



Mr James Dornan MSP  
Education and Skills Committee  
T3.40  
The Scottish Parliament  
Edinburgh  
EH99 1SP

## COMHAIRLE NAN EILEAN SIAR

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Dear Mr Dornan,

### **Inquiry into Construction of Edinburgh Schools**

Thank you for your letter addressed to Malcolm Burr, Chief Executive, dated 15 May 2017, regarding the above. Malcolm has asked that I respond on his behalf.

Comhairle nan Eilean Siar has welcomed the publication of the Cole Report and shares in the collective concerns of safety within the schools and wider estate. Comhairle nan Eilean Siar is also in active collaboration with the Scottish Futures Trust (SFT), Hub North and the Scottish Heads of Property Services (SHoPS) group who have been sharing experience and forward planning in relation to the Edinburgh Schools Incident directly, and in relation to the recommendations from the Cole Report.

### ***Inspection and Remedial Work of the Current Estate Since January 2016***

Following the incident at Oxfangs Primary in January 2016, and subsequent findings, senior officers within Comhairle nan Eilean Siar have had a focus on whether similar risks could exist within the Comhairle's estate.

In general, construction works within the Comhairle's estate have been undertaken using traditional forms of contract/procurement where both design and site construction are overseen by "in-house" staff to ensure the quality of the final product. However in 2007 the Comhairle, embarking on a £70M schools construction programme in partnership with Scottish Government, established a hybrid PPP and Sgoiltean Ùra Limited Liability Partnership (SULLP), as the Special Purpose Vehicle (SPV). This SPV is wholly owned by Comhairle nan Eilean Siar, as are the constructed assets.

Following a procurement process the SPV established sub contracts with FMP as the design/construction contractor and FES FM Ltd as the 25 year lifecycle maintenance and facilities contractor. Construction of six schools started in April 2010 with a phased completion by January 2013.

As "in-house" construction inspection on this contract was limited to an observational role as further detailed below, and being the closest form of contract to PPP that the Comhairle had embarked on, it was decided to prioritise actions to provide assurances on the structural stability of blockwork walls across these six schools.



The first action undertaken was for the maintenance contractor FES to undertake visual inspections of the blockwork walls at each of the six schools. This was undertaken in April 2016. Photographs were shared with the Lifecycle Team who were of the opinion that any cracking was superficial, and likely to be due to early age settlement. The summary of the visual inspections is enclosed. Full photographic records can be made available by request.

The construction Contractor FMP was also approached to provide assurance on the quality aspects of the builds, in particular to structural integrity, and responded with a letter of assurance.

Further to this initial work, the Comhairle's Property Management Team, together with the Maintenance Contractor FES FM Ltd. undertook an intrusive survey at The Nicolson Institute, which is the largest of the school buildings constructed under this contract. The wall construction differs to the blockwork cavity wall construction typified within the Edinburgh Schools in that the blockwork is a single internal layer tied to SFS construction. The intrusive survey revealed some inconsistencies which were discussed with the construction Contractor FMP. As a result FMP employed Goodson Associates to undertake further structural surveys at the six schools, the conclusion of which was that:

- Cavities are within construction tolerances;
- Tie embedment is within construction tolerances; and
- The structural integrity of the elevation walls comply with the design intent.

The following remedial works were however identified and are in the process of being rectified:

- In the case of Sir E Scott Primary and Secondary Schools, that the bed joint cracking evidenced at the roof beams over the Gym Hall be pointed;
- The masonry inner leaf to Plant Rooms should be pointed at the head where this has been removed (e.g. Sgoil an Rubha); and
- A remedial wall tie should be introduced to The Nicolson Institute Gym Hall blockwork piers to provide restraint generally in accordance with the design intent. A mid-tie would restore the vertical spacing to 550mm, or thereby.

Confirmation was sought on the risk and urgency of the remedial works in the context of children returning to The Nicolson Institute. Assurance was provided that structural integrity was not compromised in the short term and a programme for remedial repairs agreed.

Prior to the Edinburgh Schools incident Comhairle nan Eilean Siar undertook surveys throughout the estate to identify where there could be free-standing walls following the tragic incident at Liberton High School. This survey did not expose any concerns. Building condition information for the entire school estate is also available from surveys undertaken in 2012/13.

At the current time there are no immediate proposals to undertake further survey work, however direction will be taken as procedures at national or local level are revised. Project Managers have been made aware of the current recommendations of the Cole Report and will manage current and future projects accordingly.

### ***Quality Assurance Practices***

As previously mentioned, construction works within the Comhairle's estate is generally delivered through traditional procurement and project management arrangements where the specification is appropriate to the built environment and relevant standards. Specification is checked and controlled through the construction phase by qualified personnel employed as the Comhairle's representatives.

The problems encountered in Edinburgh schools in 2016 have not radically changed the quality assurance processes for construction projects, however have focussed minds on being vigilant in ensuring processes are adhered to.



The Western Isles Schools Project, delivered through the SPV detailed above, was initially to be self-checking through the design and build process, however the Comhairle insisted on having a Clerk of Works' presence, if only in an observational capacity. There were some building related defects which have taken some time to resolve due to the nature of the contract and relationship between the building Contractor and operating Contractor. The resolution of these problems has not been helped by the personnel employed by the Project Management Consultants moving on to new projects and employers and having no interest in previous projects. Fortunately staff who were seconded to the SPV have remained with the Comhairle and provide continuity from construction to life-cycle.

I hope this information covers the points highlighted in your letter and is of use to your inquiry. Meantime, should you require further information or clarifications please contact me.

Yours sincerely

Calum Mackenzie  
Head of Assets and Infrastructure

cc Malcolm Burr, Chief Executive  
Iain Mackinnon, Director of Technical Services  
Murdo Murray, Property Manager



