Checklist for school building projects

This checklist is to help schools ensure that health and safety and other aspects of a building project have been addressed and that all necessary statutory approvals have been obtained. In most cases the property consultant who is managing the project on behalf of the school will have dealt with these issues.

For most locally funded projects in Community and Voluntary Controlled schools there is a requirement to provide more information on these issues on an additional consent form (e.g. Form FCG2(C)). Advice on whether these forms are required can be obtained from Infrastructure Delivery team, Essex County Council (telephone: 033301 31865).

1 Employing a property consultant

Schools should always employ the services of a professional property consultant such as a chartered surveyor or architect for all building or maintenance projects that involve the employment of a contractor. The advice of a consultant should also be obtained in the case of projects carried out by staff or volunteers, particularly if the work involves demolition or other disturbance of the existing structure.

2 Building regulations

Schools must consider the need to make a building regulations application in respect of the work. Most building work requires the submission of a building regulations application. If in doubt, the local authority Building Control section will be pleased to give advice. Designers should be aware that the DfE Constructional Standards apply to schools, in addition to building regulations. Works on site must not commence until the full plans submission has been approved.

For Community Schools [and Voluntary Controlled] only. The Chelmsford Building Control Partnership Scheme must be used for all projects funded via ECC (e.g. as part of Landlord Consent). Please refer to the “Partnership Authority Scheme” document which is available on the Infrastructure Delivery pages on Infolink.

3 Planning permission

Schools must consider the need to make a planning application in respect of the work. Some minor development could be ‘permitted development’ which would not require an application for planning permission. Your property consultant will advise on whether planning permission is required. Planning requirements can be complicated by a number of issues such as whether the building is ‘listed’ or if the building is in a conservation area.

Pre-application discussions with the Local Planning Authority are encouraged to discuss the particular planning considerations and requirements specific to your school.

When schools carry out the development itself any application for planning permission will need to be made to the local Borough or District Council. Schools are reminded that planning decisions made by the Local Planning Authority, including any conditions attached to the permissions granted, are legally binding.

It is important to note that if a school wishes to make any changes to the approved scheme, once planning has been granted, another application will be required even when changes are minor. It is also important to remember that any pre-commencement conditions that have been attached to the planning application are discharged prior to starting on site. If development is carried out that does not accord with the approved scheme or any of the conditions of the planning permission the Local Planning Authority can consider taking enforcement action. This could expose the School to a requirement to take action to remedy the breach and would also be a breach of Landlord’s Consent, where applicable. Schools are therefore requested to take particular care in projects where planning
permission is required. If there are any queries about your planning permission, schools are advised to contact the relevant Borough or District Planning Department for guidance.

**Note:** In the case of Community Schools, Voluntary Controlled schools and Academies which lease their site from Essex County Council drawings of the proposed works must be submitted to Essex County Council with the application for landlord’s consent, where applicable, and for record purposes (See Landlords Consent Form).

Drawings of the completed works should be sent to Lambert, Smith Hampton, Greenwood House, 91-99 New London Road, Chelmsford, Essex CM2 0PP for the attention of David Stancombe. Electronic format plans can be emailed to dstancombe@lsh.co.uk

4 **The Equality Act 2010 & Disabilities**

When contemplating any maintenance or building works, consideration must be given to the implications of the Equality Act 2010 which imposes a duty on everyone not to disadvantage, or discriminate against, others. ‘Disability’ is just one of the ‘protected characteristics’ identified in the legislation, and school buildings and their surroundings should be designed to meet the needs of all pupils, staff and visitors equally.

There are a number documents of which provide guidance on the design of schools for those with disabilities, including relevant Department for Education Building Bulletins, the School Premises Regulations and BS8300 ‘Design of buildings and their approaches to meet the needs of disabled people’. Other than facilities being designed to meet the physical needs of people disabilities, it must also be remembered that appropriate selection of materials, finishes and colours should be used to assist those with other forms of disability, such as visual and audio impairment.

5 **Asbestos**

If any part of the existing building will be disturbed by the work (even the drilling of holes for cables is regarded as disturbance) you must consider the risk of disturbing asbestos. If there will be any disturbance you must obtain advice from your property consultant about the likelihood of asbestos being present. The asbestos register held at the premises will be a starting point but as it was produced as a result of a visual ‘non-intrusive’ survey (also known as a ‘type 2’ survey) it may not identify hidden asbestos and an intrusive (type 3) survey may be necessary. It is a legal requirement to bring any information you have about asbestos to the attention of the consultant and contractors.

6 **Health & Safety / CDM Regulations**

The Construction (Design & Management) Regulations 2015 (known as the CDM Regulations) is the law that applies to the whole construction process on all construction projects, from concept to completion.

The Regulations require you to make suitable arrangements for managing a project. This includes making sure dutyholders are appointed, sufficient time and resources are allocated. Make sure relevant information is prepared and provided to other dutyholders, the principal designer and principal contractor carry out their duties and suitable and sufficient welfare facilities are provided.

The HSE must be notified of projects that will last longer than 30 days AND have more than 20 workers, working simultaneously at any one point OR exceeds 500 person days.

A Health and Safety File must be available on completion and then kept on the premises for future reference. Your consultant will advise you further on these regulations and advice is available via the HSE website.
Other issues/risks regarding health & safety to consider which may affect staff/pupils/clients/visitors during building works are:

- Fire evacuation procedures, playtimes, hours of work, access restrictions
- Arrangements for the storage and transport of materials and waste
- Whether the contractor’s vehicles need to pass through parts of the site accessible to pupils or staff and if so, can they be segregated by timing or barriers. If not, what alternative arrangements can be made?
- Whether the contractor’s work creates any other potential risks, for example objects falling from heights, scaffolds, ladders, LPG cylinders, tools and plant being left unattended, electrical leads passing through occupied areas, excavations, dust or fumes. If so, what precautions does the contractor intend to take?
- Whether the work may potentially disturb asbestos within the school? Ensure contractors are made aware of your asbestos register and seek professional advice if any work may disturb the asbestos, your project may require an intrusive asbestos survey to be carried out before you start work. (ECC policy states that only licenced asbestos contractors are permitted to carry out work involving asbestos)
- Whether the work will obstruct an existing fire escape

7 Statutory Consents granted by the Secretary of State for Education (DfE consents)

If significant changes in use of land or buildings, or significant construction work, results in any loss of school playing field land, DfE consent will probably be required for Change of Use. The protection of school playing fields legislation defines playing field land (aka net site area) as: Playing fields / soft PE / pitches suitable for playing team games/Games courts / hard PE, Informal and social hard and soft play areas /Habitat (ponds, gardens, orchards, allotments, wooded areas etc.)

Furthermore, any loss of school site area that is not playing fields, i.e., buildings or access areas, such as a lease of part of the premises to a nursery / pre-school, DfE consent will be required under Schedule 1 of the Academies Act.

This legislation applies to all community schools and to all leasehold academies during the first 10 years of the 125 year academy lease; generally the 10 years following conversion

In order to determine whether mitigation is required, an assessment of the external areas of the property will be required to establish what costs might be incurred on the project. The project cannot be approved until the true cost and scope of the project is established. Please contact infrastructure.delivery@essex.gov.uk

8 Landscape / Ecological issues

Schools should check whether any proposed building work will affect trees or hedges in any way. If the trees are covered by a Tree Preservation Order or are in a conservation area, consent for the work will be required from the planning authority. Some hedges are covered by the Hedgerow Regulations 1997.

For more details please contact the Council’s Ecology Team at Place Services (email enquiries@placeservices.co.uk) who can provide further guidance and, where appropriate, arrange surveys and any necessary mitigation measures

In England, there is legislation in place which provides statutory protection for certain species of animals and plants and all new building, refurbishment and maintenance projects need to comply with this legislation. Legally Protected Species include many that are widely distributed in Essex and likely to be located within school grounds or buildings such as, breeding birds, reptiles, badgers, great crested newts and bats.

Any work that could potentially impact on these species needs to be completed in accordance with the appropriate legislation and for ‘European’ Protected Species (Bats & Great Crested Newts) may require a licence from Natural England. Undertaking work without a valid licence can result in a fine of up to £5,000 or six months in prison per offence.
To ensure the legislation is adhered to ecological surveys should be undertaken prior to commencing development - or other activities that may affect Legally Protected Species - by a suitably qualified Ecologist.

For more details please contact the Council’s Ecology Team at Place Services (email ecology.placeservices@essex.gov.uk) who can provide further guidance and, where appropriate, arrange surveys and any necessary mitigation measures.

9 Public entertainment licences

If any part of the building is licensed for public entertainment, approval from the District Council’s Licensing Officer may be required before work starts on site.

10 Water services

If you are making any changes to water services you must notify the local water company. (The water company has the authority to inspect existing services and if defects are found that result in contamination or waste of water they will insist that repairs are carried out.)

11 Future maintenance

Consider the effect the project will have on the future maintenance of the building. The design of buildings or extensions should ensure that maintenance by staff and contractors is as straightforward and as economical as possible.

Note: Normally, servicing in the first year will be picked up by the contractor providing the installation but consideration should be given to implementing ongoing arrangements before the initial period terminates.

12 Completion Certificates

Alterations involving electrical and/or mechanical services will be tested on completion and schools should ensure that completion certificates are issued to the school by competent persons.

Schools must also consider any impact on energy performance as a result of any building projects and where necessary arrange for their Energy Performance Certificate to be updated.

Further guidance to help with the planning of your project – issues to consider:

Has a pre-contract meeting (also known as a pre-start site meeting) been arranged with the property consultant and the principal contractor before construction work starts? The meeting will decide issues such as:

• Appointing a member of staff to act as contractor liaison officer
• Contractors’ working hours
• Welfare facilities for construction workers (e.g. toilets)
• Separation of work areas from pupil/staff areas / safeguarding arrangements
• Position and security of contractor’s compound and storage area
• Access arrangements for contractor’s and suppliers’ vehicles
• Times when deliveries to site can be made
• The arrangements for visitors reporting to the site
• Times when fencing, scaffolding etc. will be erected and dismantled
• Provision of warning notices around the site
• Whether mobile scaffolds will be used and protection to be provided
• When hazardous work may not be undertaken (e.g. lifting operations, paint stripping)
• Hazardous or offensive substances to be used (e.g. asphalt)
• The arrangements and the procedure for fire evacuation

Further information can be found in the School Property Handbook, which is available online on Infolink –please go to the Infrastructure Delivery/School Property and Maintenance page to access.

(Revised Nov 2016)