

# **Urgent Capital Support (UCS)**

How to apply: advice for applicants

October 2024

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# 1. Things to know before you start

# 1.1 Introduction

This guide is for academy trusts and Voluntary Aided (VA) schools, not in receipt <u>School</u> <u>Condition Allocation</u>, and sixth-form colleges, that want to apply for funding assistance to address **urgent** building condition issues that threaten the closure of the whole, or a significant part of the school.

Applications are subject to a financial assessment, using the core financial returns shared with the Education & Skills Funding Agency (ESFA). For all academy applications, financial health is considered at academy trust level and not against the individual school. For academy trusts, VA schools and sixth-form colleges, please note that most successful applications will be funded through loan arrangements, where these are deemed affordable for the recipient. You can see more about our current loan arrangements on our website. In addition, where it is determined that an academy trust, VA school or sixth-form college can afford to fund the work via reserves, they will be expected to fund urgent projects independently and are likely to have their applications declined.

In the event of an emergency, we would expect the institution to have checked the position with its insurers, to see whether a claim is possible, or with the Department for Education's (DfE) academies Risk Protection Arrangement (RPA), if it is a member (see section 3 for more details).

If you wish to apply for funding, you should first familiarise yourself with the information in this document. It explains what Urgent Capital Support (UCS) is, who is eligible to apply, what types of projects are eligible and the criteria against which applications are assessed. Applications can be made at any point throughout the year.

# 1.2 Who can apply for Urgent Capital Support?

| Eligible to apply? | Eligibility details   |
|--------------------|---|
| YES                | Academies and sixth-form colleges that are eligible for main round CIF funding: Applications will only be accepted for schools that are open as academies (including free schools), or sixth-form colleges.   |
|                    | VA schools, not part of a group receiving school condition allocation funding are also eligible.  |
|                    | A signed academy order or proposed conversion does not make a school eligible for urgent capital support until it is fully operational as an academy.   |
|                    | Please note if you are an academy or college in receipt of funds or support from another capital programme (e.g. free schools, School Rebuilding Programme), please contact your Project Director in the first instance to avoid duplication of works and cost.                           |
|                    | Schools that receive School Condition Allocation  (SCA): If you are part of a Multi-Academy Trust  (MAT) or VA body that receives SCA for your school, you are not eligible to apply for Urgent Capital Support. The SCA is to be used strategically across all the schools in the MAT or |
| NO                 | VA body.  MATs in receipt of SCA are responsible for funding all capital maintenance and emergency  |

| Eligible to apply? | Eligibility details                                      |  |
|--------------------|--|--|
|                    | needs across academies in their estate <sup>1</sup> . As |  |
|                    | autonomous institutions with responsibility for          |  |
|                    | managing their own finances, we expect MATs to           |  |
|                    | manage this through a combination of their               |  |
|                    | annual condition funding, reserves and insurance         |  |
|                    | arrangements. However, where a MAT takes on              |  |
|                    | a new school (which is CIF eligible) during the          |  |
|                    | financial year (Apr-Mar) and is not yet in receipt       |  |
|                    | of SCA for that school, the school will remain           |  |
|                    | eligible for UCS until the next financial year. The      |  |
|                    | MAT's finances will be considered as part of the         |  |
|                    | application assessment process.                          |  |
|                    |  |  |
|                    | Local Authority Maintained Schools: SCA funding          |  |
|                    | is provided to local authorities (LAs) as the            |  |
|                    | responsible body for community schools,                  |  |
|                    | foundation schools and voluntary controlled              |  |
|                    | schools in the LA area. The LA can decide how            |  |
| NO                 | to spend SCA on capital priorities across its            |  |
|                    | estate. LAs are expected to find funding for             |  |
|                    | emergencies from their own budgets and the               |  |
|                    | relevant combination of annual SCA grant                 |  |
|                    | payments, reserves and insurance                         |  |
|                    | arrangements.  |  |
|                    |  |  |

<sup>&</sup>lt;sup>1</sup> Enrolment in SCA is automatic for larger MATs. MATs cannot choose to opt out of receipt of SCA and opt in to the CIF bidding round instead.

# 1.3 What constitutes 'urgent' capital funding?

Applications can only be considered from eligible institutions where there is a genuine need for urgent support that cannot wait until the next CIF main round. The application will need to provide evidence:

- of a significant health and safety risk in relation to the building condition
- that the condition issue has already resulted in, or represents an **imminent** threat
  of school closure, or closure of a significant part of the school building(s) which
  would prevent the curriculum from being delivered
- that the urgent works cannot be funded by the academy trust, VA school or sixthform college independently or through a <u>CIF loan</u>

We will not consider retrospective applications, where the work is already underway or completed. We also expect academy trusts, VA school or sixth-form college to evidence whether the issue could be resolved through RPA or their insurance provider.

Condition issues that <u>may</u> be in scope for funding, where the above criteria are met, include:

- structural issues
- urgent health and safety (H&S) or insurance compliance issues
- urgent asbestos issues
- fire protection
- leaking roofs
- boiler and pipework failure
- electrical issues

Please note that this list is not exhaustive, and applicants are able to specify the detail of their urgent capital need(s) within the application.

Applications may **not** be considered for funding if:

• the works could be addressed from revenue maintenance funding or reserves

- the works are already captured through a successful main CIF round application or other DfE-funded capital programmes unless the situation has deteriorated into a closure situation
- there is an operational solution that can be implemented pending an application to the main CIF round. For example, where there is surplus capacity within the school and classes could be timetabled in different parts of the building
- the application is to cover cost overruns associated with projects previously given grant funding<sup>2</sup>
- the application does not demonstrate cost effectiveness or value for money
- the works are covered by insurance or RPA
- the works include longer-term solutions rather than the immediate problem to be solved
- subject to a financial assessment the applicant should be in a position to meet the costs<sup>3</sup>
- it is a retrospective application if an application is received prior to essential work
  having commenced the application will be considered against the criteria. If the
  application is received after works have commenced, it will be deemed
  retrospective
- it is an expansion project these are not eligible for urgent capital funds

# 1.4 Summary of funding streams available to schools

Academy trusts, VA schools, and sixth-form colleges are expected to manage their funds appropriately and plan contingencies to manage any unexpected issues. We expect responsible bodies to have a good understanding of the issues presented by the condition of their estate and be in a position to plan and prioritise the works accordingly. Devolved Formula Capital (DFC) and the main annual round of CIF or SCA (depending on eligibility) are the correct routes to address these issues. Please visit <a href="School Capital Funding">School Capital Funding</a> for detailed guidance – summary below.

<sup>&</sup>lt;sup>2</sup> Where this applies, we recommend applicants contact the grant team to discuss in the first instance.

<sup>&</sup>lt;sup>3</sup> Apart from in exceptional circumstances, academy trusts, VA schools and sixth-form colleges are expected to make a contribution to the cost either directly or through loan repayments. We review financial returns to understand the best option for each application. See section 2.1 'project finances' for further details.

| Route                 | Details  |
|-----------------------|--|
| Devolved Formula      | Schools are provided with a devolved formula capital (DFC)         |
| Capital (DFC)         | allocation, calculated as a lump sum plus a per pupil rate.        |
|                       | DFC's primary purpose is to provide a source of capital            |
|                       | funding for schools to address minor capital and condition         |
|                       | issues and it can be saved for up to three years, or with          |
|                       | agreement from the schools under a responsible body,               |
|                       | pooled in order to fund larger projects.                           |
| Condition Improvement | CIF is a bidding round with funds paid directly to single          |
| Fund (CIF)            | academy trusts, small MATs, small VA bodies and sixth-form         |
|                       | colleges   |
|                       | CIF's core priority is supporting condition projects, keeping      |
|                       | buildings at eligible schools and sixth-form colleges safe and     |
|                       | in good working order.   |
| School Condition      | Local authorities, larger MATs, larger VA school bodies, non-      |
| Allocations (SCA)     | maintained special schools and eligible special post-16            |
|                       | institutions receive direct SCA to invest in priorities across the |
|                       | schools for which they are responsible.                            |

# 2. Application process

# 2.1 Application requirements

Detailed guidance on what information is required can be found in the <u>application</u> document itself.

## **Project details**

You will be required to provide sufficient evidence and a strong rationale for why your project requires urgent financial support as part of your application. In all cases, you will need to provide an independent report from a suitably qualified professional, setting out the condition, the urgency of the situation and a minimum of three competitively priced quotes or tenders. The table below provides prompts for what we would expect to see in your application along with supplementary evidence required.

| Condition Issue   | Evidence required to support application                                  |
|-------------------|---|
| Category A:       | Provide a structural engineer's report of the affected area               |
| Structural issues | from an appropriately qualified professional <sup>4</sup>                 |
|                   | Demonstrate how you have considered the ongoing teaching                  |
|                   | and learning within your school pending a bid for urgent                  |
|                   | capital. The extent of the disruption will be considered as               |
|                   | part of the assessment process  |
|                   | Provide site and floor plans, which highlight the affected                |
|                   | areas and illustrating the impact of safety restrictions                  |
| Category B:       | Provide a recent report from an appropriately qualified                   |
| Urgent health and | professional <sup>5</sup> setting out the specific issue to be addressed, |
| safety compliance | its impact and the reason for the urgency of resolution.                  |
|                   | Non-urgent issues should form part of a bid to the main                   |
|                   | round of CIF, rather than UCS. UCS does not fund H&S                      |
|                   | assessments (for example, fire risk assessments) that are a               |

<sup>&</sup>lt;sup>4</sup> It is the responsibility of the academy trust/VA school/college to satisfy itself that the chosen professional has sufficient technical expertise to carry out the works.

<sup>&</sup>lt;sup>5</sup> See Footnote 4 – same principle applies

| Condition Issue  | Evidence required to support application                                      |
|------------------|---|
|                  | statutory duty of the responsible body. If the risk assessment                |
|                  | identifies an urgent risk (for example, lack of fire protection               |
|                  | compliance) then UCS would fund works to resolve these                        |
|                  | issues, if all other criteria are met.  |
|                  | •   |
| Category C:      | Provide a recent detailed asbestos report from an                             |
| Asbestos         | appropriately qualified professional <sup>6</sup>                             |
|                  | They will need to include an illustration of the grade of the                 |
|                  | asbestos and how that is to be managed  |
|                  | This should include clear categorisation of the individual                    |
|                  | issues and only those that require immediate removal will be                  |
|                  | considered for funding.   |
| Category D: Fire | Provide a survey from an appropriately qualified independent                  |
| protection       | professional <sup>7</sup> . They will need to clearly illustrate the specific |
|                  | issue to be addressed and the urgency of its resolution. The                  |
|                  | issues should be prioritised, as only the most urgent will be                 |
|                  | addressed.  |
|                  | Evidence of need must also include communication from the                     |
|                  | fire authority, giving their view on the fire protection                      |
|                  | measures at the school, which set out that the building is not                |
|                  | safe for occupation. This could be an official email, letter or               |
|                  | enforcement notice.   |
| Category E:      | Provide a condition report for the roof from an appropriately                 |
| Leaking roofs    | qualified and independent professional <sup>8</sup>                           |
|                  | Provide evidence of the extent of the disruption caused, the                  |
|                  | frequency and the impact of the leaks   |
|                  |   |

<sup>6</sup> See Footnote 4 – same principle applies

<sup>&</sup>lt;sup>7</sup> See Footnote 4 – same principle applies

<sup>&</sup>lt;sup>8</sup> See Footnote 4 – same principle applies

| Condition Issue    | Evidence required to support application                       |
|--------------------|--|
| Category F: Boiler | Provide a report on the boiler condition from an appropriately |
| and pipework       | qualified Mechanical Engineer                                  |
| failure            | Heating or boiler replacement requests will only be            |
|                    | considered for boilers which have failed and are beyond        |
|                    | economical repair, and where this is no alternative or back-   |
|                    | up boilers.  |
|                    | The application will need to illustrate the extent of the      |
|                    | disruption, the specific areas affected and the proportion of  |
|                    | the school the affected areas represent                        |
|                    | Replacement boilers will frequently require consideration of   |
|                    | asbestos. The application should illustrate that this has been |
|                    | appropriately identified, the requirement for its removal      |
|                    | illustrated and how it has been costed and scheduled           |
|                    | These applications should consider heating systems as a        |
|                    | whole and be mindful of the impact of any changes that         |
|                    | improvements to component parts make. This may help            |
|                    | avoid situations such as new boilers not working because of    |
|                    | leaking pipework or incompatible control systems               |
|                    | You should model energy usage and likely savings to            |
|                    | support any application for such projects                      |
| Category G:        | An appropriately qualified Electrical Engineer to provide a    |
| Electrical issues  | report of what is needed.                                      |
|                    | They will need to use the accepted classifications of urgency  |
|                    | of issues such as C1, C2 and C3. The issues need to be         |
|                    | split in this way and only the most urgent will be considered  |
|                    | Electrical issues can also frequently require consideration of |
|                    | asbestos. The application should illustrate that this has been |
|                    | appropriately identified, the requirement for its removal      |
|                    | illustrated and how it has been costed and scheduled           |

### **Sustainability**

We expect applicants to consider energy efficient and environmentally sustainable options when replacing components in and around buildings in the move towards reducing carbon emissions and future proofing estates. All applications will need to demonstrate that these factors have been taken into consideration through a net zero transition plan/sustainable estate strategy, including:

- Evidence to demonstrate sustainability, energy savings or carbon reductions.
- Where applicable, reference to any sustainable options considered in the options appraisal.

If energy efficient / environmentally sustainable options are not possible or applicable to your situation, please explain why. If they are not the most cost-effective option still include the works as a possible option, but state why you have not chosen to use this option.

Works to improve energy efficiency, such as lighting projects, that do not involve works to address high need condition issues, do not meet the criteria for UCS and would not be eligible for funding.

You should refer to the sustainability and design standards within the Output Specification 2022 (OS) when preparing your project. The OS sets out the quality standards and performance requirements for school buildings and grounds.

If your project will contribute towards longer term sustainability goals, such as achieving net zero carbon estate emissions, we will take this into account when assessing the costs of your project. If you wish to set out how you have incurred additional costs in order to achieve or make significant steps towards net zero, please evidence this in the cost document upload.

# **Project finances**

The finance section of the application form is in two parts:

- Institution's finances
- Project costs

### Institution finances

The default funding model for UCS projects is to provide a loan. You may also be required to contribute from reserves. In exceptional circumstances, grants may be offered, but this is unlikely in most cases.

### Finance review at trust level

For academies, financial assessment for all urgent applications will be considered at **academy trust level**, not individual school level. We expect trusts to allocate resources strategically to address urgent condition issues. This may include reprioritising non-urgent works elsewhere in the trust.

As part of your application, you should provide details about your academies and the trust's finances, including reserve/contingency funds and details of any outstanding loans. Please note, as part of the assessment process, we review the latest copies of your core financial returns shared with the ESFA. However, recognising that these documents do not always reflect the current financial situation and therefore it is vital that you provide up to date financial information. This should be in the form of a revised budget forecast as per the UCS finance template under urgent capital support: Condition Improvement Fund - GOV.UK (www.gov.uk) which you should attach with your application. There should be no need to do this if you have formally submitted your budget forecast return to the ESFA within the last two months. Please provide written commentary to accompany new financial data and provide details of reserves already committed, including the nature of the commitment for example where a contract has been signed.

The same principles apply for sixth-form colleges and eligible VA schools.

You will be required to complete the financial template and submit this along with the application form, providing the most up to date financial data for your trust/school/college.

If it is determined that the academy trust, VA school, or sixth-form college can afford to fund the works from reserves, the application will be declined.

### **Project costs**

It is crucial to articulate the cost of your proposed work and make it clear how it is deemed value for money. This is likely to increase its chances of being approved. It must be evident that these works are being prioritised over non-urgent investments and budgets reallocated on that basis. Please ensure that you take the time to complete this section of the application, providing as much detail as you can and making reference to quotes/tenders received and professional survey/report recommendations.

### Quotes for work

You must also supply **at least** three competitively priced quotes/tenders to enable us to make a value for money judgement. All quotations and tenders should be for the same scope of works.

Cost plans should also be realistic about the level of fees and allowances. This should be appropriate to the scale and type of the project, and the level of work already undertaken to establish price certainty.

We expect academy trusts to exclude VAT from all project costs in their UCS application. Sixth-form colleges and eligible VA schools must include VAT in the project cost, as they cannot reclaim it.

Any cost overruns will be at the expense of the academy trust/school/college. Generally, contingency funds will not be considered and should not be included. If the circumstances are exceptional and can be fully justified, we have requested applicants provide a full explanation in the value for money section of the application form. Where there are local features, which may lead to costs being outside of industry benchmarks, you should clearly explain why this is the case and provide supporting evidence.

You may choose to appoint technical advisors to help you develop and deliver the project. Most projects that qualify for funding support are straightforward and do not warrant professional fees charged at a percentage rate. The fees, if required, should be proportionate to the work involved; if used, we do not expect these to be above 10% of the total project cost. Please note that the quantification of staff time or internal recharges within a trust do not qualify as either professional fees or school contributions.

### **Project management**

We expect applicants to have received outline programme plans whilst acquiring quotes/tenders and consulting with potential suppliers on deliverability of schemes. We therefore request applicants provide these details within their application. We also expect applicants to submit detailed risk assessments, ensuring that risks have been adequately identified with appropriate mitigation plans in place.

### **Project monitoring**

If your application is approved, you will be required to complete monthly monitoring returns, providing updates on project progress and spend to date. Failure to comply with the monitoring process will result in payments being stopped.

### **Project completion**

If your application is approved, a proportion of the approved funding will be withheld by the department until after the project has completed and you have provided satisfactory completion documentation. You will be required to fill out a completion form and provide an itemised final account of the project expenditure. Failure to provide the necessary documentation may result in the clawback of any funding provided.

# **Good Estate Management for Schools (GEMS)**

Effectively managing your estate will help you make the most of your resources. You should have the fundamentals of <u>Good Estate Management for Schools</u> in place to do this.

# 2.2 Submitting your application

Please complete **all** details on the application form. An incomplete or inaccurate application can delay a decision on whether to approve your funding request.

Please also complete the financial template and submit this along with your application.

The application must be submitted by the responsible body (the accounting officer for the academy trust, VA school or college) rather than by a professional adviser. You should:

- submit your application and financial template by email to customer.help@service.education.gov.uk,
- title your email as follows: Urgent Capital Support Application [insert Institution Name]
- ensure that the size of your email does not exceed 9MB, as anything larger will not be delivered<sup>9</sup>

# 2.3 Assessment of your application

Your application and all submitted supporting evidence will be assessed against the urgent capital support criteria. This is not a competitive process; applications will be assessed on a case-by-case basis on merit and awarded on a genuine urgency need basis only. We may contact you for additional information to support your application. Any delays to providing additional information will ultimately delay the assessment of your application and allocation of any approved funding. Please note that only the works listed in the original application will be considered. If a further urgent need arises, a new application should be submitted.

### 2.4 Decisions

Assessment duration varies and is dependent on having a full suite of all the necessary information from the applicant to allow us to assess the application at pace. Additionally,

<sup>&</sup>lt;sup>9</sup> If the application is larger than 9MB, please split the documents and send 2 (or more) emails, ensuring to note (for example) "email 1 of 3" in the subject line or body of the email

certain applications may require a site visit and ministerial approval and may take longer. Decisions are final and there is no appeals process.

You will be notified via letter of the outcome of your application. If your application is successful, the letter will include details of next steps.

If you wish to make a complaint about the way your application has been processed please refer to the DfE's complaints procedure -

https://www.gov.uk/government/organisations/department-for-education/about/complaints-procedure

# 2.5 Conditions of Funding

UCS funding may be provided with conditions if it is deemed appropriate.

All successful applicants will be expected to complete regular monitoring returns so that we can track expenditure and progress on the project. If these are not completed funding will be withheld until we receive them.

# 3. Information library for applicants

Academy Trust Handbook
 https://www.gov.uk/guidance/academy-trust-handbook

Asbestos in schools

https://www.gov.uk/guidance/asbestos-management-in-schools

• British Standards

https://www.bsigroup.com/

 Condition Improvement Fund (CIF) main round guidance https://www.gov.uk/guidance/condition-improvement-fund

Construction (Design and Management) Regulations 2015
 http://www.hse.gov.uk/construction/cdm/2015/summary.htm

• Emergency response planning

https://www.gov.uk/guidance/emergencies-and-severe-weather-schools-and-early-years-settings

Funding for schools buildings and land
 <a href="https://www.gov.uk/education/funding-for-school-buildings-and-land">https://www.gov.uk/education/funding-for-school-buildings-and-land</a>

 General Education Health and Safety Advice http://www.hse.gov.uk/services/education/index.htm

Good Estate Management for Schools (GEMS)
 https://www.gov.uk/guidance/good-estate-management-for-schools

• Health and Safety in Schools

https://www.gov.uk/government/publications/health-and-safety-advice-for-schools http://www.hse.gov.uk/toolbox/

• Procurement & financial regulations

https://www.gov.uk/guidance/buying-for-schools

https://www.gov.uk/government/publications/managing-public-money

https://www.ojec.com/?aspxerrorpath=/threshholds.aspx

• Risk Protection Arrangement (RPA)

https://www.rpaclaimforms.co.uk

• School Condition Allocations

https://www.gov.uk/guidance/school-capital-funding



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