



Education & Skills
Funding Agency

Essential School Maintenance

A guide for schools

This advice is non-statutory and is to help readers understand their obligations and duties in relation to the essential maintenance of school buildings.

January 2016

Of interest to all school leaders and governing bodies; the proprietors of independent schools; local authorities; multi-academy trusts; free schools; single academy trusts; dioceses; and other responsible bodies, with responsibility for the maintenance of school buildings.

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Introduction

Investing in school buildings

Between 2010 and 2015 the Coalition Government spent almost £18 billion on school buildings. This included £5.6 billion direct to schools and those responsible for their maintenance to allow them to take forward their own building improvement programmes.

The Government will invest a further £23 billion in the school estate between 2016 and 2021, including £4 billion to fund condition improvement and maintenance in our schools between 2015 and 2018. This investment will help us ensure that that children can learn in the best environment possible, helping them to achieve their full potential.

The importance of effective school maintenance

All school buildings should facilitate education within a weather tight and safe environment. The environment has the potential to adversely affect education, but this risk can be significantly reduced with appropriate maintenance. Deferred maintenance often results in substantial costs required in the future.

School buildings are important long term assets that are often also used as community facilities. Every type of school building should have effective stewardship and a maintenance regime to ensure safe condition and a secure environment.

About this advice note

This document focusses on effective planning, and responsibilities for maintenance, rather than covering the wider subject of health and safety in schools. [Health and safety: advice on legal duties and powers](#) provides further guidance.

This advice does not replace existing legislation or guidance but signposts and supports relevant documents relating to maintenance. Clarity on interpretation of statutory instruments should be obtained from the source legislation and associated guidance.

Other important information

This advice identifies elements of key legislation to be followed, but all schools will also need to undertake works beyond those described here. Each duty holder should ensure that they have a full understanding of their building and the associated statutory and maintenance requirements. This document does not replace professional advice and schools are advised to obtain such advice where required.

Executive summary

All schools need to have effective arrangements in place to manage the condition of their premises. Those responsible for maintaining school buildings should:

- Maintain school buildings so that they are safe, warm and weather tight and provide a suitable learning environment
- Deal with emergencies promptly and effectively
- Plan how they manage their premises and other assets
- Manage and procure maintenance works efficiently

Maintaining school buildings

Schools should:

- Understand their responsibilities for health and safety as an employer
- Draw up and follow a plan for identifying and carrying out maintenance to keep buildings and equipment in good working order
- Ensure that arrangements are in place for inspection and testing of plant and equipment to be undertaken at the appropriate time
- Identify where professional advice and/or contractor qualification checks are required
- Carry out any additional actions required where the premises are shared, or occupied on a leasehold basis
- Provide contractors with relevant information, e.g. the asbestos register, to enable work to be undertaken safely

Dealing with emergencies

Where unforeseen circumstances arise that result in severe damage or disruption to school premises, schools should:

- Take immediate action to ensure the safety and security of pupils, staff and visitors
- Maintained and voluntary aided schools should immediately inform their local authority and/or diocesan body. Academy trusts should inform the Education Funding Agency where there are concerns for the health and safety of students, staff or visitors or the school, or part of it needs to close, preventing education

- Where necessary, make alternative arrangements for education to continue as soon as possible following the incident, and invoke emergency and business recovery plans
- Seek professional advice on immediate and longer term action required to repair the affected area where appropriate
- Consider the legislative and procedural requirements if specific hazards are involved e.g. asbestos, Legionella
- Communicate appropriately with parents and carers, ensuring they remain informed but are not unduly alarmed, and that it is clear the school is taking all necessary and appropriate steps

School estate planning and asset management

Schools should:

- Collect information through condition and other surveys so that they understand their buildings and the condition and maintenance needs within them
- Develop and keep up to date registers of their premises and assets
- Use registers and other management information to develop and deliver an asset management plan for their school
- Use their information on condition and available resources to prioritise maintenance work
- Draw up, deliver and regularly review a programme of work to address their maintenance priorities

Managing and procuring condition works

For projects requiring external support, schools should:

- Produce a clear specification of the project, ensuring they understand and can describe the outcome(s) they require or need(s) they are seeking to meet
- Ensure robust procurement policies are followed to identify the supplier best / most able to deliver the quality of work required on time and for value for money
- Consider the use of procurement frameworks to improve value for money
- Use suitable contracts once supplier(s) have been identified

Knowing your buildings

A good understanding of your school estate will help you to make clear decisions regarding ongoing repairs and maintenance activities, capital spending and wider property issues. An understanding of good practice in managing buildings and planning for the future will avoid unnecessary investment, ensure the best use and maintenance of facilities over the long term and provide better value for money.

Understanding your estate and school buildings

Your school may occupy buildings of different ages and construction types which have different requirements and challenges for undertaking maintenance and repairs.

The identification of future maintenance needs and projects relies on the quality of information available to the school. Undertaking condition surveys of the school estate, using suitably qualified professionals on an appropriate basis, allows you to prioritise delivery of works within available funds. This information will help the school to prepare a maintenance programme which considers potential future capital investment.

Condition surveys should also identify critical elements that may require further investigation, such as structural problems and health and safety risks.

You should consider the frequency of inspections or surveys based on the condition, age and type of your buildings. Critical elements that need to be inspected on a regular basis should be identified to minimise the impact on school accessibility and risk of closure of part of the buildings.

By knowing your buildings it is likely to be apparent when the condition or nature of your buildings changes. If changes in your buildings that you are not expecting and/or do not understand occur then you should investigate them, using appropriate expert advice where necessary. This can prevent emergency situations.

Finally, regular maintenance cycles carried out through an annual plan are also important for the consideration of longer term works. For instance, the regular maintenance of a boiler may identify potential timescales for replacement well before this is required, allowing it to be planned for effectively and minimising the risk of failure.

Regular surveys, planned maintenance and advice from specialists where required, will help you build up a good understanding of your building, enabling you to manage it well.

Managing your school estate

Effective and well planned school estate management should lead to safe and well maintained school premises that provide appropriate teaching facilities, and a positive pupil experience. There are three key approaches that combine to provide a present and future understanding of the school estate:

- Day-to-day management – delivery of ongoing services and maintenance requirements to ensure that buildings operate as intended and support the continued delivery of education
- Estate and buildings annual plan – producing an annual plan will help you manage and deliver the maintenance works and improvements that have been highlighted in the long term plan
- Long term planning – where you consider future maintenance needs, projects and funding priorities for your buildings

Day-to-day management

There are many maintenance activities which happen in parallel with the ongoing operation of the school. Effective day-to-day management of your school premises will be helped by clearly defined processes to control when and how works take place. These will help the school to identify policies, control requirements and risks so that maintenance is undertaken safely, with minimum disruption to the school day.

Development of an effective management process will also assist in governance decisions, minimise the disruption caused by works and increase value for money over the long term.

Further information can be found in the sections on Maintaining your Buildings, and Procuring and Managing Works.

Estate and buildings annual plan

An annual plan will typically comprise a list of works that have been identified from the long term plan to be undertaken in the next year.

Once you have identified the main priorities for the school, based on legislative considerations, risk assessment and the resources available, you can produce a documented planned maintenance programme for the year. This will include regular maintenance activities and may include additional items such as building element renewal projects, such as window replacement, or capital investment which has finance and approvals in place to proceed. Communication within the school is critical in the successful delivery of these projects and contributes to health and safety during delivery.

Prioritisation

The annual plan should set out works in a sequential order over the course of the school year. The order of works in the plan is usually prioritised and this process should take account of:

- Information on condition
- Risk assessment, including the consequences of not addressing the need
- Available resources

In many cases the needs identified will be in excess of the resources available and choices will need to be made to prioritise projects. As well as budget availability, the factors that determine this choice will include:

- The level of urgency
- Legal requirements including health and safety considerations
- The consequences of not undertaking the works
- The impact on the provision of education for the duration of the work
- Planning constraints

Formulating a programme of work

Consideration should be given to the timing for implementation of each project. The potential premium payable to contractors during busy periods may lead to some projects being undertaken during term time, when contractors may be less busy. Other projects, for reasons of health and safety, may only be reasonably implemented when the site is not in full use. Further guidance in respect to procurement and managing contractors is set out in the section on Procuring and Managing Works.

Developing a long term plan

Your long term plan should be developed alongside your vision for the school and the objectives that you have for your buildings in the next three to five years. The following advice will help you to develop a long term plan for your school buildings.

Over time the condition and nature of the buildings may change and changes to the curriculum and use of spaces may necessitate capital works. Developing a plan to anticipate these events is part of good estate management and can ensure that capital investment and maintenance happen hand in hand.

Considering the suitability and efficiency of buildings is likely to require other surveys from time to time that may be needed to identify investment requirements. A key ingredient in the long term plan will be the availability of funds, whether available from the school or other sources.

An initial view of affordability will be critical before any decision is made to change or improve buildings and the school site. It will be important to identify a number of options to achieve your goals so that you can consider the advantages and disadvantages of each and adapt your plans as funding may become more available or constrained. Make sure that any feasibility study or appraisal of options covers educational, technical and financial considerations.

Dos and don'ts

- Do make sure you know your buildings, carrying out the necessary surveys to inform your knowledge and understanding of them to help you prioritise work
- Do have a detailed plan for your annual approach, supported by a longer term plan that ensures decisions offer value for money over the longer term
- Do put in place an effective management and control framework for the safe and effective delivery of all maintenance activities and capital works
- Don't develop plans without understanding the costs of delivery and how they can be delivered to maximise value for money and a positive impact on education

Maintaining your buildings

Health and safety law and maintenance

The basis of British health and safety law is the [Health and Safety at Work etc. Act 1974](#) (HSWA), which places overall responsibility for health and safety with the employer. Self-employed people and employees also have duties. The HSWA sets out the broad principles for managing health and safety in most workplaces including schools, requiring employers to:

- Ensure, so far as reasonably practicable, the health, safety and welfare of employees
- Conduct their undertaking in a way that does not expose non-employees to risks to their health and safety

Maintenance plays an important part in complying with health and safety law. The duties include:

- Safe provision and maintenance of plant and systems of work associated with them
- Provision of information, instruction, training and supervision to ensure the health and safety at work of employees
- Maintenance of a safe place of work including access, egress and a safe working environment

HSWA duties cannot be delegated. Responsibilities may be, but that does not release the employer from a duty; for example, to monitor to ensure that their responsibilities are being discharged. In schools, health and safety responsibilities are likely to be delegated to the head teacher or another nominated member of staff. This person is also likely to have responsibility for ensuring that statutory maintenance is undertaken at the school.

The management of health and safety

The general duties imposed by the HSWA are supported by the Management of Health and Safety at Work Regulations 1999 (MHSWR). These require employers to appoint one or more competent persons to assist in undertaking the measures necessary for compliance with the requirements and prohibitions imposed by relevant legislation. There is a preference in the regulations for employers to appoint a competent person who is in their employment over one who is not.

There are three main areas in terms of what constitutes a competent person:

- Core knowledge of the subject
- Experience to apply that knowledge correctly
- Personal qualities needed to undertake functions effectively

Arrangements must be made to ensure that this level of competence is retained e.g. through regular training.

MHSWR requires employers to manage health and safety by making suitable and sufficient assessments of risk, recording the significant findings and implementing appropriate preventive and protective measures.

The Health and Safety Executive has produced a [useful guide to risk assessment](#).

Employers also have a duty to ensure that appropriate arrangements are in place to monitor and review any preventative and protective measures that have been implemented.

Who is the employer in schools?

The employer varies depending upon the type of school:

School Type	Employer
Community schools, community special schools, voluntary-controlled schools, maintained nursery schools and pupil referral units	Local Authority
Foundation schools, foundation special schools and voluntary-aided schools	Governing Body
Academies, free schools, community technical colleges and other independent schools	School Proprietor (the Academy Trust in the case of academies and free schools)

Table 1: School type and employer

Employer's responsibilities include:

- Delivering a healthy and safe environment
- Ensuring that risk assessments are undertaken and where appropriate the significant findings recorded (MHSWR)
- Monitoring arrangements for repairs, maintenance and improvement projects

Other legislation and codes of practice

In addition to the HSWA and MHSWR, there are other pieces of legislation to be considered, e.g. asbestos, Legionella and work with electricity, as well as Approved Codes of Practice (ACOPs) and Health and Safety Executive (HSE) guidance documents and other standards.

ACOPs and HSE guidance provide practical direction with regard to the intentions of Acts and Regulations.

Leasehold premises

Occupation of leased premises may place additional obligations on the lessee to maintain the premises they occupy. These obligations and responsibilities will be set out in the lease, which may also set out obligations for maintenance which remain the responsibility of the landlord. The terms of a lease do not absolve the lessee of any duties they may have as an employer under health and safety legislation or as an occupier of premises.

Planned preventive maintenance

Maintenance includes performing routine actions, known as Planned Preventive Maintenance (PPM) which aim to prevent issues from arising. PPM can be defined as works of a routine nature where annual costs can realistically be estimated and forecast. Both building equipment and fabric can be maintained to a planned regime, without waiting for failure or damage to occur. Regular PPM should be performed to keep the building and its equipment in good working order and to avoid equipment or technical systems failures and potential violations of health and safety and other legislation.

All schools are different and some of the maintenance items listed here may not exist within the school (e.g. a primary school is unlikely to have fume cupboards or technical workshops). Many schools will also have items requiring maintenance which are not included here. Schools are therefore encouraged to review this section to establish which of these items exist within their premises, whether any others need to be added and to seek professional advice if in doubt.

Examples of activities not covered by this note include:

- Food hygiene and catering requirements
- Maintenance of practical lesson machinery and equipment
- Kiln servicing

- General health, safety and security management
- Safety signage
- Maintenance of CCTV and security equipment

Statutory examination and inspection, testing and maintenance

Some inspections and specified intervals are defined in legislation and failure to comply with the legal requirements could lead to enforcement action, including prosecution. Where there is no statutory definition of testing and inspection frequencies, schools should still ensure that arrangements are in place for maintenance and testing of plant and equipment to be undertaken at appropriate intervals.

Annex A: Maintenance Checks and Schedules provides further advice including recommended testing frequencies, and specifies the regulation(s) applicable to each maintenance item.

Schools should maintain records and details (including relevant paperwork and certificates) of all statutory testing undertaken, and ensure that all requirements and recommendations highlighted in inspection reports and/or certificates have been reviewed and acted on accordingly. This is a legal requirement. For audit purposes schools are advised to keep records including dates when works have been carried out and, where appropriate, details of the person/company who undertook them and their qualifications/certifications.

Schools should always satisfy themselves that appropriate arrangements are in place to undertake statutory inspection, testing and maintenance.

Many schools and other educational institutions will have contractual arrangements (i.e. Service Level Agreements) in place with local authorities or with other service providers to provide technical advice and/or to procure maintenance works on behalf of the school, including statutory inspection and testing. In schools that are subject to a Private Finance Initiative (PFI) arrangement, the PFI provider will normally have contractual responsibility for repairs and maintenance including statutory inspection and testing.

Where no formal arrangements are in place, schools are strongly advised to use organisations or contractors who are recognised by an appropriate industry standards body and have been vetted for technical competence and financial probity. Local authorities and other responsible bodies (such as diocesan bodies or multi-academy trusts) will often hold a list of such contractors. Schools also need to be aware of relevant procurement legislation (see the section on Procuring and managing works).

If schools wish to utilise the services of an insurance company to provide the inspection service the Department for Education has provided a route to the commercial insurance market via the Crown Commercial Service (CCS), or through the [Crescent Purchasing](#)

[Consortium](#) (CPC) for academies that are covered by the Department for Education's risk protection arrangement (RPA) for academy trusts.

For any work undertaken on their site, schools have a duty to provide contractors with relevant information, for example the asbestos register, to enable work to be undertaken safely and without risks to their health or to the health and safety of others.

Important certification and information to hold

The following significant elements of a building require formal certification or evidence to be available to demonstrate they are being appropriately managed. The requirement to hold evidence or certification is well defined in other guidance or legislation. It is important that you meet this requirement and that providers of services with regard to these elements hold appropriate qualifications or certifications.

This table shows the major items likely to be required in most schools, listed alphabetically. It is not exhaustive; the full list of maintenance and management certification and information for each school will vary depending on the specific construction type and building services installed.

Building element/aspect of management	Contractor accreditation	Requirements
Air conditioning systems (see also Water Supply for wet systems)	Qualified Energy Assessor	Applicable to installations with a total cooling capacity of 12 kW or greater. No longer than 5 years between reports
Asbestos	See Asbestos management in schools	All schools should hold a record of all known asbestos and have management plans in place to prevent exposure of staff, students and visitors (including contractors). This should be reviewed regularly
Boilers (and other gas installations)	See Get gas safe at school	Annual Test Certificate and Gas Installation Maintenance Plan. Maintenance required by GSIUR Regulation 35, should be in accordance with manufacturer recommendations and any plan identified by duty holder risk assessment
Fire escape and	Regulatory Reform (Fire	The responsible person must

Building element/aspect of management	Contractor accreditation	Requirements
safety	Safety) Order 2005 Appointment of Responsible Person (NB: Requirements for testing, fire drills, logs etc. are covered under BS5839 and other relevant standards)	assess and record the risks of fire and take steps to reduce or remove them. The results of all inspections, testing and checks must be recorded. Those completing fire risk assessments and/or providing advice in relation to them should be appropriately qualified and / or experienced
Fixed wiring	NICEIC or other approved scheme	5 Yearly test of 100% of the installation (can be phased – say 20% of installation per year)
Lifts	HSE guidance Thorough examinations and inspections of lifting equipment	Inspection frequencies at least every 6 months but will depend on the individual circumstances of each lift, which will be advised by the inspector. Often done by an insurance company
Local Exhaust Ventilation (LEV) extraction systems	Competent LEV Thorough Examination and Test Engineer (Institute of Local Exhaust Ventilation Engineers)	Thorough Examination and Test every 14 months
Water supply	Legionnaires' disease. The control of Legionella bacteria in water systems (2013) Appointment of Competent Person	Identify the sources of risk and prepare and implement a scheme to prevent and control the risk. Keep records of all checks and reviews of the scheme.

Table 2: Major items likely required by most schools

Shared premises

Regulation 11 of the MHSWR 1999 places a duty of cooperation and coordination on employers sharing a workplace.

Where a building is occupied by more than one user it is important that the results of any risk assessments should be shared with other occupiers of the premises where relevant e.g. boiler maintenance, electrical testing, asbestos, Legionella etc. It may be appropriate for users to carry out joint assessments of risk.

Even if there is no direct control over common areas of the premises the employer needs to take reasonable steps to ensure that access and egress through these areas is safe for employees, visitors and contractors. Common areas of premises are those that are used by tenants (or occupiers) but are not controlled by them e.g. access routes, internal staircases, corridors and lifts. An example of the responsibility in this area is ensuring that emergency lighting is operational.

Where there are shared services (such as electrical installation, gas supply, fire safety systems), the tenant needs to take reasonable steps to ensure that they are maintained in a safe condition and without risks to the health of employees and visitors. This applies even where the tenant does not have any control over these services.

Site security and safeguarding

In all schools staff and pupils need to be able to work and learn in a safe and secure environment. A balanced overview of all risks can be obtained by carrying out a security survey and risk assessment, which should include the environmental and building factors which contribute to school security. The maintenance and inspection activities described in this document must cover any security arrangements, including as appropriate to the school:

- Perimeter fencing
- Security lighting
- Alarm systems
- CCTV
- Access control

Dealing with emergencies

Effective planning and preventative maintenance regimes will minimise the risk of emergency situations affecting school premises. An appropriate approach to undertaking surveys or inspections and regular maintenance should identify issues that need to be addressed, such as structural defects or significantly deteriorating condition before they cause an emergency situation.

Very occasionally, unforeseen circumstances arise that result in severe damage or disruption to school premises. Examples include extreme weather conditions; vandalism, and accidents that are outside of the control of the school. Where such circumstances jeopardise or prevent the continuation of education, or present a risk to the safety or security of staff and pupils, schools should take the following steps:

- Take immediate action to ensure the safety and security of pupils and staff
- Maintained and voluntary-aided schools should immediately inform their local authority and/or diocesan body; academy trusts should inform the EFA
- Where necessary, make alternative arrangements for education to continue as soon as possible following the incident, and invoke emergency and business recovery plans
- Seek professional advice as necessary on immediate and longer term action required to repair the affected area
- Consider the legislative and procedural requirements if specific hazards are involved e.g. asbestos, Legionella

Where the cost of repairs and recovery are significant, maintained and voluntary-aided schools should discuss courses of action, including insurance cover, with their local authority. Academies should consider the use of existing capital funds, any reserves, and reimbursement through their insurance cover or the EFA Risk Protection Arrangements. In exceptional circumstances academy trusts may [apply to EFA for emergency funding](#).

In situations that lead to all or part of the school being closed, it is important to consider the communication of the situation to parents and carers. This should be appropriate to the type and extent of the emergency. Communication should be clear that the school will have the safety and security of the pupils and staff as its most important consideration and has taken all the necessary measures in line with statutory guidance, including liaison with the appropriate agencies and professionals. It should not seek to cause alarm, and should include the next proposed steps. The school should be ready to give this message both verbally and in written form. This will also inform any media enquiries.

Identification and mitigation of the risks of emergency scenarios affecting school premises should be included in the school's risk management arrangements.

Procuring and managing works

Routine maintenance and compliance works

Schools, regardless of their governance, may have the option of utilising local authority arrangements. These will probably have been built up through approved lists of contractors or frameworks over many years. These arrangements may have pre-approved:

- Pricing structures
- Specifications
- Compliance to legal requirements and accepted industry standards

If such arrangements are not available or inappropriate, the following section will help you to define the work and procure and manage contractors.

Procuring projects and works

Produce a specification

Start off by setting out your requirements, what needs to be done, and the acceptable performance for the works. You should include:

- Aims – reasons for implementation
- Overall expectations – both delivery and operational
- How you define success
- Budget – the size of the project will impact on the options for appointing the contractor
- How will you achieve value for money
- Timescales
- Education-specific guidance documents (e.g. area standards and building bulletins)
- Authority – who is the decision maker, both internally and independently
- Type of works/project – any specialist skills and technical disciplines involved
- Expectations of the quality and technical standards that will be implemented

- Legislative requirements and stipulations for the contractor
- Management of risks and which party takes responsibility for particular elements

These requirements should then be translated into a specification. A specification may not include all of the information you have considered above, for example you may not wish to share your budget with potential tenderers. Typical example specifications are available from a number of sources. The following organisations, and many other professional institutions, can identify professionals in your area that can help:

- [Royal Institution of Chartered Surveyors](#)
- [British Institute of Facilities Managers](#)

Estimate costs

Cost estimates can provide a useful comparison against the quotes and tenders being sought and assist in value for money judgements.

Benchmarking services are available from a number of sources, but schools can also make estimates based on:

- Supplier price lists
- Costs of prior projects and works at the school
- Information from your local authority, diocese or multi-academy trust
- Costs incurred by neighbouring schools or other local bodies

Identify suitable contractors for the works

The specification is a key element of the procurement process as it defines the work you require to be delivered. Contractors should be able to fulfil all elements of the specification.

Basic rules of procurement for schools aim to ensure that public funds are spent openly and fairly, and make the most of every budget, while protecting you against legal challenges, financial penalties and damage to your school's reputation. [Effective buying for your school](#), published by the Department for Education, highlights:

- Areas of spend where your school can achieve value for money
- How public sector procurement rules apply to local authority maintained schools, academy trusts and free schools, and the available procurement options and potential routes to market

- Organisations that provide contracts, deals and frameworks
- Links to finance, procurement, and school related information
- Ways to help you compare spend against other schools
- Training opportunities
- Information about buying green and environmental initiatives

Academies must comply with the arrangements for procurement described in the [Academies Financial Handbook 2015](#).

All schools must ensure they are aware of the legislative framework for public sector procurement and comply with its requirements, where they are required to do so. This can mean publishing tender opportunities for open competition and/or using frameworks which have already met this requirement. Further web-based guidance concerning the public sector procurement rules is available, including [the Department for Education Buying for Schools website](#). Additional guidance can be found in Annex 4.6 of HM Treasury's [Managing Public Money](#). Advice on relevant [procurement thresholds](#) is provided in the Official Journal of the European Communities (OJEC).

You should also ensure that the proposed contractor has a current and relevant health and safety policy, suitable insurances in place, and where necessary has the appropriate competence, for example Gas Safe (Non Domestic) or NICEIC (or other approved scheme) registered for work in connection with gas and electrical installations respectively. You and the contractor should be prepared to communicate and cooperate on assessing and controlling health and safety risks.

There are a number of procurement frameworks that may be available for use by schools. Procurement frameworks will already have been through a process to establish a base for a competition among approved contractors. The contractors will already have proved their ability to meet certain elements e.g. minimum quality standards, specifications, compliance, health and safety competency at organisation level.

Use a suitable contract

Whether this is for the appointment of a single tradesperson, a contracting company or a professional services firm, you will need to formalise any request to undertake works. This may be simply an official order confirmation against a quotation for specified works.

Where what you are buying is subject to the public procurement rules, you will normally prepare the contract or use a contract that is part of the procurement framework. Many firms will have their own 'standard' terms and conditions, which may not address issues that are relevant to school. This means you should consider carefully whether those

standard terms and conditions appropriately address your rights and take steps to ensure you manage risks effectively, including taking professional advice where required.

The departmental advice [Effective buying for your school](#) mentioned above has various links to useful example contract forms and templates. Easy to understand contracts for building works have been published by [The Joint Contracts Tribunal](#).

In any case you should always ensure you understand the basis of any agreement you enter into for work and the obligations it places on both you and the counterparty.

Develop a safe system of work

Construction and maintenance is one of the most dangerous professions. In 2014-15 over half of the fatal injuries to workers were one of three kinds: falls from height, being struck by a vehicle, and being struck by a moving object. As the occupier of the site, you will need to ensure any works are carried out safely. Appointing a competent contractor is a good start but you will also need processes that allow all works on site to be managed and delivered effectively and safely. Guidance on risk assessments and related topics is available from the HSE website section on [How to control risks at work](#). Further details and standard templates are available from the HSE.

Professional maintenance advice

Schools and responsible bodies may wish to enter an arrangement with a property consultant who will be able to advise the school independently on building fabric and building services issues. Note that depending on the value of the consultancy services, the procurement rules may also apply here. Examples of when this advice may be required include:

- Proposed maintenance projects such as a capital repair/replacement
- Independent assessment of repair/replacement works recommended by maintenance contractors
- Independent audit of maintenance contractor performance
- Advice where concerns are expressed on the safety of systems or the condition of fabric or services. This may include structural concerns such as cracking in walls etc.
- Assistance in fulfilling the client duties under the Construction (Design and Management) Regulations 2015 where they apply. [Summary of duties under Construction \(Design and Management\) Regulations 2015 \(CDM 2015\) provides further guidance](#)
- Budgeting, bidding for funds and procurement of maintenance or works contracts

- Project and/or contract management services

Managing works

The main objectives of managing the works are:

- Compliance with the terms and conditions of the contract
- Delivery of the aims and objectives of the project as previously defined in the scoping and specification of work and which should generally be included in the contract
- Adherence to all statutory requirements, health and safety stipulations, technical and access issues
- Delivery to schedule and budget, with no harm done to staff, pupils, contractors or visitors

Good contract management will:

- Reduce or prevent the risk of error e.g. over-charging
- Reduce the impact of identified risks thereby ensuring defined outcomes, achieving delivery and value for money
- Reduce the risk of contractual dispute
- Improve the likelihood of implementing contractual performance incentives
- Increase opportunities to generate continuous improvements

The procurement and tender documentation will be key contributors to contract management and are likely to include method statements, specifications, health and safety elements, a programme of work and schedule of cost. These should be put together with an appropriate liaison and communications structure involving school, advisers, contractors and, as necessary, statutory officials.

Some works will require staged payments to be made. The methodology for quantifying these should be apparent in the procurement documentation and may require the assistance of an appropriately qualified property professional.

The works stage of some projects will require liaison with some local authority functions such as planning or building control.

The sign-off process which results in acceptance of the completed works should also be considered as part of procurement. In some instances this may require the use of appropriately qualified and appointed professionals to give assurance.

Dos and don'ts

- Don't contract any service or works element without a specification or stated service requirement and signed terms and conditions
- Do establish a management plan for contractor selection, as a responsible employer
- Do use external support and professionals as required

Annex A: Maintenance checks and testing

Electrical and lighting systems

Electrical safety

Portable appliance testing (PAT)

A portable or moveable electrical appliance can be defined as any item that can be moved, either connected or disconnected from an electrical supply. Portable or movable items generally have a lead (cable) and a plug. The Electricity at Work Regulations 1989 (EAWR) state that electrical equipment must be maintained if it can cause danger. This includes any electrical equipment used by employees at work.

Not all electrical equipment will need a portable appliance test. Further details on how to ensure the safety of electrical equipment and how to carry out user checks and visual inspections can be found in the HSE's [Maintaining portable electric equipment in low-risk environments](#) pamphlet.

Items deemed unsafe to operate should be immediately rendered incapable of use until repaired or replaced.

Fixed electrical installation tests

Electrical equipment should be visually checked to spot early signs of damage or deterioration. Equipment should be more thoroughly tested by a competent person often enough that there is little chance that the equipment will become dangerous between tests. Equipment used in a harsh environment should be tested more frequently than equipment that is less likely to become damaged or unsafe.

It is good practice to make a decision on how often each piece of equipment should be checked, write this down, make sure checks are carried out accordingly and write down the results. You should change how often you carry out checks, according to the number and severity of faults found.

For illustrative purposes, many organisations plan inspection of fixed electrical installations every five years, which can be phased into annual inspections of 20% of circuits for practical purposes.

You should always have your electrical installation inspected and tested by a person who has the competence to do so.

Further advice on helping you control the risks from your use of electricity at work can be found in HSE's [Electrical safety and you](#) leaflet.

Emergency lighting

Emergency lighting is lighting that is installed in a building to provide a degree of illumination when the normal lighting fails.

In terms of fire safety the most important component of an emergency lighting system is the “escape lighting” which is provided to illuminate escape routes to an extent sufficient to enable occupants to evacuate the building in safety.

Schools are encouraged to undertake and record a monthly flash test. A more detailed six-monthly condition test, including a three hour battery test by a competent person is also recommended.

Lifts and hoists

Under the [Lifting Operations and Lifting Equipment Regulations 1998 \(LOLER\)](#) a duty holder has a legal responsibility to ensure that any lift on the premises is thoroughly examined and safe to use.

There is a requirement to undertake a periodic examination, which typically will be a Written Scheme of Examination detailing the precise nature and frequency of inspections.

A thorough examination will entail a systematic and detailed examination of the lift and all its associated equipment by a competent person. The lift inspector will assess the required inspection intervals.

As well as considering the risks associated with lifts in normal use, it is important to consider the safety of users in the event of the lift breaking down or stopping between floors. It may be appropriate to set up a breakdown response contract in addition to normal maintenance contracts, and to train some employees in lift lowering and emergency door opening. In order to alert people to any problem, consideration should be given to providing a suitable means of raising the alarm (e.g. alarm call buttons, emergency telephones). In order to avoid panic in the event of an electrical failure it may also be appropriate to provide emergency lighting.

Lift inspection may also be required by the school insurer.

[SAFed Guidelines on the Lifting Operations and Lifting Equipment Regulations 1998 \(LOLER\) provides further guidance.](#)

Heating and cooling systems

Gas appliance and fittings

By law, anyone carrying out work on gas appliances or fittings on school premises must be a [Gas Safe Registered Engineer](#) and have a valid certificate of competence relevant to the particular type of gas work involved e.g. non domestic. Gas appliances or fittings must not be used if it is known or suspected that they are unsafe.

In the [HSE Approved Code of Practice](#) it is recommended that periodic routine maintenance is carried out on gas appliances, pipe work and flues by a registered person. Routine maintenance would normally involve ongoing regular periodic examination of the installation/appliance and remedial action taken where necessary in accordance with manufacturers' recommendations. If manufacturers' recommendations are not available, professional advice should be sought.

Fuel oil storage

All tanks, bunds and pipework should be regularly checked for signs of damage and it is recommended that they are checked at least weekly, with a more detailed annual inspection and service by qualified inspectors to ensure that any potential defects are found and rectified.

There are security and environmental issues regarding oil storage areas and these areas should be as resistant as possible to unauthorised interference and vandalism. If there are any permanent taps or valves through which oil can be discharged from the tank to open areas, these should be fitted with a lock and should be locked shut when not in use. Where appropriate, notices should be displayed telling users to keep valves and trigger guns locked when they are not in use. Pumps should be protected from unauthorised use, and taps and valves marked to show whether they are open or closed. Where these are not in use, they should be fitted with a blanking cap or plug.

The [Control of Pollution \(Oil Storage\) \(England\) Regulations 2001](#) cover the storage of oil at schools and other establishments.

Professional advice should be sought where schools have redundant oil storage tanks, and particularly if the removal of redundant tanks is proposed as there is a risk of fire or explosion.

Air conditioning systems (including heat pumps)

Under [Energy Performance of Buildings \(Certificates and Inspections\) \(England and Wales\) Regulations 2012](#) an air conditioning system should be inspected by an energy assessor at regular intervals not exceeding five years. In addition, an annual certificated inspection to ensure that there is no leakage of refrigerant is required under the

[Fluorinated Greenhouse Gases Regulations 2015](#). Bi-annual checks and an annual maintenance schedule should continue as best practice.

The risk of propagation of legionnaires' disease must also be recorded within a risk assessment and an appropriate scheme of inspection and maintenance implemented (see below).

Pressure systems

Systems or equipment which contain a liquid or gas under pressure can cause serious injury and damage to property if they are not properly maintained. The HSE's [Pressure systems: A brief guide to safety](#) leaflet describes how to minimise the risks when working with pressure systems.

Legionella

Legionella bacteria can grow in hot and cold water systems and can be harmful to health if inhaled. Legionnaires' disease is normally only contracted where water is sprayed and small droplets (aerosols) of water containing the bacteria are inhaled – in a shower, for example.

The duty holder (employer or person in control of the premises) is required to:

- Identify and assess sources of risk
- Prepare a scheme (or course of action) for preventing or controlling the risk
- Implement, manage and monitor the scheme
- Keep records and check that what has been done is effective
- Appoint a competent person with sufficient authority and knowledge of the water systems to take day-to-day responsibility for controlling any identified risk, sometimes referred to as the 'responsible person'
- If appropriate, notify the local authority that there is a cooling tower(s) on site

These tasks should be undertaken by a company who offer these specialist services.

Evaporative cooling towers present significant additional risks. The location and nature of evaporative cooling towers must be registered with the local authority.

The risk of propagation of Legionnaires' disease must also be recorded within a risk assessment and an appropriate scheme of inspection and maintenance implemented ([Legionnaire's disease. The control of Legionella bacteria in water systems](#)).

Further information

- [Legionnaires Disease – a brief guide for dutyholders](#) (2012)
- [Legionnaires' disease – What you must do](#)
- [Legionnaires disease: control of Legionella bacteria in water systems ACOP and Guidance](#) 4th Edition 2013

There is additional Legionella technical guidance which is broken into three sections with specific duties and systems within each one:

- [HSG274 Part1 The control of Legionella bacteria in evaporative cooling systems](#)
- [HSG274 Part2 The control of Legionella bacteria in hot and cold water systems](#)
- [HSG274 Part3 The control of Legionella bacteria in other risk systems](#)

Building fabric

Asbestos

Asbestos is present in the majority of schools in England. If managed correctly, asbestos poses very little risk to health. Equally, if it is not effectively managed, asbestos poses a significant health risk.

The [Control of Asbestos Regulations 2012](#) place responsibilities on employers to prevent exposure to asbestos as far as is reasonably practicable.

Guidance for schools on the management of asbestos is available in the GOV.UK report [Asbestos management in schools](#) (2015).

It is important that all available asbestos information including surveys, the school asbestos register and asbestos management plan is made available to building or maintenance contractors for their reference prior to working at the school. If the work will be invasive, it may be necessary to carry out a 'demolition and refurbishment' survey for asbestos under controlled conditions before planning the work as the management survey may not be adequate. Those in charge of the work for the school should ensure that workers carrying out the work have been properly briefed about the asbestos status and the plans for dealing with it.

Further information is available from the HSE's website on [Asbestos Health and Safety in the Workplace](#).

Advice on selecting a competent asbestos surveyor can be found on the [HSE website](#).

Glazing

Glazing requirements are covered in Regulation 14 of the [Workplace \(Health, Safety and Welfare\) Regulations 1992](#).

The duty to comply with the Regulations will normally fall to the employer or those in control of the premises. Under the Regulations every window or other transparent or translucent surface in a wall, partition, door or gate should, where necessary for reasons of health or safety, be of a safety material or be protected against breakage and be appropriately marked.

Working at height and fall protection systems

Incorrect use of ladders and scaffolding is one of the most frequent causes of serious accidents in the workplace. The HSE guidance [Working at height](#) provides key messages to minimise the risks of working at height.

The [Workplace \(Health and Safety and Welfare\) Regulations 1992](#) require employers, and persons who have control of a workplace, to ensure that all windows and skylights in a workplace are designed or constructed so as to enable them to be cleaned safely.

Equipment used in conjunction with the windows or skylights, or any other safety devices fitted to the building, i.e. anchorage points should be inspected and tested on a regular basis.

The [Provision and Use of Work Equipment Regulations 1998 \(PUWER\)](#) provides further general guidance.

Safety and security systems

Fire detection and alarm systems

Information and guidance about fire safety in new and existing school buildings, including fire risk assessments, can be found in [Fire Safety in new and existing school buildings publication](#).

Fire detection and alarm systems should have a weekly alarm test with all call points being tested over a 13 week cycle. The system should also be subject to quarterly and annual inspections and tests by a competent person.

All work on the fire alarm system including routine testing must be recorded and be accessible to the fire service.

Ideally, zone diagrams should be available at the main control panel to enable the fire services to determine the location of the incident and to devise the most appropriate methods of fighting the fire.

Fire doors

All fire doors and associated hardware must remain in efficient working order and should be regularly checked and maintained by a competent person. It is advisable to keep a

record of any maintenance. The inspection of fire doors should include checks on the following:

- Self-closing devices operate properly
- Hold open devices release when the fire alarm operates
- Glazed panels are intact and undamaged
- Warning signs are in place: “Automatic Fire Door – Keep Clear” if the door has automatic release, or “Fire Door Keep Closed” if manually operated
- Doors open and close freely and are free from damage
- There is no distortion or warping of the door or frame
- Intumescent strips and smoke seals are in place and not damaged
- Hinges and locks are properly lubricated
- Fire doors are not propped open by staff or pupils

Firefighting equipment

Extinguishers

These should be maintained and inspected by a competent person at least once a year. This involves a visual inspection of the extinguisher and a check of the contents and stored pressure. A written record should be kept of the date of the last maintenance examination and this should usually be attached to the body of the extinguisher.

Fire blankets

These should be inspected at least annually and replaced as required.

Hose reels

Hose reels are for the use of the fire service and staff should not normally be trained in the use of this equipment. All hose reels should be inspected on a yearly basis by a competent person. They must also be recorded in the risk assessment for Legionella and maintained accordingly.

Fixed systems

Fixed systems are those which when activated by the warning/alarm system, release the extinguishing medium e.g. sprinkler systems. All fixed systems should be inspected at least on an annual basis or to manufacturer’s guidelines. It is advisable to keep a record of any maintenance and testing.

Fire service facilities

Facilities for the fire service may include dry risers, access for emergency vehicles; emergency switches for installations and information in respect of the premises and its contents. Where these facilities are provided they should be maintained and kept in good order. Maintenance and testing is required annually and varies dependent upon the height of the building.

Lightning conductors

These should be inspected and electrically tested by a competent person annually.

Extract systems

These systems may be employed to maintain a safe environment by removing hazardous fumes, as in the case of a laboratory fume cabinet or kitchen extract, or dusts and fumes, as in the case of technical workshops.

Where such systems are installed they should be adequately maintained as advised by the supplier or installer.

Catering extract systems

All extraction systems that are used to maintain a clean safe environment require a statutory 'thorough examination and test' (TEXT), under Regulation 9 of the [Control of Substances Hazardous to Health Regulations 2002 \(amended\)](#).

Fume cupboards and exhaust ventilation from workshops

Local Exhaust Ventilation Systems (LEVs) should be examined and tested generally every 14 months. See [Local Exhaust Ventilation \(LEV\) workplace fume and dust extraction](#).

[Health and Safety: Guidance Booklets HSG 258: Controlling airborne contaminants at work. A guide to local exhaust ventilation \(LEV\)](#) 2nd edition (2011) provides more detailed information on LEV systems and legal and competence requirements.

Further information

- [Gas safety in catering and hospitality: HSE information sheet](#)
- [Health and Safety: Guidance Booklets Series/Number: INDG Series 408 Clearing the air. A simple guide to buying and using local exhaust ventilation \(LEV\)](#)
- [Ventilation in catering kitchens: HSE information sheet](#)

- [Maintenance priorities in catering: HSE information Sheet](#)

Other site management matters

Hydrotherapy pools and swimming pools

Under the MHSWR it is the responsibility of swimming pool operators to carry out a suitable and sufficient risk assessment of their operations and to identify necessary control measures. A suitable and sufficient risk assessment for a swimming pool would have to take account of the whole user population of the swimming pool and the fact that a fatal incident can occur very quickly.

Public Health England has produced useful guidance on the [Management of Spa Pools: controlling the risks of infection](#).

For swimming pools, see [Managing health and safety in swimming pools](#) (HSG179) and [The control of Legionella bacteria in other risk systems](#).

Swimming and Hydrotherapy Pools should also be included in the risk assessment for Legionella.

Playground and gymnasium equipment

Equipment used for physical education often carries an enhanced need for regular inspection.

In respect of playground equipment, British Standard EN 1776 requires that an inspection should be carried out at regular intervals subject to its use, purpose and position.

Tree safety

Grounds maintenance is not generally included within this document due to the focus on maintenance of equipment. Grounds maintenance is however a further important maintenance responsibility for the school, and includes the maintenance of any trees on the school site. As well as responsibilities under the Health and Safety at Work etc. Act 1974, an occupier of land where a tree stands has responsibilities under the Occupiers' Liability Acts 1957 and 1984.

Further information

- [Management of the risk from falling trees or branches \(2013\)](#)

- [Common sense risk management of trees](#)

Radon

Schools in a radon affected area need to carry out measurements to determine radon levels in their premises, and may need to take action to restrict resulting exposures. Further information can be found in the [Radon in the work place: HSE guidance](#).

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