

PART ONE - PUBLIC

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**Decision Maker:** SCHOOLS' FORUM

**Date:** Thursday 20 November 2014

**Decision Type:** Non-Urgent                    Non-Executive                    Non-Key

**Title:** SCHOOL PREMISES HEALTH & SAFETY

**Contact Officer:** Robert Bollen, Head of Strategic Pupil Place Planning  
Tel: 020 8313 4697 E-mail: Robert.Bollen@bromley.gov.uk

**Chief Officer:** Executive Director of Education, Care & Health Services

**Ward:** (All Wards);

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**1. Reason for report**

The Council undertook a document based health and safety audit of premises used by maintained and voluntary aided education establishments during 2013/14. This report provides a summary of the findings of the report and proposes action to address the issues identified.

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**2. RECOMMENDATION(S)**

**2.1 That Schools Forum**

**2.2 Note and comment on the outcome of the School Premises Health and Safety Compliance audit as summarised within this report and the actions to address the issues raised within.**

**2.3 Note and comment on the £1.8 million be set aside from the Dedicated Schools Grant to contribute to further audits, a resulting programme of works at the 60 schools where audits were carried out.**

**2.4 Note and comment on the creation of a programme of health and safety training that will be available to all Bromley Schools.**

## Corporate Policy

1. Policy Status: Not Applicable Existing Policy New Policy: Further Details
  2. BBB Priority: Children and Young People Excellent Council Quality Environment Safer Bromley Supporting Independence Vibrant, Thriving Town Centres Not Applicable: Further Details
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## Financial

1. Cost of proposal: Estimated Cost No Cost Not Applicable: Further Details
  2. Ongoing costs: Recurring Cost Non-Recurring Cost Not Applicable: Further Details
  3. Budget head/performance centre:
  4. Total current budget for this head: £
  5. Source of funding:
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## Staff

1. Number of staff (current and additional):
  2. If from existing staff resources, number of staff hours:
- 

## Legal

1. Legal Requirement: Statutory Requirement Non-Statutory - Government Guidance None: Further Details
  2. Call-in: Applicable Not Applicable: Further Details
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## Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
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## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes No Not Applicable
2. Summary of Ward Councillors comments:

### **3. COMMENTARY**

#### **Background**

- 3.1 During 2013, issues were identified at a number of Bromley schools regarding compliance with premises related health and safety legislation.
- 3.2 In order to gauge whether the issues identified at schools were localised or more widespread a consultant was commissioned to carry a school premises compliance audit. The audit covered 60 educational facilities that has not converted to academy status prior autumn 2013. This audit took place during winter 2013/14 and focused on 2 key areas :
- The ability of schools to demonstrate compliance with relevant legislation and British Standards
  - A review of the support provided to schools by the authority with regards premises management
- 3.3 Following discussion with the CE Diocese of Rochester and RC Archdiocese of Southwark it was agreed that voluntary aided schools would be included within the audit.
- 3.4 The audit focussed on a number of key areas of premises health and safety including those listed below, but did not cover all areas of health safety as they apply to schools:
- Asbestos
  - Legionella
  - COSHH
  - Working at Height
  - Fire Procedures
  - Emergency Lighting
  - Heating Installations
  - Electrical Installations
  - Lighting Protection
  - Play Equipment
- 3.5 The audit replicated a school premises health and safety compliance audit if undertaken by the Health and Safety Executive. It focussed on schools being able to provide sufficient certification to demonstrate compliance with relevant legislation and standards.

#### **Report findings and recommendations**

- 3.6 The key findings of the compliance were as follows:

- Many schools failed to demonstrate compliance with current statutory and regulatory requirements

- Confusion existed with regards the split in responsibilities and accountability between the local authority and schools and similarly about the services provided through the Property SLA delivered by LB Bromley's Operational Property Team.
- Quality of record keeping is poor with regards evidence of risk assessments, servicing, testing, inspection maintenance and remedial actions and there is often no single point of contact where all relevant documentation is available for inspection
- The Council is failing to carryout adequate quality assurance to ensure functions delegated to schools with regards premises management are being effectively managed

3.7 The report recommended the following actions to address the current inadequacies in arrangements:

- That a physical on site audit is undertaken to verify certification and records against the condition of premises
- To identify and carry out works required in order to ensure compliance with relevant legislation
- Ensure appropriate arrangements are put in place to ensure adequate discharge of responsibilities with regards risk assessments, inspection and testing
- That existing processes, procedures, handbooks and training be reviewed and updated where necessary
- Consider options for better managing health and safety data and compliance
- Review responsibilities and accountability with regards school premises
- Review Property Service Level Agreement to ensure that it adequately describes services offered to schools

## **Local Authority Response to Recommendations**

- 3.8 The Council set up a task and finish group comprising officers from Education Care & Health Services, Environmental and Community Services and Corporate Services to review the report's finding and to recommendations a response.
- 3.9 The group has considered the recommendations and have concluded that the recommendations can be dealt with by three key actions
- Undertaking site audits including mechanical and electrical, health and safety and fire risk assessments to ascertain outstanding areas of non-compliance and implement a planned programme of works to address these issues.
  - Creating new guidance for schools regarding their responsibilities with regards health and safety and implement an associated programme of training for governors, head teachers and premises management staff.
  - Ensuring an ongoing periodic audit of schools whilst they remain under local authority control.

- 3.10 The audit of schools and programme of remedial works will provide a baseline whereby all affected schools are deemed compliant with current health and safety legislation. It is difficult to estimate the cost of any remedial works at schools but an estimate of £25,000 has been allocated for each of the schools surveyed.
- 3.11 Guidance and training will provide governors and staff with the knowledge and understanding to better exercise their devolved responsibilities and ensure that converting schools are aware of their premises and health and safety responsibilities in advance of conversion.
- 3.12 Consultants will be employed to deliver the audits, programme any resulting works and to deliver the training package that will be made available to all Bromley schools.
- 3.13 Copies of the individual school health and safety audits were made available to schools in October 2014.

#### **4. POLICY IMPLICATIONS**

- 4.1 The maintenance of safe educational premises contributes to key targets within the Children and Young People Portfolio Plan, particularly the outcome that “Children and young people enjoy learning and achieve their full potential”.

#### **5. FINANCIAL IMPLICATIONS**

- 5.1 The table below sets out the estimated cost of the further site audits, remedial work to school premises, training and guidance and ongoing annual audits to ensure compliance with health and safety legislation.

Mechanical & Electrical Premises Audit	£128,440
Health & Safety At Work Audit	£72,000
Fire Safety Risk Assessments	£36,000
New Premises Health & Safety Guidance	£10,000
Training for Governors, Head Teachers and Site Staff	£10,000
Annual Audit	£30,000
Remedial works @ estimated average £25k per school	£1,500,000
Contingency (10%)	£150,000
Total cost	£1,936,440

- 5.2 This will be funded through a combination of £1,800,000 Dedicated Schools Grants and a £140,000 contribution from the Education Planned Maintenance Programme/DfE Capital Maintenance Grant.

#### **6. LEGAL IMPLICATIONS**

- 6.1 The local authority as Employer has a duty to work with maintained schools to ensure that systems are in place ensuring compliance with health and safety legislation.

- 6.2 The distribution and application of monies received from Central Government is subject to guidance and advice from the Department for Education.

<b>Non-Applicable Sections:</b>	[List non-applicable sections here]
Background Documents: (Access via Contact Officer)	[Title of document and date]