

10.00am, Thursday, 29 June 2017

Edinburgh Schools Inquiry

Item number	8.2
Report number	
Executive/routine	
Wards	City-wide

Executive Summary

As a result of investigations following a wall collapse at Oxfangs Primary in January 2016, structural issues were identified at schools built between 2002 and 2005 in Edinburgh under the Public Private Partnership programme (“PPP1”). This led to the temporary closure of affected schools and required alternative arrangements to be urgently put in place for all affected children.

As detailed in the reports to Corporate Policy and Strategy Committee in May and June 2016, an independent inquiry (“Inquiry”) was instructed in the matter. Professor John Cole CBE, was subsequently appointed as the independent chair of the Inquiry with an agreed remit.

The Council was asked to consider the findings and recommendations of Professor Cole’s Inquiry Report when it was presented to Council in February 2017.

The Council noted the content of Professor Cole’s Inquiry report and further noted that the Chief Executive would set up an officer working group (“Working Group”) to consider the implications of the Inquiry Report. Council requested an update prior to the summer recess confirming the actions that the Council has already taken, and will be taking, with regard to the matters set out in the Inquiry Report.

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1. Recommendations

- 1.1 It is recommended that the Committee note the content of this report and the good progress made by the Working Group.

2. Background

- 2.1. As a result of investigations following a wall collapse at Oxfords Primary in January 2016, structural issues were identified at schools built between 2002 and 2005 in Edinburgh through PPP1. This led to the temporary closure of affected schools and required alternative arrangements to be urgently put in place for all the affected children.
- 2.2. As detailed in the reports to Corporate Policy and Strategy Committee in May and June 2016, an independent Inquiry was instructed into the matter. Professor John Cole, CBE, was subsequently appointed as the Independent Chair of the Inquiry with an agreed remit.
- 2.3 Professor Cole reported his findings to Council in February 2017. Whilst the Inquiry Report identified a number of shortcomings, it broadly concluded that the original contract was generally adequate for its purpose and that the collapse of the wall at Oxfords was a direct result of poor quality construction of that school. Similar issues found elsewhere on the PPP1 estate were also the result of such poor quality construction.
- 2.4 The Cole Inquiry Report contains a significant amount of detail, including recommendations that have wide-ranging implications for the Council, the construction Industry and public bodies generally.
- 2.5 The Chief Executive instructed that a Working Group be set up to consider the implications of the Inquiry Report and submit the relevant findings and actions prior to the summer recess. This report provides such an update on the progress made to date.

- 2.6 Following publication of the Cole report, Council officers have been actively assisting other authorities and the Scottish Government with regard to providing advice in relation to the matters identified in the report.

3. Main report

- 3.1 The Cole Report made 40 separate recommendations. The Working Group was established in order to allocate the various recommendations to the relevant division of CEC.
- 3.2 Details with regard to progress to date against each action are set out in Appendix 1 to this Report. As many of the recommendations have an impact on projects procured through SE Hub, the Council is working positively with SE Hub in response to these recommendations. It is acknowledged that:
- the systems and processes have been developed significantly by the Council during the intervening years since the Inquiry schools were built; and
 - a number of recommendations will require wider stakeholder engagement, significant resource or in some cases a national response.
- 3.3 **Key Specific issues**
- 3.3.1 **Fire Safety**
- 3.3.1.1 The Council is acutely aware that fire safety is a top priority and has been actively working to ensure that the buildings are fully compliant in all respects from this perspective.
- 3.3.1.2 A team has been established to review the fire-stopping and fire-proofing processes throughout both the PPP and wider council estate. The team are working collaboratively with the relevant service providers to ensure that the estate remains safe. An independent Fire and Risk contractor has been employed by CEC to ensure that this matter is appropriately scrutinised and demonstrate that the remedial works being carried out achieve compliance with the appropriate fire regulations.
- 3.3.1.3 With regard to PPP1, ESP's fire risk consultants have completed their inspections. No serious issues were identified and all other deficiencies will be remediated by August 2017. Confirmation has been obtained from ESP that there remains no immediate risk in respect of any deficiencies outstanding, such that no school is unsafe to occupy. The Council's own independent fire safety expert agrees with this assessment. Any appropriate changes to fire risk procedures have been implemented pending full remediation.
- 3.3.1.4 With regard to PPP2, appropriate checks are ongoing, with each building having been surveyed and again no immediate risks being identified.

Again, the Council's own independent fire safety expert agrees with this assessment. Work to address any outstanding deficiencies at these schools has now commenced. Processes are also in place with regard to checking fire safety in the wider estate.

3.3.2 Building Completion Certificates

3.3.2.1 As detailed in the Cole report, two schools remain without Building Completion Certificates (Royal High School and Craigmount High School). These buildings were given Temporary Occupancy Certificates on 6 November 2003 and 25 July 2003 respectively, which would both have expired after 3 years.

3.3.2.2 The Council has required ESP to make the relevant applications for these certificates and ESP remain in the process of carrying out the checks required in order to allow them to make these applications. The overall process has unfortunately been complicated by an intervening legislative change and Council officers are working to provide support in this regard. In addition, any issues identified in relation to fire safety with regard to these schools will require to be remedied before they can be certificated by the Council.

3.3.2.3 It is important to note that, notwithstanding the current absence of these certificates, there is presently no reason to have any concerns about the safety of the buildings. These buildings were subject to significant checks prior to their reopening following remedial works.

3.3.2.3 It is currently anticipated by ESP that they will be in a position to make the relevant applications by August 2017 and the certificates issued as soon as possible thereafter.

3.3.3 Commercial position

3.3.3.1 The Council continues to pursue ESP for appropriate redress with regard to both service failures and costs incurred and the Council will take appropriate action to safeguard the Council's position in this regard. It is hoped that this can be avoided through an amicable settlement with ESP which is actively being pursued.

3.3.4 Ongoing Inspections

3.3.4.1 As outlined in the Inquiry report, CEC have commenced a proportionate and structured risk based approach to investigating the wider CEC Estate. This approach was shared with the Inquiry for information purposes and has also been shared with Scottish Futures Trust.

4. Measures of success

- 4.1 The progress of the Working Group, following upon the Inquiry's findings, provides the Council with assurance as to the reasons for the unfortunate incident and identifies the lessons which can be learned and appropriate changes implemented.

5. Financial impact

- 5.1 The findings and recommendations of the Inquiry Report, as identified in the Report of the Working Group will have an, as yet, undefined financial impact on the Council.
- 5.2 The Council incurred significant additional costs as a result of the unavailability of seventeen schools and two other facilities between April and August 2016. Subject to finalisation of the terms of settlement, however, it is not anticipated that there will be any overall direct cost to the Council arising from this incident.
- 5.3 At the meeting of the Finance and Resources Committee on 23 January 2017, members approved that any excess of contractual deductions due to CEC, over costs incurred, be earmarked to take forward any necessary remedial work identified through the programme of wider property surveys. Due to the need for intrusive surveys, the results of which are inherently uncertain, costs cannot be estimated with accuracy at this stage but are constantly being reviewed as the investigations continue.
- 5.4 The required works identified to date through the wider property surveys can be met through the excess of contractual deductions.

6. Risk, policy, compliance and governance impact

- 6.1 There is a risk that the issues of concern identified within the Inquiry Report could exist within other areas of the public sector, including within the Council's wider estate. A programme of inspection works is already in place to assess whether or not this is the case.
- 6.2 Although the exact impacts are yet to be fully considered, the Inquiry Report could potentially have wide-ranging effects upon Council governance processes with regard to implementing similar large projects in the future.

7. Equalities impact

- 7.1 There are no direct equalities impacts arising from this report.

8. Sustainability impact

8.1 There are no direct sustainability impacts arising from this report.

9. Consultation and engagement

9.1 The Council has engaged with other authorities and the Scottish Government in relation to this matter.

10. Background reading/external references

[Report of the Independent Inquiry into the Construction of Edinburgh Schools: Professor John Cole Report](#)

[Edinburgh Schools Report: Report to City of Edinburgh Council, 9 February, 2017](#)

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11. Links

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Appendices

Appendix 1 - Response to: Report of the Independent Inquiry into the Construction of Edinburgh Schools (Professor John Cole CBE)

Appendix 1

Response to: Report of the Independent Inquiry into the Construction of Edinburgh Schools (Professor John Cole CBE)

This is an update capturing progress by CEC in responding to the Recommendations of the Schools Inquiry.

Abbreviations:

BS	Building Standards
CAFM	Computer Aided Facilities Management system
CEC	City of Edinburgh Council
CLT	CEC Council Leadership Team
CoW	Clerk of Works
ESP	Edinburgh Schools Partnership (PPP1 Special Purpose Vehicle)
GT	Galliford Try (Contractor)
Hub	Institutional Public Private Partnership (delivering asset and new build service to public sector partners)
IC	Independent Certifier
P&FM	Property and Facilities Management (division in Resources)
SFT	Scottish Futures Trust
SG	Scottish Government
SPV	Special Purpose Vehicle, term for entity formed to deliver PPP contracts
SRO	Senior Responsible Officer appointed on each capital project and works programme
TWG	Technical Working Group (managed by CEC delivering the estate wide structural investigations)

	Recommendation	Response
1.1	<p><u>Expertise and Resources</u></p> <p>Ensure access to a level of expertise and resources to allow body to act as Intelligent Customer and appropriate resource in terms of governance arrangements, types of expertise and funding.</p>	<p>CEC are moving towards a Corporate Landlord model (where P&FM are the Landlord) which will facilitate better engagement across projects in an intelligent client capacity. This also ensures greater consistency of approach.</p> <p>Part of the project initiation process includes ensuring that the necessary resources are considered. This includes both client resources and project delivery resources.</p> <p>Capital Projects are delivered through recognised governance arrangements.</p>
1.2	<p><u>Ensuring compliance with specification</u></p> <p>Ensure contract is delivered in terms of the contract. Level of diligence determined through informed assessment of risk of the likelihood or implications of non-compliance.</p>	<p>There is recognition of the limitations of true risk transfer on PPP/DBFM type project, notably in relation to reputational risk and disruption to services.</p> <p>CEC capital projects benefit from risk management processes through the construction and delivery phase. The operational risks will be recognised on DBFM Risk Registers going forward.</p> <p>Since the end of 2016, CEC have had in place arrangements for all external designs to be reviewed by internal designers. This has traditionally been viewed by client departments as unnecessary, but recent moves to a Corporate Landlord role have facilitated a change in practice.</p> <p>The role of the IC on DBFM projects is under detailed review with SE Hub.</p> <p>Arrangements are in place to reinforce existing levels of CoW cover on projects. While all projects will be assessed to determine the appropriate level of CoW cover (disciplines, full time or part time), projects valued over £2m will typically benefit from full time CoW.</p>

		<p>The table at the end of this paper gives an overview of the resourcing approach in place.</p> <p>Design Team appointments will make specific reference to site inspection duties and regular reporting to the Project Manager.</p>
1.3	<p><u>Public bodies cannot delegate duties</u></p> <p>There should always be appropriate levels of independent scrutiny in relation to all aspects of design and construction that are in effect largely or partly self-certified by those producing them.</p>	<p>CEC are ensuring relevant professionals are in place to provide an appropriate level of independent scrutiny.</p> <p>As a guide, CoW cover will be provided on all projects with full time provision on projects over £2m.</p> <p>External designs will be reviewed by in-house designers.</p> <p>Arrangements between the CoW and a Technical Advisor (where appointed) on D&B type projects will be clarified in the appointment documents.</p> <p>Discussions are underway with SE Hub around suitable arrangements for independent scrutiny for Hub D&B and also Hub DBFM projects.</p> <p>The CEC PPP Management team will review arrangements for independent checking of works delivered by the PPP contractors.</p>
1.4	<p><u>Building it right first time</u></p> <p>'... public bodies should include appropriate investment in the provision of informed independent scrutiny of projects when they are being designed and constructed.....rather than clients subsequently seeking to rely on their ability to seek remediation of compensation It is the view of the inquiry that seeking savings through cutting investment in quality assurance is inevitably a false economy'</p>	<p>As detailed in 1.2 above, arrangements for design review on CEC delivered projects (on the Operational Estate) are already in place.</p> <p>There has been a change of emphasis from minimising internal resources associated with the delivery of projects, with greater emphasis now being applied to ensure procured design and construction services are quality checked.</p> <p>On Hub delivered D&B and DBFM projects, discussions are underway to address design team engagement post novation.</p> <p>There has been greater consideration given to evaluating the potential risks/benefits of D&B in comparison with traditional procurement models.</p>

		D&B has arguably brought benefits around price and programme and has been attractive as there is a single point of responsibility (something challenged by the Inquiry). However, the findings of the report raise a Quality challenge to the D&B and DBFM procurement route. This is being positively addressed through discussion with SE Hub.
1.5	<p><u>Quality of design and construction</u></p> <p>There should be a more informed approach by public bodies as to how best practice methodologies can be incorporated into current models of procurement whilst maintaining other benefits of these processes.</p> <p>A key element is a clear articulation in a comprehensive brief by the client of the quality objectives for the project and of the methodology to be used for ensuring the achievement of that quality in both the design and construction phases.</p> <p>Appropriate time and resources should be allocated by clients during the initial stages of a project and during the development of the brief in order to establish and clearly define these quality objectives and approaches to ensuring quality.</p>	<p>The majority of D&B and all DBFM project are delivered through SE Hub. Arrangements to address quality for these procurement models are being actioned.</p> <p>SE Hub are taking action with regard to key 'weaknesses' of the D&B and DBFM routes in response to the Inquiry recommendations.</p> <p>The recommendation to ensure time and resources are allowed will be addressed at Project Initiation by Client Departments and P&FM as part of the early project planning.</p> <p>The need for Clients to develop an adequate brief which also addresses quality objectives and the methodology for delivering those objectives will be an area of focus going forward.</p> <p>The provisions for ensuring best practice is delivered based on the selected procurement route will be reviewed on a regular basis. This will also be informed by the lessons learned workshops which are already a feature of major projects and programmes.</p>
2.1	<p><u>Nature of Inspection</u></p> <p>Inquiry view that one possible option would be to extend the range of services in the</p>	<p>The approach of including CoW within an IC appointment was proposed by CEC to SE Hub in Dec 2016 for the IC appointment for the new Queensferry HS DBFM.</p>

	<p>appointment of the IC to include the provision and management of CoW services.</p>	<p>While SE Hub are supporting this approach we await confirmation that the appointment can be made on this basis. CEC will direct employ the CoW if required.</p> <p>The IC scope of service has also been tightened.</p>
2.2	<p><u>PI insurance and liability Period</u></p> <p>Level of PI insurance and liability period for IC should be assessed to properly and appropriately reflect the significance of their Certification processes and the degree of reliance that is to be placed on it.</p>	<p>This has been included in the discussions around the next DBFM IC appointments (which picked up scope of service and fees of IC service).</p> <p>Hub IC and Design Team PI provide for £10m on each and every claim.</p>
2.3	<p><u>Method of appointment of IC</u></p> <p>Appointment of IC should be made following properly advertised and conducted public procurement process and not through nomination or recommendation by private sector party.</p>	<p>IC appointments follow SG/SFT guidance through the Hub process.</p> <p>IC appointments have been subject to market testing and not on an 'informal recommendation' by the contractor as appears to have been the case on PPP1.</p>
2.4	<p><u>Fees of IC</u></p> <p>'fees should reflect the level of service required rather than the service being restricted to fit a predetermined budget'</p>	<p>The level of service of the IC is being discussed through Hub on a current DBFM. The aim to get to a scope and associated fee which realistically captures expectations.</p>
2.5	<p><u>Independent Inspection of works</u></p> <p>Public sector clients should engage appropriately qualified individuals or organisations with necessary construction expertise to undertake appropriate ongoing inspection of construction.</p> <p>Depending on the nature of the project, this inspection role, at</p>	<p>Non-PPP, D&B type projects have generally benefitted from more resources (Technical Advisor, CoW etc.) where the case has been accepted and budgeted for by the client. However, it is recognised that in many cases it will not have been to the level outlined in the Inquiry Report.</p> <p>The SFT/Hub delivery route was initially promoted on basis that such provisions were not strictly required. This had encouraged the removal of such resources from the project</p>

	<p>the level at which the defects in the Edinburgh PPP1 schools occurred, is traditionally undertaken by a combination of resident architects, resident engineers and CoW, the use of whom has dramatically reduced over recent years, yet the essential role they played does not appear to have been effectively provided for by alternative arrangements within the forms of procurement currently in vogue.</p> <p>Clients need to reappraise this gap in the assurance processes which has been allowed to develop.</p>	<p>team. This position on now changing with Hub welcoming such direct employed provisions.</p> <p>When project team resources and associated fees are being assessed there will be consideration of necessary assurance checks (potential examples being resident engineer, CoW, fire engineer etc.)</p> <p>See table at end of this document for outline of proposed approach moving forward.</p> <p>The Council is ensuring that this gap is addressed.</p>
3.1	<p><u>Scope of service of design team</u></p> <p>'Under current models of procurement.... (D&B, DBFM for example) the relationship between the client and key members of the design team has tended to become at least one or more steps removed..... the extent of their appointment and levels of involvement of design team members (either with clients or on site) is now frequently delegated to contractors to determine'.</p> <p>'Pubic bodies should review current procurement arrangements to ensure they are providing the optimum level of communication between clients and key members of the design team.... they may wish to consider how more direct</p>	<p>This is not an issue on traditional procurement where the design team remain directly employed by the client.</p> <p>Design team engagement with the client on larger CEC D&B and DBFM projects has previously been facilitated by leaving any contractor appointment and associated design team novation until Stage 3 (Developed Design, which includes proposals for structural design, building services systems and outline specifications). This approach ensured direct client control over the design until this stage.</p> <p>D&B and DBFM do experience the issues identified post novation with a direct impact on design team quality checking on site as the designers are employed by the contractor once novated.</p> <p>There is arguably a stronger case to consider Traditional Procurement models more positively than may have been the case recently.</p>

	<p>communication could be incorporated into current forms of contract...'.</p>	<p>In the past, CEC has challenged hub around designer engagement. While some issues still need to be finalised, SE Hub are responding to the issue.</p>
3.2	<p><u>Role of design team in inspecting works on site</u></p> <p>If clients do not wish to prescribe in their tender documentation the minimum level of services which they require to be provided by the design team when employed by the contractor They should at least require that submitted tenders include full description of the scope of the design team services, including any proposed role on the inspection of the works on site...'.</p>	<p>See above 3.1. On SE Hub delivered projects, arrangements are being put in place for the project team to be appraised of the scope of service of the design team and project roles which should be provided by the D&B contractor.</p> <p>CEC have requested that on Hub projects going forward there is proper provision for ensuring design team involvement in works inspection (along with submissions of site inspection reports). Hub procurement captures all DBFM and a majority of D&B projects.</p> <p>On non-Hub D&B projects the framework designer's scope of work is known and will be expected to be transferred in full post novation to the D&B Contractor and this will be reflected in the contract terms.</p>
3.3	<p><u>Notification of issues to public sector client</u></p> <p>'where possible, there should be a mandatory provision built into such contracts (D&B and DBFM) that where a contractor has failed to take appropriate action as advised by a member of the professional design team on issues that could impact on subsequent safety...of functionality...the consultant in question should be required to inform the public-sector client of the advice provided to the contractor.</p>	<p>This is an issue around designers being employed by the contractor on D&B and DBFM and their associated terms of appointment.</p> <p>This could also be a question for the various design discipline's professional bodies to address. However, it should be expected that issues of a safety nature would be escalated by a professional designer (H&S being everyone's responsibility).</p> <p>From a CEC perspective, we are in discussion with Hub around designer engagement with client during construction. Hub are responding positively but there are still areas to be finalised.</p> <p>This is not an issue on Traditional Procurement route.</p>

<p>4.1</p>	<p><u>Production, retention and updating of information</u> mandatory protocols for receipt and processing of all such information within own organisations.</p>	<p>All CEC projects delivered for the Operational Estate have a requirement to distribute Building Manuals on the following basis:</p> <p><i>Paper and electronic copy to site, electronic copy to each of following, Facilities Management Technical Support Team, Strategic Asset Management and copy retained by Capital Programme Team.</i></p> <p>Regarding design and project documentation, arrangements for retention of electronic documents are in place but require to be standardised. Discussions are underway with ICT.</p> <p>On PPP1 Estate the issue would seem to have been due to the failure of the PPP FM contractor to retain the required Building Manuals in a fit state on site and no other parties had copies.</p>
<p>4.2</p>	<p><u>Provision of as-built drawings</u></p> <p>Design teams on D&B frequently unaware of changes so difficult for them to produce as-built drawings.</p> <p>Contractors should be required to put in place appropriate arrangements for the recording of all subsequent changes to final' construction issue' drawings and arrange for the production of a final as-built set of documents</p> <p>Contractors should also be required to certify that the 'as-built' documentation as provided is an accurate record.'</p>	<p>CEC will make changes to documents in line with the Inquiry recommendations (it is anticipated there may be challenge by Project Companies around the requirement to certify).</p> <p>There will also be closer challenge to ensure there are robust quality process in place to generate As Built Drawings incorporating any changes etc.</p> <p>Contractor's quality processes have provision for updating records.</p> <p>It should be noted that the Principal Designer under CDM 2015 should hand over the H&S file to the Principal contractor and make them aware of any issues to be considered when reviewing, updating and completing it</p> <p>The Principal Contractor is responsible for passing relevant information for inclusion in the file. This is based on guidance on the legal requirements of CDM 2015.</p>

4.3	<p><u>Provision of as-built drawings to Building control</u></p> <p>recommendation to provide Building Standards with As Builts as part of completion certificate.</p>	<p>Currently no arrangements in place for Building Standards to receive As Built drawings.</p> <p>However, if there are changes to the design of a building during the course of its construction that mean that an amendment of warrant application (AoW) is required, then an AoW will be sought. Such an AoW application would be progressed prior to a completion certificate being issued.</p> <p>In the event that the legislation is altered, this requirement would be adopted by Building Standards at CEC.</p>
4.4	<p><u>On-site accessibility of design information</u></p> <p>A comprehensive set of all information in regard to the construction of external cavity walls should be provided on a document produced by the structural engineering consultants.</p>	<p>This can be addressed on CEC delivered projects as part of the project briefing process.</p> <p>This will ensure the requirement for the Structural Engineer to incorporate all necessary information around the construction of masonry panels on relevant drawing.</p> <p>A protocol for this is being developed by the TWG.</p>
4.5	<p><u>Communication of design intent</u></p> <p>Structural engineers should be required to describe in their documentation and drawings the approach and design philosophy adopted in their designs in terms of the reliance on the inclusion of bed joint reinforcement, wall head and lateral restraints or windposts in the required locations and in accordance with the specification....</p>	<p>This is being addressed as part of 4.4 above with TWG drawing up guidelines for CEC to implement.</p>
4.6	<p><u>Structural amendments to be approved</u></p> <p>Contractors should ensure that any changes to structural design are only implemented after</p>	<p>Amendment to warrant process is in place as it is a statutory obligation.</p>

	<p>checked by Structural Engineer and that these are documented and processed in accordance with statutory obligations imposed by Building Standards</p>	<p>Contractor Quality processes should address this but there is a need to audit compliance with the process.</p> <p>To clarify the nature of the shortcomings and to come to an agreed approach it is suggested that this is discussed with the TWG to ensure the intent of this recommendation is properly understood and addressed.</p>
4.7	<p><u>Access to original construction information</u></p> <p>CEC was not automatically provided with all relevant design, construction and survey information relating to the original construction, the subsequent investigations and implementation of remedial works on PPP1 schools.</p> <p>In response to requests for elements of information the Council was advised by various members of the (PPP) supply chain that it did not have direct contractual right to this information and would have to seek it through ESP.</p> <p>PPP contract arrangements should incorporate the right for public sector clients to be provided with copies of all design and technical information, surveys, proposed amendments and as built documentation in relation to their projects.</p>	<p>The events around PPP1 Stage 2 schools reflect the usual contract arrangements. Direct access to the SPV supply chain is not the norm but may be something for the CEC PPP Management Team to address on existing PPP and DBFM contracts (operational phase).</p> <p>On new DBFM, the indications are that Hub are keen to have an open and supportive working relationship with Participants (Clients). It is anticipated that this should be deliverable in some form for the next Hub DBFM. There is a need to agree a suitable level of information released and provisions for access to greater levels of detailed information as required.</p>
5.1	<p><u>Building of leaves of cavity walls separately</u></p> <p>Implications of building inner and outer leaves separately.</p>	<p>CEC proposal in response to this recommendation is to clearly specify that both leaves are constructed together.</p>

	<p>Recommendation that alternative construction adopted to avoid the issue.</p>	<p>Should there be a strong and fully justifiable reason to construct separately this would have to be with specific Council approval.</p> <p>In such cases the contractor would be required to provide a detailed method statement signed off by the structural engineer, architect and parties monitoring quality (e.g. CoW). Specific site supervision and quality checking would be a key requirement of any such agreement.</p>
5.2	<p><u>Design of wall ties</u></p> <p>Suggestion to calibrate wall ties.</p>	<p>Industry/supplier issue.</p>
5.3	<p><u>Design of head restraints</u></p> <p>Simplification of type for specification purposes and also consideration of provision of visible indicators to confirm presence.</p>	<p>Industry issue.</p>
5.4	<p><u>Payment of Bricklayers</u></p>	<p>Industry Issue.</p> <p>Possibly scope for SFT to influence on Hub framework.</p>
5.5	<p><u>Contractor quality assurance processes</u></p> <p>The repeated failures across many different (PPP1) projects would suggest that either the quality processes themselves or the manner in which these processes were implemented have frequently proved inadequate.</p> <p>Construction industry should seek to introduce, develop and promulgate standardised best practice.</p>	<p>This relates to Contractor processes.</p> <p>Contractor quality processes have advanced and been refined since the PPP1 Schools contract.</p> <p>It is clear that any process should be reinforced by independent checking.</p> <p>On CEC D&B projects, the Technical Advisor (TA) has a specific responsibility in checking and auditing the Contractors Quality Processes with the provision of CoW addressing site inspection.</p> <p>DBFM have additional provisions for Independent Certifiers to which arrangements are being made for deployment of CoW.</p> <p>The scope of the various parties with regard to site quality will be assessed on a project by project basis. (i.e. the roles of the PM, Designer,</p>

	The design of such processes should consider the potential of greater use of modern technology in relation to digital recording of such areas of work'.	IC (where applicable), TA (where applicable) and CoW.
5.6	<p><u>Inspections and sign off of cavity walls</u></p> <p>.... recommended that QA processes on site are such that they prevent the closure of walls before proper inspection and sign-off has been facilitated to confirm the quality and completeness of the work.</p>	<p>This is being addressed as part of the CoW deployment.</p> <p>Project documentation is being altered to reflect this.</p> <p>Contractor quality process should already have specific provisions around inspections of works prior to 'closing up'. This will be reinforced during procurement process.</p> <p>The Council's Building Standards Service is examining the potential to change its construction compliance notification plan to include inspection of cavity walls in certain circumstances, using a risk based approach to decision making.</p>
5.7	<p><u>Bricklaying profession</u></p> <p>construction industry to re-examine approach to recruitment, training, selection and appointment of brick laying subcontractors...'. </p>	<p>While this is essentially a matter for the wider industry, CEC can probe this issue at PQQ tender interview stage.</p> <p>There may be scope for SFT to influence this.</p>
6.1	<p><u>Provision of training and recruitment</u></p> <p>Appropriate authorities to review the current level of provision of training in following areas: bricklaying, CoW, Building Stds Inspectors.</p>	<p>National issue.</p> <p>There is scope on frameworks, hub etc. to have KPI provisions for training and apprenticeships.</p> <p>A challenge for the industry would seem to be its ability to respond to the swings in demand impacting on the retention of trained staff during downturns.</p>
6.2	<p><u>Apprenticeships</u></p> <p>CITB issue around effectiveness of current bricklayer apprenticeships.</p>	<p>While there is scope to influence the industry through KPI's etc. this is fundamentally an Industry Issue.</p>

7.1	<p><u>Scope of Building Standards inspections and certification</u></p> <p>'need for Government and ...industry to consider the introduction of methods that would provide Buildings Standards with the required level of assurance in risk areas..... consider extending the concept of mandatory inspection and certification .by approved certifiers....</p>	<p>National Building Standards/Industry issue.</p> <p>Once any statutory, certified, mandatory inspection provisions are in place this will be readily adopted.</p>
7.2	<p><u>Sanctions for non-compliance with building standards</u></p> <p>'systematic and appropriate administrative arrangements should be developed and implemented by verifiers to identify pursue and sanction those who fail to comply with its statutory requirements'.</p>	<p>National Buildings Standards issue.</p>
7.3	<p><u>Temporary Occupation certificates</u></p> <p>Issue around IC issue of Availability Certificate on back of confirming provision of a Temporary Occupation Certificate (formally advising the Client of this position).</p> <p>Additionally, there should be a requirement that a date should be set by which the Project Company achieve the Certificate of Completion (post occupancy) of be in default.</p>	<p>This relates to PPP type projects around the IC requirement to ensure Temporary Occupation Certification is in place before issue of Certificate of Availability.</p> <p>A provision can be made in the contract that where a date would be set by which the Project Company (on PPP type contract) should be have achieved an accepted Certificate of Completion or be in default.</p> <p>SE Hub ensure there is a programme towards securing the final certificate at time of issue of Certificate of Availability under a Temporary Occupation Certificate</p> <p>On wider project delivery arrangements are in place for Contract Administrators follow up and delivery the Completion Certificate prior to expiry of the Temporary Occupation Certificate.</p>

7.4	<p><u>Prioritisation of risk factors</u></p> <p>This relates to Building Standards inspector site inspection arrangements.</p>	Building Standards issue to consider in line with the potential for national standardisation.
7.5	<p><u>Building standards Department of the City of Edinburgh Council</u></p> <p>Review of staffing in CEC Building Standards</p>	The Building Standards service of CEC is being reviewed to ensure it is appropriately staffed to deal with ongoing matters and any issues arising from the Inquiry.
8.1	<p><u>Sharing of information on matters of structural concern</u></p> <p>Collation and dissemination of information of structural concerns.</p>	<p>This would be a national initiative.</p> <p>Following the events around Oxfangs, CEC did respond positively and fully supported every request from SFT to and other local authorities share information.</p>
9.1	<p><u>Minor changes within PPP1 schools</u></p> <p>Frustration from members of staff and public around changes on PPP estate.</p>	<p>This relates to the provision of minor changes within the schools.</p> <p>There is a process for both PPP and DBFM contracts regarding such changes.</p> <p>Whilst the School Business Managers (school contact for PPP team) are given an induction to PPP processes and are aware of the roles and responsibilities regarding contract variations, there appears to be a need to provide more information to the wider school staff and public. This will be followed up by the PPP Management Team.</p>
9.2	<p><u>Parents' and schools' review of management of closure</u></p> <p>Joint meeting with Parent Councils.</p>	Meeting held 6 June 2017.
9.3	<p><u>Fire stopping</u></p> <p>It is recommended that CEC should, in addition to the ongoing checking of fire safety measures and components across its wider estate, require that appropriately frequent on-</p>	Fire Compliance Surveys' are carried out on the non PPP Estate specifically to inform spend on the Asset Management Works annual Fire Upgrade Block Allocation. This is not a cyclic inspection but is focussed on facilities which are assessed to be higher risk. CEC also have separate ongoing engineering inspections

	<p>going inspections are undertaken by those responsible for the management of these buildings.</p>	<p>through their Framework Contractors which address the identified Fire Damper issue. This route has been taken as it requires testing and inspection by an engineer. In addition, CEC are carrying out statutory inspections of fire alarms, emergency lighting, sprinklers, etc. through framework contractors.</p> <p>The Council will address the wider estate along the principles established by PPP by undertaking find and fix surveys undertaken by fire accredited organisations.</p> <p>Arrangements for the recommended frequent/cyclic on-going fire stopping condition inspections are to be reviewed.</p>
<p>10.1</p>	<p><u>Further Investigations (Other Clients of recently constructed buildings)</u></p> <p>In relation to the potential presence of further defective construction in the external walls of other of their buildings, the CEC in undertaking a proportionate and structured risk -based approach to investigating their wider estate specifically the issue identified in PPP1 Estate, i.e. wall tie embedment and the provisions of appropriate restraints to masonry panels. 'other clients of recently constructed buildings of a similar scale and form of the constructions to the PPP1 schools, if concerned that their buildings may contain similar defects, may wish to adopt a similar risk-based approach to any investigation process as they may feel necessary'.</p>	<p>As outlined in the Inquiry report, CEC have commenced a 'proportionate and structured risk based approach' to investigating the wider CEC Estate (ref CLT Report of August 2016 for Mandate).</p> <p>This approach has been widely shared with other interested parties.</p>

The table below gives an overview of the approach to the provision of technical resources on capital projects delivered across the Operational Estate in line with the Inquiry recommendations. The actual provisions will be considered on a project by project basis.

		Part Time CoW	Full Time CoW	Independent Certifier (DBFM only)	Technical Advisor (considered where deemed appropriate)	Fire Engineer (inspection role) (considered where deemed appropriate)	Design Team (site inspection)	Design Team (independent Design Review)	Multivista (considered where deemed appropriate)
Traditional	<£2m	✓					✓		
	>£2m		✓		✓	✓	✓	✓	✓
D&B	<£2m	✓					✓		
	>£2m		✓		✓	✓	✓	✓	✓
DBFM	all		✓	✓		✓	✓	✓	

Notes

- The above contract categories are not a representation of all available contract and procurement routes but indicate the predominate approach taken on CEC projects.
- A number of the above arrangements have been in place on CEC projects but this proposal reinforces arrangements around design and construction quality.
- These services will be capital funded.
- The majority of the above roles are not full time on any project. This will vary according to scale and complexity of any project.
- The potential to make joint appointments and to align the scope of each service is being examined. For example, joint COW/TA appointment and also joint COW/IC appointments. On DBFM the IC will be delivering the TA role as part of their scope.
- Multivista trial underway.