

APPENDIX 6 – RESPONSIBILITIES DOCUMENT – MAINTAINED SCHOOLS

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1. Introduction

Walsall Council operates a Corporate Landlord model for the management of its land and property assets. Under the corporate landlord model, property assets are managed as corporate resources and decisions around the management of those resources are made in the context of the Council's priorities and objectives.

Due to the nature of schools funding, budgets for maintenance and statutory compliance are devolved to maintained schools. Accordingly, the responsibility for undertaking this work is also devolved to schools. The detailed implications of this departure from the Council's core Corporate Landlord model is set out in this document.

This document is produced to provide a clear understanding of the respective responsibilities of the Corporate Landlord Service and maintained schools when dealing with the Schools estate. This document has been subject to cross directorate consultation prior to its approval by Strategic Investment Board and Cabinet and has the full support of the Corporate Body.

This document applies to all maintained schools, whether the Council is the freeholder or leaseholder. For the purposes of the occupation of maintained schools, **Corporate Landlord Service (CLS)** will act in the role of 'Landlord', with the **Maintained School** as 'Tenant'.

Where a school property is held by the Council under a lease, all communications between the Council and the landlord of the property must be through CLS unless explicitly agreed to the contrary with the Head Teacher.

Vacant or vacated space within school sites will be managed by the school and education related uses will be identified for that space. The school will seek approval from CLS to proposed changes of use of buildings within the estate. No occupational agreements may be entered into with third parties without the express consent of CLS (see below).

For each school, there is a nominated individual from the school who is the primary contact with CLS and is the responsible person for ensuring that periodic statutory compliance processes are followed.

2. Corporate Landlord Service ('Landlord')

CLS holds the following responsibilities, subject to budgetary control and the implementation of the principles of good estate management:

2.1 Repairs

CLS is responsible for Life Cycle Replacement works which are defined as works undertaken to replace life expired components of the building fabric or fixed services to return the building to an acceptable state of operation.

2.2 School Expansions

CLS is responsible for the planning and delivery of school expansion schemes. CLS will work with the Children's Services Access Team and the School to deliver approved expansion schemes in accordance with the CLS Capital Delivery Handbook

2.3 School Suitability

In some cases works are required to a school in order to resolve physical suitability issues within the school complex, and those works are funded through the Capital Maintenance Programme. CLS is responsible for the planning and delivery of such suitability works in accordance with the CLS Capital Delivery Handbook.

2.4 Caretaker's Houses

Where the school caretaker is directly employed by CLS and resides in a school caretaker's house under the terms of a service tenancy, CLS will be responsible for the repair and maintenance of the property.

In this scenario, the rent paid by the caretaker is retained by CLS to fund the maintenance required.

3. The School ("Tenant")

The School has the following responsibilities and obligations:

3.1 Repair

Due to the devolution of maintenance budgets to schools, schools are responsible for all repairs with the exception of Life Cycle Replacement works. The repairing obligations can be broken down in the following non-exhaustive categories.

3.1.1 Routine Maintenance

Work undertaken on building systems in accordance with a predetermined schedule in order to achieve optimum performance for age. For the avoidance of doubt, such systems are detailed below:-

- i. Heating and Hot Water Systems
- ii. Ventilation and Air Conditioning Equipment (excluding IT server and Tenant installed systems)
- iii. Fire Alarm and Emergency Lighting Installations
- iv. Security Systems
- v. Lift Installations
- vi. External Drainage Systems
- vii. Maintenance of external envelope of building, to include roof, external works, doors, windows, rainwater goods.

3.1.2 Planned Maintenance

Work periodically undertaken on the building fabric to prevent failure of a component within its design life.

3.1.3 Internal Repair / Maintenance

The School is responsible for the following:

- i. Carpets
- ii. Decoration
- iii. Furniture
- iv. IT Equipment etc.
- v. Storage shelving
- vi. Fixtures and fittings

3.2 Statutory Compliance

Work undertaken in accordance with the Council's Health and Safety policy to ensure that the property is fully compliant with all statutory requirements. The School is responsible for undertaking the following, maintaining the required documentation and providing copy documentation to CLS to demonstrate compliance.

- i. Asbestos Management
- ii. Legionella Management
- iii. Fire Procedures & management, to include Fire Testing, Emergency Lighting and inspection of firefighting equipment
- iv. Inspection and testing of fixed electrical installations
- v. Glazing risk assessments
- vi. DDA – Accessibility Plan
- vii. PAT Testing
- viii. Complying with good practice as per the Energy Policy in terms of Energy Efficiency – see [[link to Energy Policy](#)].

3.3 Facilities Management

Work undertaken to ensure acceptable standards are maintained within the building for pupils, staff and visitors. For the avoidance of doubt, such works are detailed below:-

- i. Cleaning including waste management
- ii. Internal redecoration and renewal of floor finishes
- iii. Window cleaning
- iv. Maintenance of chilled water dispensing equipment
- v. Security / Caretaking

3.4 Outgoings

The School is responsible for the payment of property related outgoings from devolved budgets for the following (where applicable):

- i. Rent
- ii. Service Charge
- iii. Business Rates
- iv. Utility costs

3.5 Grounds Maintenance

Ground Maintenance, to include soft and hard landscaping, inclusive of car parking and boundaries serving the School.

3.6 Alterations

The School must not make any structural or non-structural alterations to the property, without prior written approval of CLS.

3.7 Planning Applications

The School must not submit any planning application relating to the property without prior written approval of CLS.

3.8 Sharing of Space

The School may not share occupation of any part of the property with any other party without the approval of CLS. If a requirement for sharing accommodation with a third party arises, then CLS will engage directly with the third party to ensure that the occupation is appropriately documented.

3.9 Good Practice

The School is required to not act in any way which could impact on the Council's insurance policies or the use of the building by other occupiers.

4. Capital Funding

The stock condition survey data allows appropriate annual budgets for routine and planned maintenance to be considered and set on a forward planning basis.

The prioritisation of Corporate Landlord Service funded lifecycle replacement and suitability works will take account of the ongoing condition of the estate in the context of available budgets, value for money and good estate management practice.

5. Contacts

Shaun Darcy – Corporate Director, Finance, Corporate Landlord and Corporate Assurance
Ext: XXXX
Shaun.Darcy@walsall.gov.uk

Derwyn Owen, Head of Corporate Landlord Services Ext XXXX
Derwyn.Owen@walsall.gov.uk

Nick Ford – Property Manager Ext: XXXX
Nick.Ford@walsall.gov.uk

Tracy Jones – SoftFM Manager Ext: XXXX
Tracy.Jones@walsall.gov.uk

HelpDesk – Ext:4286 CLS@walsall.gov.uk