



DIOCESE OF SHREWSBURY

GUIDANCE

ON

BUILDING WORK

IN DIOCESAN ACADEMIES

August 2022



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INTRODUCTION

This document is intended as a guide to explain the principles involved when carrying out capital building works on Diocesan Schools that have converted to academies and should be read in conjunction with the Memorandum of Understanding the Local Governing Body agreed with the Diocese on conversion to academy status. School representatives wishing to seek additional information should contact Richard Crawford, Director of Property on 0151-652-9855 or email richard.crawford@dioceseofshrewsbury.org

In Diocesan schools, the Trustees to the Diocese normally own the buildings and the footprint on which they stand. The premises are legally occupied by Multi Academy Trusts (MAT's) for the purposes of conducting a Catholic School in accordance with the Trust Deed of the Diocese. The legal relationship between the Trustees and Governors is similar to that of Landlord and Tenant.

As owners of the buildings the approval of the Trustees is needed before any work affecting that property is carried out. The Trustees manage their school buildings via the Director of Property and their appointed consultants, Atkins and AHR. This allows them to have a co-ordinated and cohesive view of building needs across the whole of the Diocese.

The use of the consultants affords Trustees and Governors with the protection of consultants with the appropriate professional indemnity insurance, expertise in complying with the various requirements of funding and also ensuring that building projects comply fully with all current legislation.

The Director of Property advises the Trustees to enable them to have direct input into the planning of projects and their delivery.

All building projects on Trustee owned buildings, require approval of the Trustees and need to be carried out under the supervision of the Trustee appointed consultants Atkins or AHR. Unless otherwise agreed with the Director of Property

Capital Work

Local Governing Bodies of Academies are liable for:

- The existing buildings (internal and external).
- Those buildings previously known as 'excepted' (kitchens, dining areas, medical/dental rooms, swimming pools, caretakers' dwelling houses).
- Perimeter walls and fences,
- Playgrounds.
- Furniture, fixtures and fittings (fixed and loose).
- Other capital items (which can include boiler replacements and replacement of services).

NOTE: No work costing less than £2000 can be considered as capital work

PROJECT PROCEDURES

The Director of Property in conjunction with the consultants AHR and Atkins are responsible for reporting to trustees, coordinating and supervising all building works in Trustee owned schools. If schools and governing bodies are considering a project, then they should make contact with their consultant or the Director of Property at their earliest opportunity. This applies to all projects regardless of the funding stream.

Once a school has decided to progress with a project and has an approval to proceed from the Governing Body (regardless of funding stream) then at both the Estimate (Form A. Appendix 1) and Tender Stages (Form B. Appendix 2), the Headteacher and Chair of Governors will be asked to confirm in writing that they are absolutely clear as to the costs and scope of the required work and the source of funding.

Once the Form B has been signed the Director of Property presents each project to the Diocesan Board of Finance and Administration for its approval. In considering the latter the Board needs to know the following:

- Tender Form B has been duly completed by the school. **The Board will not progress projects without this information.**
- That grant and funding is available.
- Availability of funding for cash flow and liabilities.

Once approved the Financial Secretary acting under her delegated powers issues an authorisation letter and a copy of the signed Form B to the school concerned confirming approval for the project to proceed. Should the project expand beyond the total agreed, then any additional liabilities will fall to the responsibility of the school.

Between completion of the project and the 'signing off' process the school by its respective consultant will be invited to register their comments in relation to the performance of the building contractor and consultant.

At anytime during a project the consultant is the first point of contact for concerns and, if unresolved, these should then be addressed to the Director of Property.

On a monthly basis the Director of Property meets with both consultants to review progress and overall performance of all projects being undertaken.

CONSULTANTS SCOPE OF SERVICE

Atkins and AHR provide the schools with a full support service in relation to their buildings and school sites in general by assigning a dedicated qualified surveyor to each school. The Core Services they provide are based on the following scope of service and dependant on individual project requirements:

- a. To undertake all duties in accordance with Diocese of Shrewsbury's financial procedures in relation to Form A, Form B and the provision of periodic financial and progress updates.
- b. To advise in relation to Construction (Design & Management) Regulations 2015.
- c. To act as Principle Designer (PD) for non-notifiable and notifiable projects comprising, co-ordination and communications relevant to the preparation of Construction Phase Plan and the Health and Safety File.
- d. Client brief taking and to act as the school's initial contact for all property related issues.
- e. Advise of any additional surveys or professional services required outside the scope of the Core Services.
- f. Visit site, undertake localised detailed survey, preparation of drawings and specifications sufficient to prepare tender documents.
- g. Advise and update on the programme throughout the project.
- h. Provide outline proposals and budget estimate to determine project viability.
- i. Liaison with Local Authority Building Control (or Approved Inspector) and Local Planning Department Officer, preparation and submission of applications for Building Regulations and Planning Approvals where appropriate.
- j. Seeking and subsequent analysis of competitive tenders, reporting to obtain approval to proceed.
- k. Obtaining other financial approvals relative to funding of the works.
- l. Upon receipt of approvals, preparing contract documents and issuing instructions to the appointed contractor.
- m. Confirm that contractor's insurance is in place and notify Diocesan insurers of proposed works.
- n. To act as Contract Administrator for the building works contract.
- o. Monitoring and reporting on the progress of the works, including periodic site inspections, chairing meetings, preparing valuations and agreeing final accounts.
- p. Agree the extent of test certificates and undertake witnessing as necessary. Ensure relevant test certificates are incorporated into the Building Manual and Health and Safety File
- q. Monitoring the successfully completed works for a twelve-month period, to instruct the contractor to remedy any defects that may arise.
- r. At commencement of any scheme to liaise in order to check and verify the precise extent of land under the ownership of the Trustees.

ASBESTOS

Asbestos is a generic term for several mineral silicates occurring naturally in fibrous form. Three main types used in construction in the UK were Chrysotile (white asbestos), Amosite (brown asbestos) and Crocidolite (blue asbestos).

Not all asbestos constitutes an immediate risk although the effects of possible future disturbances or deterioration must be considered. The use of asbestos in construction is now banned in the UK and the removal, treatment or intentional work with asbestos is strictly controlled and generally limited to specialists.

The enabling act for asbestos legislation is the Health and Safety at Work Act 1974 and failure to comply with its requirements is a criminal offence. In addition to this there are also various Approved Codes of Practice and guidance produced by the Health and Safety Executive (HSE) which can be obtained from their website.

From a school's point of view specific attention needs to be given to L127- The management of asbestos in non-domestic premises. This is Regulation 4 of the Control of Asbestos Regulations 2006.

Further guidance on complying with the regulations and managing asbestos in schools can be sourced at- www.hse.gov.uk/asbestos

The overview is that schools must have an asbestos management plan in place that is regularly updated and reviewed. This needs to be readily available for inspection at anytime by interested parties such as employees, building contractors, electricians, surveyors and engineers. One exception to the need for a management plan is if a survey by a qualified surveyor has shown that there are no asbestos containing materials present.

Note:-Prior to carrying out any refurbishment or demolition and for all work which disturbs the building fabric where the management survey has not been intrusive it is a requirement under the regulations that a "Refurbishment and Demolition Survey" be carried out.

CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS 2007

The Construction (Design and Management) Regulations 2015 (CDM 2015) came into force 6th April 2015 and supersede the CDM Regulations 2007.

The CDM Regulations are intended to focus attention on planning and management throughout construction projects, from design concept onwards. The aim is for health and safety considerations to be treated as an essential and but normal part of a project's development - not an afterthought or bolt-on extra.

Where a project lasts more than 30 working days with more than 20 workers working at the same time, or involving 500 person days of work the scheme must be notified to the HSE in the form as laid out in Schedule 1 to the Regulations. In these situations, Atkins or AHR will be appointed as Principal Designer to manage the process on behalf of the Academy.

Due to the nature of the projects we carry out few will be notifiable. However, the regulations require that all construction projects require a Construction Phase Plan and a Health and Safety File at completion. AHR and Atkins will manage this process for all Academy projects.

The enabling act for the CDM Regulations is the Health and Safety at Work Act 1974 and failure to comply with its requirements is a criminal offence. In addition to this there are also various Approved Codes of Practice and guidance produced by the Health and Safety Executive (HSE) which can be obtained from their website.

Further guidance on complying with the regulations can be sourced at-
www.hse.gov.uk/construction

APPENDICES

- 1 Form A AHR (Estimate Stage)
- 2 Form B AHR (Tender Stage)
- 3 Form A Atkins (Estimate Stage)
- 4 Form B Atkins (Tender Stage)
- 5 Contacts

Diocese of Shrewsbury

Form A

Governors' Approval In Principle - Approval to Proceed with Works (Academies)

Action: Academy to sign this form and return to: AHR Building Consultancy Ltd 3 The Parsonage Manchester M3 3HW

Project Number : _____ LA: _____

Academy : _____

Project : _____

	Funding (100%)		Non Added (100%)		Total
	EFA	Capital Funding	Academy Budget	Other Please specify under exceptions	
	£	£	£	£	£
(i) Estimated Cost					-
(ii) VAT					-
(iii) Professional Fees & Expenses					-
(iv) VAT					-
(v) Planning/Insurance					-
(vi) Building Regulations					-
(vii) VAT					-
(viii) Loose Furniture and Equipment including ICT					-
(ix) VAT					-
Project Cost					

Approved By AHR Building Consultancy Ltd

Date

THE GOVERNING BODY AGREES TO PROCEED TO TENDER AS OUTLINED IN THE ABOVE COSTINGS

Approved By Headteacher

Date

Approved By Chair of Governors

Date

SOURCE OF LIABILITIES (TICK)

Academy Funds

Other - please specify under exceptions

PROJECT CASH FLOW (TICK)

Academy

OR
(Exceptional cases only)

EXCEPTIONS

Diocese of Shrewsbury

Form B

Governors' Approval In Principle - Approval to Proceed with Works (Academies)

Action: Academy to sign this form and return to: AHR Building Consultancy Ltd 3 The Parsonage Manchester M3 3HW

Project Number: _____ LA: _____

Academy: _____

Project: _____

	Funding (100%)		Non Aided (100%)		Total
	EFA	Capital Funding	Academy Budget	Other Please specify under exceptions	
	£	£	£	£	£
(i) Estimated Cost					-
(ii) VAT					-
(iii) Professional Fees & Expenses					-
(iv) VAT					-
(v) Planning/Insurance					-
(vi) Building Regulations					-
(vii) VAT					-
(viii) Loose Furniture and Equipment including ICT					-
(ix) VAT					-
Project Cost	-	-	-	-	-

Approved By AHR Building Consultancy Ltd

Date

THE GOVERNING BODY AGREES TO WORK PROCEEDING AT THE COSTINGS IDENTIFIED AND THAT IT HOLDS SUFFICIENT MONIES FOR THIS PURPOSE

Approved By Headteacher

Date

Approved By Chair of Governors

Date

Approved By Diocesan Finance & Administration Board

Date

SOURCE OF LIABILITIES (TICK)

Academy Funds

Other - please specify under exceptions

PROJECT CASH FLOW (TICK)

Academy

OR
(Exceptional cases only)

Approved by Director of Schools

Date

EXCEPTIONS

Diocese of Shrewsbury

Form A

Governors' Approval In Principle - Approval to Proceed with Works (Academies)

Action: Academy to sign this form and return to: Atkins Limited, Chadwick House, Birchwood Park, Warrington WA3 6AE

Project Number : _____ LA: _____

Academy : _____

Project : _____

	Funding (100%)		Non Aided (100%)		Total
	EFA	Capital Funding	Academy Budget	Other Please specify under exceptions	
	£	£	£	£	£
(i) Estimated Cost					-
(ii) VAT					-
(iii) Professional Fees & Expenses					-
(iv) VAT					-
(v) Planning/Insurance					-
(vi) Building Regulations					-
(vii) VAT					-
(viii) Loose Furniture and Equipment including ICT					-
(ix) VAT					-
Project Cost	-	-	-	-	-

Approved By Atkins Limited

Date

EXCEPTIONS

THE GOVERNING BODY AGREES TO PROCEED TO TENDER AS OUTLINED IN THE ABOVE COSTINGS

Approved By Headteacher

Date

Approved By Chair of Governors

Date

SOURCE OF LIABILITIES (TICK)

Academy Funds

Other - please specify
under exceptions

PROJECT CASH FLOW (TICK)

Academy

OR
(Exceptional cases
only)

Diocese of Shrewsbury

Form B

Governors' Approval In Principle - Approval to Proceed with Works (Academies)

Action: Academy to sign this form and return to: Atkins Limited, Chadwick House, Birchwood Park, Warrington WA3 6AE

Project Number : _____ LA: _____

Academy : _____

Project : _____

	Funding (100%)		Non Aided (100%)		Total
	EFA	Capital Funding	Academy Budget	Other Please specify under exceptions	
	£	£	£	£	£
(i) Estimated Cost					-
(ii) VAT					-
(iii) Professional Fees & Expenses					-
(iv) VAT					-
(v) Planning/Insurance					-
(vi) Building Regulations					-
(vii) VAT					-
(viii) Loose Furniture and Equipment including ICT					-
(ix) VAT					-
Project Cost	-	-	-	-	-

Approved By Atkins Limited

Date

EXCEPTIONS

THE GOVERNING BODY AGREES TO WORK PROCEEDING AT THE COSTINGS IDENTIFIED AND THAT IT HOLDS SUFFICIENT MONIES FOR THIS PURPOSE

Approved By Headteacher

Date

Approved By Chair of Governors

Date

Approved By Diocesan Finance & Administration Board

Date

SOURCE OF LIABILITIES (TICK)

Academy Funds

Other - please specify under exceptions

Approved by Director of Schools

PROJECT CASH FLOW (TICK)

Academy

OR
(Exceptional cases only)

Date

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