

Urgent Capital Support

How to apply: advice for applicants

June 2025

Contents

Summary	3
Who this publication is for	3
Things to know before you start	4
Introduction	4
Who can apply for UCS	4
Eligible establishments	4
Ineligible establishments	5
What constitutes 'urgent' capital funding	5
Summary of funding streams available to schools	7
Application process	8
Application requirements	8
Project details	8
Sustainability	10
Project finances	11
Project management	12
Project monitoring	13
Project completion	13
Good estate management for schools (GEMS)	13
Submitting your application	13
Assesment of your application	14
Decisions	14
Conditions of funding	14
Information library for applicants	15
UCS loans	16
Affordability tests	16
Repayments	16

Summary

This publication provides non-statutory guidance from the Department for Education. It has been produced to help academy trusts and Voluntary Aided (VA) schools, not in receipt of <u>school 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.

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.

If you wish to apply for funding, you should first familiarise yourself with the information in this document.

Who this publication is for

This guidance is for:

 School leaders, school staff and governing bodies in academy trusts and VA schools, not in receipt of school condition allocation and sixth-form colleges.

Things to know before you start

Introduction

This guide is for academy trusts and Voluntary Aided (VA) schools, not in receipt of school condition allocation 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 Department for Education (department). 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 the Condition Improvement Fund gov.uk webpage.

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's academies Risk Protection Arrangement (RPA), if it is a member. See the Information library for applicants for more details.

Who can apply for UCS

Eligible establishments

Academies and sixth-form colleges that are eligible for the main round of Condition Improvement Fund (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 is it 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.

Ineligible establishments

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 UCS. The SCA is to be used strategically across all the schools in the MAT or VA body.

MATs in receipt of SCA are responsible for funding all capital maintenance and emergency needs across academies in their estate. 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.

Please note that 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.

Where a MAT takes on a new school which is eligible during the financial year (April to March) and the MAT is not yet in receipt of SCA for that school, the school will remain eligible for UCS until the end of the existing financial year (31 March). The MAT's finances will be considered as part of the assessment process. From 1 April onwards, at the start of the next financial year, the school will no longer be eligible to apply for UCS.

If a responsible body in receipt of SCA is experiencing significant safety issues with a building that cannot be managed with local resources, please contact the team at customer.help@service.education.gov.uk

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 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 payments, reserves and insurance arrangements.

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 the academy trust, VA school or sixth-form college to evidence whether the issue could be resolved through RPA or their insurance provider.

The urgent works must aim to improve a capital asset currently used for educational provision for pupils between the ages of 2 and 19 years. These will be assets held on freehold by the school or college concerned, held by the school on a long lease (minimum 25 years) – usually from the relevant local authority, or held by charitable site trustees for the school's purposes. The applicant must be responsible for capital investment in the buildings. You cannot use UCS funds to purchase land.

Condition issues that may 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 department 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. Where this applies, we recommend applicants contact the grant team to discuss in the first instance.
- 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 financial assessment, the applicant should be in a position to meet the
 costs. 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 returns to understand the best option for each application. See Project finances for further details.
- it is a retrospective application if an application 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.

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 School capital funding for further information – a summary is below:

- Devolved formula capital (DFC) schools are provided with a 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 Fund (CIF) CIF is an annual bidding round with funds
 paid directly to single 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 capital allocations (SCA) Local authorities, larger MATs, larger VA bodies, non-maintained special schools and eligible special post-16 institutions receive direct SCA to invest in priorities across the schools for which they are responsible.

Application process

Application requirements

Detailed guidance on what information is required can be found in the application form.

Incomplete applications will be declined.

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. Please ensure that you include the appropriate CDC block reference. The information below provides prompts for what we would expect to see in your application along with supplementary evidence required.

In all cases, it is the responsibility of the academy trust, VA school or sixth-form college to satisfy itself that the chosen professional has sufficient technical expertise to carry out the works.

Category A: structural issues

- Provide a recent structural engineer's report of the affected area from an appropriately qualified and independent professional.
- Demonstrate how you have considered the ongoing teaching and learning within your school pending a bid for UCS. 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.

Please note that significant rebuilds cannot be funded through UCS.

Category B: urgent health and safety compliance

- Provide a recent report from an appropriately qualified and independent professional, setting out the specific issue to be addressed, its impact and the reason for the urgency of resolution.
- Non-urgent issues should form part of a bid to the main CIF round, rather than UCS. UCS does not fund H&S assessments (for example, fire risk assessments) that are a statutory duty of the responsible body. If a risk assessment identifies an urgent risk, (for example, a lack of fire protection compliance) then UCS would fund works to resolve these issues, if all other criteria are met.

Category C: asbestos

- Provide a recent, detailed, asbestos report from an appropriately qualified and independent professional.
- 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 protection

- Provide a recent survey from an appropriately qualified and independent professional. 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 issue 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: leaking roofs

- Provide a recent condition report for the roof from an appropriately qualified and independent professional.
- Provide evidence of the extent of the disruption caused, and the frequency and impact of the leaks.

Category F: boiler and pipework failure

- Provide a recent report on the boiler condition from an appropriately qualified and independent Mechanical Engineer.
- Heating or boiler requests will only be considered for boilers which have failed and are beyond economical repair, and where there is not 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 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 anticipated savings to support any application for such projects.

Category G: electrical issues

- An appropriately qualified and independent Electrical Engineer to provide a recent 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-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, which 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 <u>Output Specification 2022 (OS)</u> 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 your project.

Project finances

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

- Institution's finances
- Project costs

Institution's finances

The default funding model for UCS projects is to provide a loan. Please see section 4 for further details. 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 UCS 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 that as part of the assessment process, we review the latest copies of your core financial returns shared with the department. However, we recognise 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 that can be found at: Condition Improvement Fund - GOV.UK. You should attach the finance template with your application. 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 are required to complete the finance template and submit this along with the application form, providing the most up to date financial information 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. Please provide as much detail as possible, referring to quotes/tenders received and professional survey/report recommendations.

Quotes for work

You must supply at least three competively 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 be realistic about the level of fees and allowances. This should be appropriate to the scale and type of 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, please 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 advisers to help you develop and deliver the project. Most projects that qualify for funding support are straightforward and do not warrant professional fees being charged at a percentage rate. The fees, if required, should be proportionate to the work involved; if used, funding will only be offered for professional fees up to 10% of the total project cost. Please note that the quantification of staff time or internal re-charges 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 to 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 funding being withheld.

Project completion

Project delivery timescales must be appropriate to the scale of the project. We expect smaller projects to be delivered within 3-6 months from the date of the funding offer letter, and larger/more complex projects to be delivered within 6-12 months. All projects must be complete within 12 months from the date of the funding offer letter. Applications may be withdrawn, and any funding may be withheld or recovered in these circumstances.

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 good estate management for schools in place to do this.

Submitting your application

Please complete all details on the application form. An incomplete or inaccurate application will result in the request being declined. This will delay a decision on whether to approve your funding request as a further application containing full information will be required.

Please also complete the finance 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 finance template by email to <u>customer.help@service.education.gov.uk</u>
- Title your email as follows: Urgent Capital Support Application [insert institution name]
- Ensure the size of your email does not exceed 9MB, as anything larger will not be delivered. If the application is larger than 9MB, please split the documents and sent two (or more) emails, ensuring to note (for example) "email 1 of 3" in the subject line or body of the email.

Assessment of your application

Your application and all submitted supporting evidence will be assessed against the UCS 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 of need basis only. 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.

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, 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.

For applications requesting multiple works, please note that we may only fund the elements of the project that pass the technical assessment in line with the UCS criteria.

If your application is successful, you may be offered a loan, grant, or a combination of both depending on the financial position of the trust. If appropriate, a contribution towards the project costs may also be required.

If you wish to make a complaint about the way our application has been processed, please refer to the department's <u>complaints procedure</u>.

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.

Information library for applicants

Academy trust handbook

Academy trust handbook - Guidance - GOV.UK

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

https://www.gov.uk/education/funding-for-school-buildings-and-land

General Education Health and Safety Advice

http://www.hse.gov.uk/services/education/index.htm

Good estate management for schools

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

Procurement and 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

UCS loans

The same terms and conditions apply for UCS loans as CIF loans. In keeping with our principles of equality for academies with the maintained sector, loans are provided at Public Works Loan Board rates of interest. The interest rates that will be used for the programme are set out below and a <u>loan calculator</u> is available.

The minimum loan duration is 2 years, and the maximum is 10 years.

Duration of loan (years)	Interest rate (%)
2	5.20
3	5.12
4	5.05
5	5.01
6	4.98
7	4.96
8	4.95
9	4.95
10	4.97

Affordability tests

Based on the financial information submitted and internal checks, the team will make a decision on the type of funding that is most appropriate. As noted above, the default UCS funding offer is a loan, and it is only in exceptional circumstances that a grant may be considered.

Repayments

Repayments are made through a reduction in the general annual grants (GAG) payments made by the department. You can repay your loan early without early repayment charges, providing you give a minimum of 30 days' notice. You can use the <u>loan</u> <u>calculator</u> to show the impact of early repayment.



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