

## 9. PROPERTY MANAGEMENT

### *Structural Repairs and Maintenance*

9.1 The Board of Governors of each school is expected to ensure that the school fulfils its obligations for promoting safe and healthy premises and for keeping the premises in a good state of repair. They will be supported in this regard by the Education and Library Board.

9.2 Under the LMS arrangements controlled and maintained schools will meet the costs of maintenance known as “tenant maintenance” from their delegated budgets with the Education and Library Board meeting the costs of the other element “landlord maintenance” from resources held centrally. The categorisation of various items is set out in the Common Funding Scheme. Principals and Boards of Governors must comply with procedures operated/issued by the Board in respect of public liability insurance, and health & safety legislation when using LMS funds to pay for work around the school. These should advise against the use of inappropriate paint, materials, glass etc. on school premises which will incur a greater cost if remedial work is required to repair this damage. The issue of additional costs, incurred being charged to the school budget should also be considered.

9.3 ELB responsibilities are described by overall headings for each item, with school responsibilities described in more detail. In instances where any of the items are deemed to be capital expenditure the normal funding arrangements apply, with ELB’s being responsible for building capital and capital equipment in controlled schools and capital equipment provision in maintained schools, and the Department being responsible for grant-aiding approved expenditure on building capital in maintained schools.

### *Health and Safety*

9.4 In controlled and Catholic maintained schools the Education and Library Board and, where relevant, the CCMS retain the primary responsibility as the employer under Articles 4 and 5 of the Health and Safety at Work (Northern Ireland) Order 1978, and continue to have power to issue directions on health and safety provision. Pupils and students attending schools and members of the public visiting them are persons for whom the employer has a similar statutory responsibility to that for employees.

9.5 Under the terms of various legislation:

- the Education and Library board remains the employing authority in its area for teaching and non-teaching staff in controlled schools, and non-teaching staff in maintained schools;
- the Board of Governors of each maintained school which is not a Catholic maintained school remains the employing authority for teaching staff in its school; and
- the Council for Catholic Maintained Schools is the employing authority for teaching staff in Catholic maintained schools.

9.6 The categories of health and safety provision which Boards of Governors will be required to meet from their delegated budgets are:

- (a) purchase and maintenance of equipment (including some fire fighting equipment);

- (b) non structural repairs; and
- (c) all cleaning.

9.7 Where a Board of Governors fails to comply with the Education and Library Board's policy, the ELB may itself arrange for the work to be carried out and charge the school accordingly.

9.8 Boards of Governors will, as now, have a statutory duty to ensure health and safety on premises under their control, and this will include, in practice, compliance with the directions of the ELB or any other body/person responsible for the school premises. (Article 6(2) of the Health & Safety at Work (Northern Ireland) Order 1978). Individual staff will be liable for any breaches of the board's duty caused by them. (Article 34(1) of the Order)

### ***Monitoring and Evaluation***

10.1 While authority for day-to-day spending decisions is delegated to schools, the Education and Library Boards retain responsibility for overall financial management, and for ensuring that adequate budgetary control and accounting arrangements are in place and are operating properly. It is, therefore, essential for ELB's to establish effective arrangements for monitoring schools' budget management during the year and means of evaluating how the LMS procedures as a whole are operating.

10.2 The Department will expect these arrangements to include:-

- a. compliance by schools with the requirements and conditions of the scheme;
- b. the effectiveness of financial monitoring arrangements at school and ELB level;
- c. the extent and nature of schools' use of the facility to carry over unspent funds to the next financial year;
- d. the extent and nature of overspending (if any) by schools;
- e. the linkages between budgeting and the school development plan (including forecasting of enrolments, the use of resources, etc)
- f. the effectiveness of management information systems at school and ELB level; and
- g. the nature and quality of budget management at school level.

10.3 These arrangements will continue to help ELB's to identify and tackle problems before they become serious, and will serve to inform ELB decisions on the provision of advice, support and training to schools. The Department will continue to draw on the information available in order to monitor and evaluate the operation of the Common Funding Scheme.