

# Local Authority Building Standards Scotland (LABSS)

Written Response to the Scottish  
Parliament's Education and Skills  
Committee – Call for written  
evidence on school buildings across  
Scotland

May 2017

[www.labss.org](http://www.labss.org)

*"Representing 32 Local Authority Verifiers in Scotland"*

Administration Convener – William Clark [william.clark@moray.gov.uk](mailto:william.clark@moray.gov.uk)

**The Education and Skills Committee short inquiry on school buildings across Scotland in the context of [Professor Cole's report into school closures](#).**

**LABSS have the undernoted comments in respect of the questions being raised in the letter of 15 May 2017 from James Dornan MSP Convener.**

The questions effectively fall outwith the remit of the Building Standards system and the LABSS response tries to identify why this is the case under current legislation.

*1. Inspection and remedial work of the current estate since January 2016*

To what extent:

- has the school estate been inspected;
- have faults been identified; and
- has remedial work been undertaken and the impact of this?

These questions cannot be answered by Building Standards but LABSS acknowledge that each Local Authority has been approached and consequently the relevant Local Authority property estate sections who have responsibility for the maintenance programme of existing school buildings should be able to provide this information.

Building Standards have no remit over existing buildings unless directed by the Scottish Government. No such direction is in place for existing school buildings. Only if existing buildings present a dangerous condition are other powers then available under the Building Act to remove the danger.

*2. Quality Assurance Practices*

- How quality assurance is undertaken on current capital projects on the school estate;
- whether the quality assurance of school capital projects has been reassessed since 2016; and
- whether there are, or were, particular issues depending on the funding model and the lessons to be learned?

This question refers to the contract arrangements between the Local Authority responsible for procurement and the appointed developer.

The Building Standards has no remit to control quality assurance practices in the construction of a building.

*The purpose of the building standards system is to protect the public interest. It is not intended to provide protection to a client in a contract with a builder. The system, therefore, does not so much control building as set out the essential standards to be met when building work or a conversion takes place, and only to the extent necessary to meet the building regulations. The system is pre-emptive, designed to check that*

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*the proposed building work meets the standards. Inspections during construction and on completion are to protect the public interest in terms of compliance with the building regulations and to discourage avoidance of the legislation. The inspections do not provide a system to control work on site, that is a matter for the contracts and arrangements put in place between the client and builder <sup>(1)</sup>.*

(1) [Excerpts from the Scottish Building Standards Procedural Handbook 3rd Edition paragraphs 1.3.1 and 1.3.2](#)

Notwithstanding the above limitations of the building standards system in relation to the questions being asked, LABSS are very aware of the lessons to be learned from the Cole Report and have circulated the report widely within the LABSS Membership.

LABSS are actively engaging with industry partners to increase awareness and to address the issues arising from the report.