

Report for: Cabinet

Date of Meeting:	21 October 2021
Subject:	Maintained Schools Fire Door Upgrade Programme
Key Decision:	Yes
Responsible Officer:	Dipti Patel - Corporate Director, Community
Portfolio Holder:	Councillor Varsha Parmar - Portfolio Holder for Environment and Climate Change; Councillor Christine Robson - Portfolio Holder Education and Social Services for Children, Young People
Exempt:	No
Decision subject to Call-in:	Yes
Wards affected:	Hatch End, Headstone North, Kenton East, Pinner, Pinner South, Rayners Lane, Roxbourne
Enclosures:	None

Section 1 – Summary and Recommendations

This report seeks Cabinet approval to embark on the procurement exercise to appoint a contractor(s) to undertake a programme of replacing fire doors across a number of schools for which the authority has maintenance responsibility

Recommendations:

Cabinet is requested to:

1. grant approval to commence the procurement process to appoint a contractor(s) for the installation of new fire doors across the Councils maintained schools at an anticipated value of £915,000.00
2. delegate authority to the Corporate Director Community, following consultation with the Portfolio Holder for Environment and Climate Change, Portfolio Holder for Education and Social Services for Children and Young People and the Portfolio Holder for Finance and Resources together with the Director of Finance, to finalise the procurement and award of the contract(s).

Reason: (For recommendations)

To provide an efficient and compliant procurement route to award a contract(s) for the upgrade of fire doors in schools detailed below and maintained by the Council, in order to ensure the Council fulfils its statutory and regulatory responsibilities for maintaining its buildings.

Section 2 – Report

- 2.1 The Authority has a duty to ensure the schools for which it has maintenance responsibility are appropriately maintained and that its statutory and regulatory obligations are met.
- 2.2 The Communities Directorate is responsible for the delivery of planned capital maintenance across the Authority's maintained schools.
- 2.3 The school's capital maintenance programme is funded by the Department of Education, who allocate funds each year for the maintenance and improvements of Local Authority maintained schools within the Borough. The funding allocation for 2021/22 is £2,800,444
- 2.4 The condition and performance of fire doors across the school estate has been identified as inadequate by both stock condition reports and fire risk assessments, noting the need for the replacement of the existing stock.
- 2.5 It is intended that a joint procurement is undertaken with the Housing Division who are seeking to procure similar services.

3. Options considered

- 3.1 The options considered were:
- (a) Do nothing
 - (b) Undertake a competitive tender to appoint a contractor(s) to undertake a programme of works to replace the existing stock
 - (c) Use an approved framework to procure the doors and invite competitive tenders for the installation.
- 3.2 Option (a) is not an option that can be considered, as the works are essential fire safety works that have been identified in stock condition surveys and fire risk assessments
Option (b), could lead to delays and the market currently could be subject to varying price fluctuations

The recommended option is to progress with Option (c) and undertake a procurement exercise via an established fire safety framework, as this will provide a quick and compliant route to market, that will invite competitive prices from appropriate providers.

4. Current Situation

- 4.1 Many of the existing fire doors across a number of our schools are original to the building or installations that have been in place for a significant number of years, which would have complied with the fire regulations and standards at the time of construction
- 4.2 The current condition of these doors, along with any alterations and change of components that have taken place over time, would suggest that they now no longer meet current standards or provide the protection for which they are intended.
- 4.3 The installation of new fire rated doors would offer a minimum of 30-minute protection from smoke and fire and provide sufficient compartmentation of the building and ensure escape routes are protected.
- 4.4 As a result, it is proposed to upgrade the fire doors at Canon Lane Primary, Newton Farm, Pinner Wood, Shaftesbury High, Pinner Park, Roxbourne and Grimsdyke schools.

5. Risk Management Implications

The risk of not replacing the doors is mitigated by the approval of this report and decision.

Risks included on corporate or directorate risk register? **No**

Separate risk register in place? **No**

The following key risks should be considered when agreeing the recommendations in this report:

Risk Description	Mitigations	RAG Status
Contractors unable to fulfil the requirements of the contract e.g. poor performance, leading to the need to terminate the contract.	Framework contractors are pre- selected on their experience and demonstrable experience in delivering schemes of this magnitude	Low
Does not achieve competitiveness and value for Money.	A competitive tender through the proposed procurement framework will ensure competitive process are submitted	Low
The potential risk of Asbestos in vicinity of work areas.	An Asbestos register will be provided to the contractor for identification of any asbestos containing materials within the vicinity of any works, so that appropriate mitigation measures can be put in place by the contractor.	Low

6. Procurement Implications

- 6.1 It is proposed to undertake the procurement via a compliant framework
- 6.2 Any procurement arising from this report will be advised on and supported by the procurement team and will be conducted in line with the Terms and Conditions of the LHC framework, which provides a fully compliant route to market.

Legal Implications

- 7.1 There are a number of statutory, regulatory and guidance standards that set out the Authority's responsibilities in ensuring schools are maintained in a safe and appropriate condition, including, but not limited to:

Regulatory Reform (Fire Safety) Order 2005

Article 17 of the Regulatory Reform (Fire Safety) Order 2005 makes it a legal requirement to ensure that fire resisting doors and escape doors are correctly installed and adequately maintained in order for them to be fit for purpose.

Building Regulations

Building Regulations Approved Document B, Volume 2: Buildings Other than Dwellings addresses fire safety precautions which must be

adhered to, to ensure the safety of occupants, firefighters and those close to the building in the event of a fire. The document covers all standards related to this, including measures to restrict the internal spread of a fire due to the structure or lining used within a building and safety measures related to this means of escape.

The regulations state that all fire doorsets should have a performance based on fire resistance as classified in accordance with BS476: Part 22 1987 or BS EN 1634-1 2000.

Department of Education, Building Bulletin 100 (revised): Fire Safety Design for Schools

Building Bulletin 100 is non-statutory guidance on fire safety for schools, covering the design of school buildings, advising how to minimise the spread of fire and to ensure the building structure is adequately resistant to fire, so that pupils and staff will have early warning if a fire breaks out and can evacuate quickly and safely. The guidance notes all fire doors should have the appropriate classification in accordance with BS EN 13501-2 or BS 476-22,

- 7.2 In accordance with the Council's Contract Procedural Rules, for procurements over £500,000, approval to procure is being sought by completing a Cabinet report prior to the commencement of the tender activity. In addition, consultation with the Portfolio Holder will be sought throughout the commissioning, planning and procurement phase of the project.

8. Financial Implications

- 8.1 The DfE has made an allocation of £2,800,444 for 2021/22 through the School Condition Allowance Grant. The grant extends to maintained schools only and does not include Voluntary Aided schools or academies, who receive their own allocations
- 8.2 The anticipated spend for the fire door replacement programme is £915,000 and will be met from the sub allocation for the fire door replacement within the grant funding

9. Equalities implications / Public Sector Equality Duty

- 9.1 The Council has had due regard to its Equalities Duties. in particular with respect to its duties arising pursuant to the Equality Act 2010. There is no evidence to indicate that equalities duties are engaged by this proposal and there will be no adverse impacts in respect of protected characteristics. As such, the Council considers that there is no need for an Equalities Impact Assessment to be carried out and that in approving this proposal the Council will be acting in compliance with its equalities duties.

Council Priorities

- 1. Tackling poverty and inequality**
Maintaining existing school premises ensures they are fit for purpose and enables brighter futures for the Borough's children and young people.
- 2. Building homes and infrastructure**
Supports investment in improving the infrastructure across the school's estate.

Section 3 - Statutory Officer Clearance

Statutory Officer: Dawn Calvert
Signed by the Chief Financial Officer
Date: 13/09/21

Statutory Officer: Sarah Inverary
Signed on behalf of the Monitoring Officer
Date: 13/09/21

Chief Officer: Michael Butler
Signed on behalf of the Corporate Director
Date: 13/09/21

Head of Procurement: Nimesh Mehta
Signed by the Head of Procurement
Date: 13/09/21

Head of Internal Audit: Susan Dixson
Signed by the Head of Internal Audit
Date: 13/09/21

Mandatory Checks

Ward Councillors notified: Yes

EqIA carried out: NO

EqIA cleared by: N/A

Section 4 - Contact Details and Background Papers

Contact: Michael Rourke, Interim Head of Facilities and Estates Management, tel. 07794470149, Michael.rourke@harrow.gov.uk

Background Papers: None

Call-in waived by the Chair of Overview and Scrutiny Committee

NO