

CHIEF EXECUTIVE'S OFFICE

Mr Daniel McCrossan
Chairperson
Public Accounts Committee
Northern Ireland Assembly
Parliament Buildings
Ballymiscaw
Belfast
BT4 3XX

23rd July 2025

Sent by email: committee.publicaccounts@niassembly.gov.uk

Dear Mr McCrossan

Re. Committee Request – School Maintenance

I refer to your recent correspondence dated 1st July 2025 in relation to the Public Accounts Committee ongoing inquiry into the findings of the Northern Ireland Audit Office report *Managing the Schools Estate* (2024).

Please find below HSENI's response to the questions you pose on the following key areas.

1. Condition and Maintenance Concerns

Has HSENI raised any formal concerns with the Department of Education or the Education Authority about the condition of school buildings in recent years?

HSENI's enforcement role relates primarily to the statutory responsibilities of the employer. As such, HSENI does not routinely engage with the Department of Education as they are not considered to be the employer of teaching or other staff employed within Northern Ireland schools. In 2023, a meeting was held with Department of Education officials about statutory health and safety inspections across the school estate. The Department of Education was informed that HSENI had concerns regarding backlogs in meeting these statutory responsibilities with a potential impact on the delivery of education. There has been no recent engagement with the Department of Education on these matters.

HSENI inspectors meet routinely with officials from the Education Authority (EA). The purpose of these meetings is to review ongoing progress in respect of

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inspection and maintenance related to statutory health and safety requirements that must be met on a cyclical basis.

Routinely, including during 2024/25, HSENI has highlighted the importance of ensuring that inspections and maintenance related to statutory health and safety requirements are met. Where appropriate, certain tasks / work may be prioritised if resources are not readily available.

As required, HSENI inspectors will also respond to complaints and notifiable incidents that may require further investigation and enforcement action. This may or may not relate to maintenance concerns.

Does HSENI consider the current schools' estate to be a safe environment for pupils and staff?

Where unsafe conditions are identified, HSENI will take appropriate and proportionate enforcement action.

HSENI inspectors are of the opinion that there remain challenges in terms of ensuring appropriate health and safety controls are in place and are maintained in a timely fashion to ensure employee and pupil safety across the school estate. These range from everyday maintenance issues to regular ongoing management of significant hazards such as asbestos and the control of Legionella bacteria in hot and cold water systems. Discussions with EA officials suggest the ongoing challenges are largely attributable to insufficient human and financial resources.

Current areas of concern relate to key risks associated with a backlog of remedial work following statutory inspections of school facilities. Violence to teachers and teaching assistants is also a significant issue, although this is largely unrelated to the school estate.

Multiple references are made throughout the NIAO report as to the value of condition surveys and the recent commencement of a five-year rolling programme. One example of where condition surveys may be appropriate would be the assessment of risk associated with glazing across the estate and whether it offers protection from inadvertent or deliberate breakage. This is an ongoing matter and follows serious injuries to a pupil in a special educational needs setting who was injured from impact with non-protected glazing.

2. Compliance and Enforcement

Is HSENI satisfied that the current arrangements in place across the schools' estate meet statutory health and safety requirements?

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EA routinely updates HSENI in relation to any delays in meeting health and safety requirements such as statutory annual inspections. Where this has occurred, several options have been explored including isolation of affected plant / equipment until statutory inspections and any remedial work can be completed. Where delays are limited to relatively short periods of time, HSENI has sought reassurance that outstanding actions are prioritised using a risk assessment approach.

Ongoing challenges have continued over recent years, surrounding programmed and reactive maintenance which impacts on health and safety. In the context of the existing school estate and where a serious risk has been identified to individuals, reactive maintenance is vital to ensure the health and safety of employees and pupils. In some cases, not completing reactive maintenance may not necessarily constitute a health and safety risk but may impact the delivery of education e.g. an unused classroom in serious disrepair. HSENI have been informed that in some occasions lifts, science or home economics equipment was temporarily removed from service to ensure a safe environment for pupils and staff.

HSENI has no enforcement role in respect of future capital projects aimed at replacing an ageing estate. Rather, HSENI's role will focus on the health and safety of employees and pupils within the existing estate.

Where serious incidents occur, regardless of whether they relate to the school estate, inspectors will investigate the circumstances and in line with HSENI's enforcement policy, take appropriate enforcement action.

3. Role and Responsibilities

Does HSENI's have any formal role in relation to the schools' estate, and how does it coordinate with the Department of Education and the Education Authority?

HSENI's role is limited to being the health and safety regulator for schools and will engage with employers in the education sector who have statutory responsibilities to comply with health and safety legislation. As stated previously, this engagement is most commonly with the Education Authority.

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As appropriate, HSENI will engage with the Department of Education as a stakeholder. HSENI has not received any recent requests from the department for a meeting in respect of 'school maintenance'.

Does HSENI have a view on whether the current reactive approach to maintenance poses increased safety risks in the school environment?

There is evidence that EA engages in a programmed and reactive inspection and maintenance regime related to statutory health and safety requirements across the school estate. HSENI inspectors are of the opinion that there remain challenges in terms of ensuring appropriate safety measures remain in place and are maintained in a timely fashion to ensure employee and pupil safety. Any form of facilities management will always necessitate a level of reactive maintenance which is vital to ensure the continued health and safety of employees and others. As noted above, mitigations can be put in place while waiting for reactive maintenance although this may impact the delivery of education. HSENI's role will focus on the health and safety of employees and pupils within the existing estate.

HSENI notes that an ageing estate may represent an increased risk of age-related defects requiring reactive maintenance.

Planned or preventative maintenance offers numerous benefits including reduced costs, extended asset life and improved safety and remains an important part of any facilities management programme.

4. Risk Management and Future Planning

Has HSENI been consulted in the development of any schools' estate policies, including condition surveys, planned maintenance, or capital investment programmes?

HSENI has not been consulted in the development of any schools' estate policies, including condition surveys, planned maintenance, or capital investment programmes. Such matters remain the responsibility of the Education Authority or relevant employer. HSENI inspectors are routinely updated in respect of the progress of maintenance programmes in the context of meeting their statutory requirements.

As necessary, HSENI will continue to assess employers, including the EA, against their policies or procedures where adherence to such systems is necessary to ensure the health and safety of employees and other persons.

Are there any additional steps HSENI recommends the Department of Education or Education Authority take to ensure a safe learning environment in light of the NIAO findings?

Whilst continued maintenance of the existing estate is likely to pose ongoing challenges, HSENI has no remit in relation to the provision of capital investment or the Department's estate management strategy to provide improved assets within the Northern Ireland education sector.

HSENI will continue to engage with the EA and relevant stakeholders in respect of ensuring health and safety within the existing school estate.

Despite the challenges of an ageing estate, it is important to ensure that funding is available to maintain existing facilities where they remain in use. The absence of such maintenance will present unnecessary risk to employees and pupils.

Yours sincerely



Robert Kidd
Chief Executive