

James Dornan MSP
Convener, Education and Skills Committee
The Scottish Parliament
Edinburgh
EH99 1SP

2nd June 2017



Dear Mr Dornan

I write in response to the letter I received from you as Convener of The Education and Skills Committee regarding the inquiry on school buildings across Scotland. To help frame our reply, I will begin with a brief outline of our background and remit.

The Federation of Master Builders (FMB), is the largest trade association in the UK construction industry, representing thousands of firms in England, Scotland, Wales and Northern Ireland. We were established in 1941 to protect the interests of small and medium-sized (SME) construction firms and have championed continuous improvement in building standards for over 75 years.

To become an FMB member: a Master Builder, firms' must-

- Pass an independent inspection by the British Board of Agreement (BBA), an independent organisation accredited by the United Kingdom Accreditation Service;
- Demonstrate a minimum of 12 months trading;
- Have appropriate public and employers' liability insurance;
- Agree to abide by FMB's Code of Practice;
- Pass rigorous credit and director checks.

As part of our ongoing commitment to evidence the objective quality of our Master Builder members, from 2015 all our members are now re-inspected every three years by the BBA. However, membership of the FMB is not mandatory and therefore there is nothing to stop unscrupulous and unprofessional builders operating in the marketplace.

School buildings across Scotland

Whilst some FMB members may have been involved in carrying out various remedial works to the school estate over the last year, the details haven't been divulged to us. Therefore I am unable to pass comment here. Similarly I am unable to comment on whether the quality assurance of school capital projects has been re-assessed since 2016.

Looking back, we are solemnly reminded of the fact that no injuries or fatalities to children resulted from the collapse of the gable wall at Oxfords School in January 2016 was a matter of timing and luck. We all know there could easily have been far graver consequences. Therefore it is imperative that the collective components of the construction industry learn from the recommendations in the Cole report. The view of the independent inquiry that the primary cause of the collapse of the wall at Oxfords school was poor quality construction in the building of the wall. There are three factors contributing to this cause:

- The direct laying of the bricks and the positioning of the wall ties;
- The direct supervision of the laying of the bricks and the positioning of the wall ties
- The quality assurance processes used by the sub-contractor and main contractor to confirm the quality of the construction of the walls.

All three issues were ultimately the responsibility of the design and build contractor in charge of the site.

Cole Report recommendations

There are specific recommendations in the Cole Report which we would like to draw to the committee's attention. It is evident from recommendation 5.5 that there was a systemic failure of the quality assurance process across the PPP1 projects. The report says *"The repeated failures across many different projects would suggest that either the quality assurance processes themselves or the manner in which these processes are implemented have frequently proved inadequate."*

The Cole report picks up on the specifics of the inspection and sign-off of cavity walls under recommendation 5.6. From the report: *"It is therefore recommended that quality assurance 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."*

The report comments on the bricklaying profession in recommendation 5.7: *"...given the widespread nature of similar defective construction across the 17 PPP1 projects undertaken by bricklayers from different sub-contracting companies, and from different squads within these companies, there is clear evidence of a problem in ensuring the appropriate quality in this fundamental area of construction"*

Following the publication of the Cole report, I investigated whether any of the bricklaying sub-contractors named were, or still are FMB members. It didn't surprise me that none of these firms have ever been FMB members. Our membership criteria has become more stringent since the construction of the schools in the PPP1 projects. Nonetheless it would have been the same type of quality SME construction firm that is attracted to joining the FMB today, than would have been the case 15 to 20 years ago.

Lessons for the future

Over many decades Scottish based construction firms have delivered a wide range of quality construction projects safely: often exceeding the client's expectations. We should be very proud of the skills and quality of the many people working in our trades and professions who design, construct and maintain our built environment. However, the incident at Oxgangs school and the resultant Cole report, means we mustn't become complacent about standards and quality. Especially concerning the recruitment, training, selection and appointment of contractors and sub-contractors.

The FMB's state of trade surveys of our members in Scotland continue to highlight skills shortages as a barrier to business growth. The construction industry's ageing workforce and poor image are combining to threaten the future capacity of our industry. Moreover, members are very concerned about the potential threat of deskilling across the trades in the construction industry. These factors will impact on the industry's capacity to deliver the required quality of construction projects; whether this be new homes, schools or indeed energy and transport infrastructure.

In particular our Scottish members point to the quality and integrity of the Scottish craft apprenticeship model which gives them confidence in recruiting apprentices. SME construction firms such as FMB members, employ two thirds or all construction apprentices. If the quality and standards to which apprentices are trained are maintained and improved, then more SME's would have confidence in taking on apprentices.



I've picked up feedback from FMB members working in England that they are envious of our craft apprenticeship model in Scotland as we train to a higher level (SVQ3 v SVQ2), have 4 year apprenticeships, collectively bargained terms and skills tests. The rates of construction apprenticeship recruitment in Scotland remain significantly above those in the rest of the UK because of these qualities.



Recommendation 6.1 in the Cole report identified bricklaying as one of the three areas where a lack of recognition of the level of requirement has led to serious skills shortages and difficulties in recruitment. Protecting the quality and integrity of the bricklaying profession and other crafts is essential. As the Cole report says: *“The appropriate authorities should undertake a review of the current level of provision of training in these areas, and any others considered relevant, to ensure that the construction industry has access to an adequate properly trained and qualified resource in each of these areas.”*

Recommendation 6.2 concerning apprenticeships is one which the FMB fully supports, provided our members and relevant components of the construction industry are properly consulted and listened to concerning the effectiveness of the current apprenticeship arrangements. It is imperative that the Construction Industry Training Board (CITB) adopts this approach. However recent feedback from our members and the Scottish Building Apprenticeship Training Council (SBATC) suggest that the CITB and the Scottish Qualification Authority (SQA) aren't consulting and listening to industry as well as they could. Hopefully this will be resolved so the industry has confidence in the future apprenticeship arrangements.

On behalf of FMB Scotland, thank you for writing to me. I would be happy to provide further clarification on the points made to the Education & Skills Committee.

Yours sincerely,

Gordon Nelson, FMB Scotland Director.
5 New Mart Place
Edinburgh, EH14 1RW
Tel: 0131 442 8834