



SPECIAL CABINET - 23RD AUGUST 2013

SUBJECT: CWMCARN HIGH SCHOOL

**REPORT BY: INTERIM CHIEF EXECUTIVE
ACTING DEPUTY CHIEF EXECUTIVE/CORPORATE DIRECTOR -
EDUCATION AND LIFELONG LEARNING**

1. PURPOSE OF REPORT

- 1.1 To update Cabinet on the key issues pertaining to the works required for the re-opening of Cwmcarn High School.

2. LINKS TO STRATEGY

- 2.1 The Local Authority is required to discharge its duty of care to pupils and also ensure that arrangements are in place to meet pupil's educational needs.

3. BACKGROUND

- 3.1 As Cabinet will be aware from previous reports to Council, asbestos removal works and reinstatement works following removal are being carried out at Cwmcarn High School.
- 3.2 In 2011, the five yearly statutory electrical installation inspections were undertaken in all school buildings in the County Borough, including Cwmcarn High School. The Council funded these inspections, and across all schools, works were identified. These works were placed in priority order. Priority 1, 2, 3 and 4 faults were identified and works were recommended.
- 3.3 In April 2012, it was agreed that the Council would fund 75% of the work required to correct the priority 1, 2 and 3 faults in all schools in the County Borough and the schools would fund the remaining 25% of the works. Specifications were drafted and Building Consultancy issued the contracts.
- 3.4 A decision was taken in July 2012 that works in system build Schools, including Cwmcarn High School would not be completed until the asbestos situation was clearer and a workable methodology could be agreed.
- 3.5 Works to correct priority 1, 2 and 3 faults in electrical installations have been completed in all other Schools by summer 2013, but were not completed in Cwmcarn High School because it is a systems build school and the asbestos situation needed to be confirmed.
- 3.6 An asbestos survey was undertaken at Cwmcarn High School, this led to the difficult decision to close the School site, referred to in the reports of 23rd October 2012 and 17th April 2013.

- 3.7 On 17th June 2013, the School agreed that the Council could undertake the works on their behalf instead of through a grant arrangement.
- 3.8 Works commenced on the site on 24th June 2013 and a programme was put in place to ensure that the works were completed by 26th August 2013, so that the School could be re-equipped ready for re-occupation on 2nd September 2013 by pupils and staff. Initially works were progressing well at the site and in line with completion.

4. THE REPORT

- 4.1 Tragically, on 19th July 2013 there was a fatality of one of the workers on site. The site was a crime scene for a week from that date and both the Police and HSE began investigations into the incident.
- 4.2 The Corporate Health and Safety department still considered that the contractor could safely continue with the asbestos removal works and on 31st July 2013, the Interim Chief Executive took the decision that the contractor could continue with the works.
- 4.3 An inquest was opened and adjourned on 29th July 2013 and it was reported that the coroner indicated that the fatality might have been due to electrocution. The inquest is adjourned until 3rd October 2013.

4.4 Works at the Cwmcarn School Site

- 4.4.1 Prior to re-commencement of the asbestos removal works, the contractor engaged an electrical engineer to inspect the site and Western Power Distribution isolated the site. On 1st August 2013 the contractor confirmed that as a result they would need to use a separate electrical supply. Council officers met with the Chair of Governors and updated him about the above and notified him that there may be a potential delay.
- 4.4.2 In order to satisfy insurance requirements, an additional manned security system is required covering the period 7am to 7pm Monday to Friday and 24 hours at the weekend if workers are not on site. The cost of this is between £1500 and £2000 per week.
- 4.4.3 On 5th August 2013, it was confirmed that a separate supply could not be put to the site so the contractor determined that they would have to use generators to complete the works. The generators were installed on site on 14th August 2013. Asbestos removal works re-commenced on the site on 17th August 2013.
- 4.4.4 The Contractor has indicated that the asbestos work is now likely to be completed by 16th September 2013. The cost of the works is currently estimated at £711k and it is therefore still envisaged that it can be completed in accordance with the Council decision of 17th April 2013.
- 4.4.5 Any backlog of statutory maintenance works required would be the responsibility of the school as stated in the Report to Council 17th April 2013.
- 4.4.6 The Council engaged an electrical consultant to inspect the electrical installation at the site to confirm any essential works needed before the School site could be reoccupied. The electrical consultant started the survey on 6th August 2013 and the full report is awaited.
- 4.4.7 Initial indications are that there are works that will need to be addressed prior to the return of pupils to the school. These include completion of the works already identified in the 2011 electrical installation inspection to correct the priority 1 and 2 faults. Works to correct priority 1, 2 and 3 faults have been carried out in all schools in the County Borough following similar inspections. The total cost of these works is estimated to be £30k and is likely to take 3 to 4 weeks to complete.

- 4.4.8 In line with the April 2012 decision referred to at paragraph 3.3 relating to funding of works following the 2011 inspections in all schools, 75% of the cost of the works required to correct the priority 1, 2 and 3 faults would be funded by the Council from the education capital budget and 25% of the costs would be funded by the School.
- 4.4.9 In addition, the electrical consultant has identified an issue surrounding the cable that connects the school to the Western Power Distribution network. The works to replace the cable are necessary before the site is re-occupied. Early indications are that the work is likely to take up to 2 months to complete, that is, by late October at the earliest but could take longer if the investigation identifies any further issues. Hence it is difficult to quantify at this stage, a contingency of £70k has been set aside.

4.5 Re-occupation

- 4.5.1 The School buildings cannot be re-occupied until, at the earliest late October 2013, when all the works are completed.
- 4.5.2 Following the completion of all the works, there will need to be a further 2 weeks to re-equip the School before it can be re-occupied by the pupils and staff.
- 4.5.3 The Council has to consider alternative accommodation to educate the pupils until the School buildings can be re-occupied.
- 4.5.4 Due to the time needed to complete the works, re-equip the site and to avoid disruption to the pupils, it is recommended that the School buildings not be re-occupied until after the October half term on 4th November 2013.

5. OPTIONS APPRAISAL

- 5.1 It is important that in determining the way forward a range of options are available for consideration. Accordingly, officers have determined the following options for consideration.
- 5.1.1 **OPTION 1** – Continuation of the use of the Ebbw Vale site
- (a) The original lease of the Ebbw Vale site ended on 31st July 2013. It was extended until 31st August 2013 to allow for storage of equipment until the start of the new term.
 - (b) Recent discussions have now established that the site is available for a period of six months, commencing 1st September 2013. The original lease was free of charge. Following negotiations the fee for the next six months has been reduced to a cost of £98,000. This would provide a degree of flexibility in the event of other issues becoming apparent during the recommissioning of the site.
 - (c) In addition to the rental, transport would be required at an estimated cost of £50,000 per month based on previous costings. There would also be the associated premises costs that is, any additional costs for running the School at the Ebbw Vale site, this is estimated for the period until end October.
 - (d) The estimated costs of this option are likely to be met through the original funding of the £1,048m agreed on 17th April 2013.
 - (e) The Governing Body accepts that this is the only viable option to educate the pupils from the start of term in September.

Recommendation: This option is recommended.

5.1.2 **OPTION 2** – Provide temporary accommodation to return learners to the Cwmcarn High School site whilst the works are completed

- (a) In previous discussion with the Headteacher of Cwmcarn High School to prepare the original options appraisal in the report to Council on 17th April 2013, it was determined that this would require the provision of temporary accommodation which would need to include 25 classrooms; 7 offices; pupil and staff toilets; canteen facilities and gymnasium.
- (b) Recent quotes from Portakabin suggest their costs are likely to be high. In the original options appraisal, these were estimated to be £700k to £1.6m for a 52-week period. The temporary accommodation was to be sited on the car park. The previous option in April 2013 also assumed that the asbestos remediation would be completed to the technology classrooms so that they could also be used.
- (c) However, in this current option none of the school buildings would be available as there would be no power supply to them. Therefore the only way temporary accommodation can be made operational before the completion of the electrical works is to install another power supply.
- (d) The siting of the temporary accommodation would be effected by the ability to fit a power supply and there would be considerable additional preparation time required before the temporary accommodation could be used. Currently Western Power Distribution has isolated the site and they would have to be in agreement before it could be used even for temporary accommodation.
- (e) When the temporary accommodation is available, it would not provide science and technical classrooms and would not include a fully fitted kitchen. This would cause substantial disruption to technology lessons, which is of particular concern for learners with examinations in these subjects, as they may not have access to facilities until after 4th November 2013, this would mean a loss of 6 weeks of lessons.
- (f) This option retains all Cwmcarn High School pupils on the site. However the temporary accommodation cannot be not available by the start of the School term and is likely to not be available until the end of September at the earliest.
- (g) There is substantial concern that this option could considerably disrupt the learners' environment as they would not be able to access any onsite education until the end of September 2013 at the earliest and in technical subjects there would be a loss of 6 weeks access to facilities.
- (h) The Governing Body accept that the practical difficulties preclude this as a viable option.

Recommendation: This option should be discounted.

5.1.3 **OPTION 3** – Dispersal of Cwmcarn High School pupils to other School sites whilst the works are completed.

- (a) This option reflects the similar option in the options appraisal for the 17th April 2013 report to Council and would require additional accommodation at Risca Community Comprehensive (Years 7-9), utilisation of Pontllanfraith Comprehensive (Years 10 & 11) and Coleg Gwent (Years 12 & 13).
- (b) The current cost of this option cannot be confirmed until meetings are arranged with the respective Headteachers; the previous cost given for a 12-month period was £300k. However, it is evident that this option could not be achieved by the start of the school term. There would also be additional transport costs with this option.

- (c) This is not the preferred option of the Governing Body. There would be a significant discontinuity of teaching and learning which could lead to an increase of pressure upon the pupils, parents, staff and Governors of both Cwmcarn High School and the other Schools accommodating them, for example in having to deal with the logistics of organising and delivering a curriculum across three sites.

Recommendation: This option should be discounted.

- 5.2 The only option that will provide for education for all the learners from the start of the academic year with the full range of technical facilities is option 1.

6. CONCLUSIONS

- 6.1 In summary:-

OPTION 1 - Continuation at Ebbw Vale site

- Recommendation – Recommended and agreed by the Governing Body

OPTION 2 - Temporary Accommodation at the Cwmcarn Site

- Recommendation - Discounted

OPTION 3 - Dispersal

- Recommendation- Discounted

7. EQUALITIES IMPLICATIONS

- 7.1 The options appraisal process has given consideration to the equalities implications.

8. FINANCIAL IMPLICATIONS

- 8.1 At its meeting on 17th April 2013, the Council agreed to fund the £1.048 million works using £400k from previous underspend (of the £1.4 million agreed for emergency transport on 23rd October 2012) with the remaining £648k being met from the general fund.
- 8.2 The costs currently required to be funded from the Council allocation of £1.048m are the asbestos work £711k, additional costs of generators at approximately £20k, costs of electrical inspection report £5k and the additional security £24k, totalling £760k, leaving an amount potentially available of £288k. This amount will be used to fund further additional costs identified in 8.3 below of £223k.
- 8.3 The only option that does not require additional funding above the £1.048m is option 1 based on the Ebbw Vale site being required up to the autumn half term. Estimates currently indicate that there would be minimal contingency funds within this sum for any further delays or unforeseen works. If option 1 is approved additional costs arising are the lease of Ebbw Vale (£98k), transportation for 2 months (£100k) and additional premises costs for 2 months (£25k), totalling £223k.
- 8.4 The responsibility for funding the cost of the electrical work will need to be determined once more information is received. Early indications are that this could be approximately £100k (including contingency). This funding will not be taken from the £1.048 million agreed on 17th April 2013. The funding will be in line with the funding for all other schools for capital works and taken from existing budgets.

8.5 There are no additional costs for transportation of the School's equipment from Ebbw Vale back to the Cwmcarn site (approximately £26k) as it had not been moved prior to the delay and this figure will be met from within the original budget.

9. PERSONNEL IMPLICATIONS

9.1 There are no personnel implications for the Council currently relating to option 1. The Governing Body employs all staff, including the Headteacher at Cwmcarn High School, as it is a Foundation School.

10. CONSULTATIONS

10.1 Consultations have been ongoing with Cwmcarn High School Governing body and the leadership team and their views have been sought.

11. RECOMMENDATIONS

11.1 Members are recommended to support Option 1 (Continuation at the Ebbw Vale site) with additional funding being met as part of the £1.048m agreed by Council on 17th April 2013.

11.2 Members are recommended to note the co-operation and support of the Principal and staff of Coleg Gwent in ensuring that the Ebbw Vale site is available.

12. REASONS FOR RECOMMENDATIONS

12.1 To ensure arrangements are in place to support continuity in teaching and learning for all Cwmcarn High School pupils, with effect from the 2013/14 academic year.

13. URGENCY

13.1 This Report is Urgent on the basis that the Council is under a statutory duty to provide education for pupils and the new school term is due to start on 2nd September 2013.

13.2 In accordance with the Council's Constitution the Mayor has agreed that the decision proposed is reasonable and has agreed that the decision should be treated as exempt from Call In.

14. STATUTORY POWERS

14.1 School Standards and Framework Act 1998
Local Government Act 1972.

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Background Papers:

Report to Council: 23rd October 2012

Report to Council: 17th April 2013