copies of at least 3 quotes/estimates and/or a summary of any tender exercise attached as part of evidence</li> <li>• cash flow forecast</li> <li>• details of procurement route</li> </ul>	<p>We will assess the / cost per m<sup>2</sup> and assessors will refer to industry standards and experience to consider whether the levels of costs are appropriate.</p> <p>To score maximum points there should be a clear scope and tenders/quotes should be thorough and well evidenced, with fixed prices and in line with the expectations relative to the size of the project.</p>	9

Sub Criteria	Evidence	Scoring	
<b>Overall costs and cost certainty (continued)</b>	<ul style="list-style-type: none"> <li>market testing to demonstrate abnormal costs, where appropriate</li> <li>letters of funding commitment from other sources (if applicable).</li> </ul>	An applicant will score low points where the level of costs are above expectations with no clear justification e.g. excessive professional fees, allowances and contingency.	
<b>Capital Project cost per student</b>	The total project cost per additional learner in 2024 (weighted for location and type of provision).	Applications will be scored relatively to other applications. Projects with the lowest cost per student will receive maximum points (25% of bids will score maximum points).	4
<b>Match funding contribution</b>	<p>Evidence of the funding commitment from other sources.</p> <p>This could be loans, use of existing cash reserves, funding contributions from other sources.</p>	<p>To score maximum points there will be a significant (and affordable) contribution from other sources.</p> <p>The funding sources score is calculated by first adding the value of any loans, any reserves, or contributions.</p> <p>The combined value as a percentage against the total project cost will generate a score as set out in the bandings in the tables below.</p>	4
<b>Financial management and governance</b>	See section 9.8 above		3

## Annex A – Supporting evidence checklist

As a minimum, please ensure that you have uploaded the following evidence in relation to each section of the criteria.

### Project need

#### 1. FE Colleges and Sixth form colleges:

- Guided Learning Hours template
- Estates Utilisation Template (EUT)
- Additional information to justify need for additional space if EUT analysis shows post-project capacity will be outside sector space guidelines (in relevant section of spreadsheet).

#### 2. Academy and LA maintained school sixth forms

- Pupil Numbers template
- Net Capacity Assessment template (NCA) based on 27/28 learner numbers and the current estate areas, also incorporating any space attributable to existing approved projects that may not yet be completed.
- Net Capacity Assessment template based on the same 27/28 learner numbers but also including any space changes attributable to the project applied for
- Additional information to justify need for additional space if NCA analysis shows post-project capacity will be outside sector space guidelines and the overall net areas are outside the Building Bulletin 103 benchmarks (via the relevant question on the portal).
- Letter of assurance from the Local Authority for LA maintained school sixth forms, to provide reassurance that the provider is in a sound financial position to manage this investment and to confirm there are no significant issues in relation to the school's latest budget forecast returns.

## Project planning

- A detailed Gantt chart / project plan.
- RIBA stage 2 report and, if not already included in the report, existing and proposed floor plans, elevations (if appropriate) and an outline design specification.
- Governance structure for the project.
- A comprehensive risk assessment for the proposed project.
- Monthly spend profile for the proposed project.
- Summary of the estate strategy.

## Project cost

- Cost plan
- Contractor quotations and cost estimates
- Breakdown of abnormal cost and contingency, where applicable

## **Annex B - Bid application submission: general information**

The application on to the Jaggaer platform, including all supporting documentation, should be submitted by the deadline of 12pm on Friday 11<sup>th</sup> November 2022. The department reserves the right not to accept bid applications or additional information submitted after the deadline has passed. It is up to the applicant to ensure applications are accurate and complete, with all relevant supporting documentation has been included.

The application should consist of one bid per institution (or one bid per site, if as a college corporation, Local Authority or MAT and more than one site is being applied for), along with all relevant supporting information.

Please refer to the checklist page at Annex A before submitting your application.

### **File names**

Applicants should use the following naming convention for the files when uploading supporting documentation to their application.

- File Attachment Title: P16W2 [UKPRN number] [Attachment name]

*Please use an attachment name that relates to a document name as set out on this guidance ie. 'risk register'.*

### **Omissions and discrepancies**

#### **Omissions**

Annex A sets out what must be included in the application.

It is the applicants' responsibility to check their bid applications and ensure that all required information and documents have been submitted.

### **Questions and clarifications**

Applicants may raise questions or seek clarification regarding the application process via the Jaggaer Portal. The department will publish responses to questions on the Jaggaer Portal for applicants to view at regular intervals, unless they contain commercially sensitive information. The deadline to submit questions relating to the application process is the 1 November 2022.

## Freedom of information and data protection

Please note that the information provided may be subject to publication or disclosure in accordance with the relevant legislation<sup>6</sup> and will be stored in accordance with the Department for Education's retention policy and procedures. If a request for disclosure of the information applicants have provided is received, the department would consider any request for release very carefully. Such requests will be considered under the relevant legislation. Therefore, the department cannot give an absolute guarantee of confidentiality to applicants. An automatic confidentiality disclaimer generated by applicants' IT system will not, of itself, be regarded as binding on the department.

## Public sector equalities duty

It is for applicants to judge whether or not an Equalities Impact Assessment (EIA) is needed for bid applications in order to comply with their public sector equality duty in line with section 149(1) of the Equality Act 2010.

## Complaints process

If applicants are not content with the way in which the bid application has been handled by the Department for Education, then applicants should use the Department for Education's [complaint process](#).

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<sup>6</sup> Freedom of information Act 2000, Environmental Information Regulations 2004, the General Data Protection Regulation (GDPR) 2018 and the Data Protection Legislation Act 2018



Department  
for Education

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- write to Information Policy Team, The National Archives, Kew, London, TW9 4DU

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