

# Chapter 3

## Department of Education

### Facilities Maintenance

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# Department of Education Facilities Maintenance

## Background

**3.1** There are currently fourteen school districts in the Province of New Brunswick - five French and nine English. As of September 2004, there were a total of 336 schools housing 124,688 students and educators. The replacement cost of these buildings is estimated to be \$2.3 billion.

**3.2** The Department of Education is the primary government department responsible for maintaining school facilities. Other government departments provide supportive services. For example the Department of Supply and Services provides roof inspections and determines service providers for capital construction. The Department of Public Safety, through the Office of the Fire Marshal, examines fire safety via a yearly building inspection.

**3.3** Because government wanted to increase the level of local decision making, District Education Councils (DECs) were introduced in the year 2001. DEC members are responsible for establishing the direction and priorities for the school districts and making decisions as to how the districts and schools are operated.

**3.4** DECs have authority over:

- hiring, firing and directing the superintendent who will, in turn, hire all school district staff on behalf of the DEC;
- managing and controlling school property;
- making policy;
- operating schools;
- initiating school establishment and closures; and
- identifying priorities respecting capital construction projects.

**3.5** Our Office has a continued interest in both the health and safety of New Brunswickers and the protection of government-owned assets. In keeping with this, we completed an audit in the area of maintenance of school facilities. Our review included both school buildings and the surrounding grounds.

## Scope

**3.6** Our audit objective was:

*To determine if the Minister of Education has adequate systems and practices in place to ensure that school facilities are appropriately maintained.*

**3.7** Our audit objective refers to the Minister of Education. However the *Education Act* clearly defines the Minister as including persons designated by the Minister to act on his or her behalf. We addressed our recommendations to the Department, with the understanding the Department carries out the day to day operations on behalf of the Minister.

**3.8** Ensuring school is a safe place to spend the day involves a number of issues. While we examined overall systems and practices in place to maintain school facilities, we also reviewed inspection practices for water quality, fire code compliance, playground safety, and roof maintenance. We interviewed district staff and DEC chairpersons in five randomly selected districts and substantially completed our audit in February 2005.

**3.9** Our audit was performed in accordance with standards for assurance engagements, encompassing value for money and compliance, established by the Canadian Institute of Chartered Accountants, and accordingly included such tests and other procedures as we considered necessary in the circumstances.

## Conclusion and results in brief

**3.10** The 2002 government document entitled “A Quality Learning Agenda” states the Province will take specific actions to “monitor our schools to ensure we have healthy school buildings, safe playgrounds and adequate safety and crisis response planning”. The focus of our work was to examine the systems in place to support government’s commitment.

**3.11** Based our audit findings, we have concluded the Minister does not have adequate systems and practices in place to ensure that school facilities are appropriately maintained. We have noted a number of areas for improvement, and trust that because the safety of building occupants is of utmost concern, the Department will take action on the recommendations that have been generated.

**3.12** Legislation clearly assigns the responsibility for the overall health and safety of students to the Minister of Education. As a result, the ultimate responsibility for the condition of school facilities also rests with the Minister. Our audit revealed some

cases where adequate standards have not been formalized by the Department. In other instances, such as with playgrounds, standards have been formalized in policy but not adhered too. We noted a lack of monitoring on behalf of the Department to ensure building and school ground standards are met. The Department needs to improve its monitoring practices to fulfill its responsibilities stated in legislation.

**3.13** Furthermore, decision makers and the public have not been provided with adequate information on how well government is doing at achieving its goals relating to building maintenance. Information is lacking regarding the amounts of deferred maintenance and the risks associated with it.

**3.14** In 2001 government introduced District Education Councils with the intention of increasing local autonomy. In keeping with this, legislation assigned the DEC's responsibility to operate and maintain schools. Further, departmental policy outlines specific responsibilities for DEC members. Despite the fact that DEC's have been in place for a number of years, the Department has not taken adequate steps to ensure DEC's are maintaining schools in a safe, effective manner.

**3.15** We have noted some significant issues with the current legislated delegation of such responsibilities to the DEC's.

**3.16** Firstly, how can DEC's be truly held responsible for the operation and maintenance of schools when they have no control over their funding? While funding for both capital repairs and new construction has increased in recent years, government has not provided adequate funding to address identified repairs. As of 2004, there were over \$182 million worth of identified necessary capital repairs, of which \$51.1 million are defined by the Department as having "major risks to the health and safety of the building occupants". However, in that same year, with funding of only \$46 million, over 62% of the funding went towards the construction of new facilities.

**3.17** Secondly, while legislation has clearly assigned DEC's the responsibility to operate and maintain schools, the Department has neglected to adequately inform DEC members on how to do this. DEC chairpersons we interviewed showed no knowledge of building inspection requirements, fire safety issues, minor repair budget shortages or overall building condition. The Department

**needs to clearly define building standards, and provide verification to the DEC's that these standards were satisfactorily met.**

## **Roles and responsibilities**

**3.18** Our first criterion was:

*Relative roles and responsibilities of the Minister and District Education Councils regarding the maintenance of school facilities should be clearly defined, documented and communicated.*

**3.19** A critical first step in ensuring the appropriate maintenance of school facilities is to define, document and communicate roles and responsibilities to the appropriate parties. Such clarification not only sets expectations, but also serves as an important link to accountability.

## **Ministerial responsibilities are defined, documented and communicated**

**3.20** With respect to school property, responsibilities of the Minister are clearly defined in the *Education Act*. The Act states:

*(45) (1) All school property is vested in the Minister.*

and

*(45) (4) (b) The Minister shall determine the physical plant standards for a safe healthy school facility.*

**3.21** The Minister owns all school facilities and thus has the ultimate responsibility to protect these assets. And legislation makes the Minister responsible for the safety of students. We noted that departmental officials indicated clear understanding and agreement with these ministerial roles.

## **DEC responsibilities are clearly defined and documented**

**3.22** With respect to school property, responsibilities of the DEC's are clearly defined and documented. Such responsibilities are detailed in the *Education Act*. They are also shown on the departmental website and within various government documents.

**3.23** Section 3(2) of the Act describes the transfer of responsibility for operation of schools from the Minister to the DEC's.

*The responsibility for the operation of schools in existence on July 1, 2001, within each school district is transferred effective July 1, 2001, from the Minister to the District Education Council that is established for the school district in which the schools are located.*

**3.24** Further, section 45(2) of the *Education Act* specifies that DEC's shall at all times have management, care and control of all school property.

**3.25** The Department of Education website describes the DEC's as the primary decision makers as to how schools are operated. This is a clear indication of the responsibility of the DEC's regarding the maintenance and operation of school facilities.

**3.26** Various departmental policies also describe the DEC's' responsibilities. For example, Policy 406 entitled "Outdoor School Play Areas" - clearly defines the roles and responsibilities of the DEC's. The policy states:

*6.1 District Education Councils shall ensure that play area conditions on school property conform, at minimum, with CSA standard CAN/CSA-Z 614-98 entitled Children's Play spaces and Equipment, and any subsequent update to this standard.*

*6.2 District Education Councils will ensure compliance of existing equipment with the CSA standards by August 31, 2005.*

**DEC responsibilities have not been well communicated**

**3.27** The Department provides orientation and training material to new DEC members. Generally, new DEC members attend a two-day orientation session which covers a host of topics related to their expansive role.

**3.28** We were pleased to note orientation material provides excerpts from the *Education Act* with respect to facilities. Of significant importance to our audit was the inclusion of section 45(2) which specifies that DEC's "shall at all times have management, care and control of all school property". However, the orientation material provided lacked specific information on DEC responsibilities stated in departmental policies. None of the DEC chairpersons we interviewed had a clear understanding of section 45(2) of the *Education Act*.

**3.29** One chairperson believed DEC's should be playing an important role in maintaining schools, but was unsure of the level of responsibilities assigned to them. Other chairpersons felt facility maintenance was beyond their scope and capabilities.

**3.30** As well, chairpersons we interviewed were unaware of the DEC's responsibilities as stated in Policy 406 relating to play spaces.

They did not know the standards for the acquisition, installation, inspection, and maintenance of play areas. They were also unaware of the policy requirement for DEC members to ensure compliance of existing equipment with the CSA standards by August 31, 2005.

### **Recommendation**

**3.31 We recommended the Department of Education take action to ensure DEC members clearly understand the responsibilities for facilities maintenance assigned to them under legislation and policy.**

### **Departmental response**

*3.32 Section 3.1 of the Education Act outlines the relationship between the Superintendent and the District Education Council (DEC). DECs delegate to superintendents the operation of the school district. Superintendents are accountable to the DEC for the overall management of the school districts. DECs have a legislated responsibility to oversee the superintendent's compliance with legislation and therefore should be aware of policies, all of which are on the DOE website. The Department will review the content of the orientation manual and determine if additional information is required on facilities management responsibilities for DEC members.*

### **Conclusion**

**3.33** This criterion was partially met. Roles and responsibilities of the Minister and DECs have been clearly defined and documented. However, improvements need to be made in the area of communication. DEC members were unaware of several aspects of departmental policy and legislation.

### **Physical plant standards**

**3.34** Our second criterion was:

*The Minister should ensure that there are documented and clearly communicated physical plant standards for a safe and healthy school facility.*

**3.35** Section 45(4)(b) of the *Education Act* states:

*The Minister shall determine the physical plant standards for a safe healthy school facility*

### **Lack of comprehensive physical plant standards**

**3.36** Although there are various pieces of legislation describing inspection requirements and certain safety standards, the Minister has not developed comprehensive physical plant standards. Notably lacking are standards for acceptable overall building condition. In our review of school facilities, we noted that the condition of these facilities varied greatly, with some needing significantly more repairs than others. The Department has not developed guidelines as to when a facility condition is considered unacceptable. Comprehensive

standards should be developed and DEC members informed what is required of them to ensure such standards are met.

***Recommendation***

**3.37 We recommended the Department of Education clearly define comprehensive standards regarding school facility condition.**

***Departmental response***

**3.38** *Standards are currently in place regarding school facilities. These include water test inspections for schools with artesian wells to ensure conformity with the Clean Water Act, roof inspections on a rotating basis, contracts with private contractors for the inspection of control system, elevators and sprinkler systems. All new construction and renovation projects must be completed in accordance with the building code as well as provincial and federal legislation. Fire Marshal Officers inspect school buildings on a yearly basis to ensure compliance with the Canadian Building Codes. The Department will work in consultation with the Department of Supply and Services and other stakeholders to evaluate the need for additional standards.*

**Few standards for timeliness of repairs**

**3.39** In our review of various inspection reports, we noted varying expectations regarding an acceptable time frame to complete necessary repairs. Inspections from the Office of the Fire Marshal clearly specify a timeframe for completion of noted deficiencies. For example, inspections note whether a particular problem is to be rectified immediately or within thirty days.

**3.40** However, for other inspections, the Department has not developed standards regarding an appropriate timeframe for the completion of various repairs. The Department informed us they attempt to resolve safety problems as soon as possible.

**3.41** We observed several cases where deficiencies noted in inspection reports were not addressed in a timely fashion. This was common in the case of fire code issues, window repairs, school ground repairs and playground repairs. We saw examples of inspections where the same problem was noted repeatedly without being rectified. Documented standards for completion would contribute to ensuring a consistent timely approach to rectifying noted deficiencies. It would further assist in ensuring the high risk items were prioritized.

***Recommendation***

**3.42 We recommended the Department of Education establish standard timelines for completion of repairs of identified deficiencies.**

**Departmental response**

**3.43** *Deficiencies on school facilities are recorded by school districts in the School Physical Plant Review (SPPR). The SPPR provides a comprehensive data base on the types of work that should be completed in school facilities. The Department reviews the list of projects with the districts and assesses which ones need to be dealt with immediately. The Department will consult with school districts and the Department of Supply and Services on this recommendation.*

**No preventative maintenance standards**

**3.44** A well established preventative maintenance program not only protects assets in the long run, but assists in the early identification and remediation of maintenance problems. We determined there are no province- wide preventative maintenance standards. Preventative maintenance practices varied greatly in the districts we visited. One district had no preventative maintenance program at all. In this case, the district is simply dealing with issues as they arise.

**Recommendation**

**3.45** **We recommended the Department of Education implement a structured and documented preventative maintenance program. Such a program should include checklists of preventative maintenance tasks.**

**Departmental response**

**3.46** *The Maintenance Planning and Control system (MPC) provides a structured and documented preventative maintenance program (including standard work documents which are basically a check list of tasks to be completed for preventative maintenance inspections). MPC is being used by a number of school districts. The Department will work with all the districts to have this system implemented province-wide.*

**Conclusion**

**3.47** This criterion was not met. While there are some documented and communicated standards regarding certain types of inspections and expected results for school facilities, the Department has not developed acceptable standards for overall school facility condition to assist them in determining whether a facility is appropriately maintained.

**Monitoring the condition of schools**

**3.48** Our third criterion was:

*The Minister should ensure the condition of schools is regularly monitored.*

**3.49** The monitoring of school facilities provides a snapshot of the current building condition at any given point in time. Obtaining information on building condition also assists decision makers in allocating the resources required to address any noted deficiencies.

**Responsibility for monitoring clearly documented**

**3.50** Because ownership of school facilities vests with the Minister, as does the responsibility for the health and safety of students, the responsibility to ensure the condition of schools is regularly monitored ultimately lies with the Minister.

**3.51** The Quality Learning Agenda was developed and released in 2002 by government as a cornerstone to New Brunswick's ten-year Prosperity Plan. It describes government's commitment to "ensure safe, healthy learning and working environments". Government further agreed to "continue to monitor our schools to ensure we have healthy school facilities, safe playgrounds and adequate safety and crisis response planning."

**Lack of monitoring reports provided to the Minister**

**3.52** We determined there are no reports prepared specifically for the Minister regarding whether or not facility standards were met. The Department has developed the School Physical Plant Review (SPPR). It details lists of capital priorities for each school and is produced yearly. The purpose of the SPPR is to give an overview of all repairs of a capital nature needed in provincial schools. This not only provides a snapshot of the current condition of schools, but assists in the prioritization of projects. However, this type of reporting is limited to stating what current repair needs are, not whether certain standards have been met.

**3.53** While the Minister has access to this report detailing capital needs in each school, there is no reporting on several other aspects of building condition. Specifically, we noted a lack of reporting regarding compliance with legislation, inspection results, overall building condition, and the extent of unfunded minor repairs.

**Recommendation**

**3.54** We recommended the Department of Education monitor the degree of compliance with legislation, results of inspections, overall building condition, and the extent of unfunded repairs.

**Departmental response**

**3.55** *The Department of Education, along with staff from the Department of Supply and Services, is in constant communication with the school districts on all aspects related to the maintenance and construction projects in school facilities. ... As part of the K-12 Accountability Framework which is currently under development, the Department will implement a standard monitoring system.*

**District Education Councils lack awareness of monitoring responsibility**

**3.56** As discussed earlier, DEC chairpersons were unaware of several aspects of legislation and policy relating to facilities management. While all DEC chairpersons we interviewed were concerned about building condition and well aware of needed capital

repairs, there was a general lack of knowledge regarding their specific responsibilities to monitor school facility condition.

### Limited reporting on protection of assets

**3.57** Three of the five DEC's we audited have developed their own policy regarding asset protection. In these districts, superintendents are providing yearly monitoring reports to the DEC's detailing how policy was implemented. However we noted that both the policy and reporting lack detail. An example of an asset protection policy developed by one DEC is:

*The superintendent shall to the best of his/her ability ensure that assets are protected and adequately maintained.*

*Accordingly, the superintendent shall:*

- 1. Subject plant and equipment to reasonable wear and sufficient maintenance*
- 2. Not unreasonably expose the organization, its Council or staff, to claims of liability.*

**3.58** In our opinion, this policy is inadequate because it is incomprehensible and immeasurable. Compliance cannot be measured because of the subjective nature of the policy. Terms such as "reasonable wear" and "sufficient maintenance" are vague and have not been defined.

**3.59** Further, the focus of protecting assets should be on the safety of the occupants of school facilities, not a level of tolerance for risk to the organization.

**3.60** DEC's have been given the flexibility to develop their own policy. However, two districts we audited had not developed any policy as it relates to asset protection. We believe that this is one area where, because of ownership and safety concerns, the Minister should ensure a province-wide policy is developed and implemented.

### Recommendation

**3.61 We recommended the Department of Education ensure appropriate province-wide policy exists to protect assets and facility occupants. Such policy should detail specific actions and the level of subsequent reporting required.**

### Departmental response

**3.62** *The Department will work with the school districts to develop an appropriate guideline.*

### Inspections as a monitoring tool

**3.63** The primary tool for monitoring the condition of school facilities is inspection. Several types of inspections are required by

legislation and/or departmental policy. Examples of these are inspections of playgrounds, drinking water, fire extinguishers and elevators. More informally, district staff often report repair items of concern that have come to their attention throughout the year.

**3.64** We reviewed a number of inspection files with the purpose of determining the level of compliance with legislation and policy, as well as consistency of established practice. In particular, we looked at inspections of:

- drinking water;
- fire safety;
- roofing; and
- playgrounds.

**3.65** As a result of this review, we noted several areas for improvement.

### **Adequate water testing**

**3.66** As required under the *Clean Water Act*, a water sampling plan is completed for each school in every district on a yearly basis. This plan sets dates for a monthly sample of water to be submitted for testing. Results are received by the Department of Education and the Department of Health and Wellness. We were pleased to note the responsibility for receipt, review and tracking of water results has been clearly assigned to a staff person at the Department. Further, we observed the Department is consistently comparing the water sampling plan to actual water sampling to ensure the timely completion of testing.

**3.67** We reviewed water testing for 44 schools. We determined the Department is providing adequate follow up for negative results. In all cases we were able to conclude that any noted problems were well documented and had been remedied in a timely fashion.

### **Playground inspections not in compliance with CSA standards**

**3.68** Playgrounds and play equipment can pose some safety hazards if not properly maintained. According to a report by Health Canada in 2002, each year more than 10,000 children are injured on playgrounds and approximately 35% of these accidents occur at school.

**3.69** This is one area where we were pleased to note clearly defined responsibility, as well as the reference to well known standards. As noted earlier, departmental Policy 406 details the requirements and refers to CSA standards for provincial playgrounds.

**3.70** Policy 406 further states “District Education Councils shall implement, in compliance with the CSA standard, a regular inspection

program conducted by a certified inspector and a maintenance program”.

**3.71** We noted that CSA standards for inspections are as follows:

1. *A visual inspection shall be carried out by the owner, maintenance inspector, care giver, or custodian on a daily basis, if possible, and at least once a week, to identify defects or emerging problems.*
2. *A detailed inspection shall be carried out every month, and the results and actions taken entered in a permanent record that can be examined if necessary.*
3. *Every year, comprehensive written reports shall be completed by the owner or a representative, and the results and actions taken shall be entered in a permanent record that can be examined if necessary.*

**3.72** Despite these clear guidelines, there are currently no province-wide inspection practices. Both frequency of inspection and documentation of findings varied in the five districts we audited. One district’s informal policy is to inspect playgrounds on a yearly basis while three other districts stated they complete inspections monthly. One district informed us they perform inspections semi-annually but could provide no documentation of such.

**3.73** None of the five districts were performing inspections on a consistent basis regardless of their informal policies to do so. We audited a sample of 41 schools in the various districts and determined that only 24% of these had monthly inspections in 2004. Eight school playgrounds had no inspection at all for that same year.

**3.74** We were unable to obtain any documentation from the districts regarding daily or weekly visual inspection.

**3.75** Additionally, we noted a lack of documentation of corrective action taken. While inspection reports we reviewed detailed deficiencies, they did not note corrective action taken. Thus, the reviewer is only able to determine what the problems were, not if they were corrected.

### ***Recommendation***

**3.76** We recommended the Department of Education ensure DEC’s adopt adequate playground inspection practices. This would include requirements for meeting CSA requirements regarding the frequency of inspections and documentation of findings and remedial action taken.

**Departmental response**

**3.77** *The Department will review Policy 406 (Outdoor School Play Areas) with the intent of establishing a mechanism to ensure compliance.*

**Lack of monitoring completion of fire safety inspections**

**3.78** The consistent message we received from departmental staff was it is their priority to ensure fire safety in all schools. They informed us the protection of children is their number one concern. In keeping with this, the Department has several systems in place to assist in ensuring all buildings are fire safe. For example, inspections of kitchen facilities and fire extinguishers are incorporated in specific preventative maintenance plans. As well, students and staff receive extensive training on fire safety on a regular basis. A major component of building safety is ensuring buildings meet standards as set by the National Fire Code of Canada.

**3.79** While legislation does not mandate a yearly inspection of school facilities by the Office of the Fire Marshal, the Department of Public Safety policy does. Results of these inspections provide the Department of Education with a monitoring tool to ensure school facilities meet the latest National Fire Code of Canada requirements.

**3.80** If the Fire Marshal notes any deficiencies as a result of inspection, such items are recorded on a Fire Marshal's orders. The majority of violations identified in schools are of a non-capital nature. Examples of such are excessive paper on classroom walls, paper being too close to electric heaters, doors being blocked and broken emergency lighting. Time for completion of the remedial action is noted on the inspection. Usually this is either immediately or within thirty days.

**3.81** As part of our audit we reviewed Fire Marshal Inspection Report files kept at the Department of Education head office and district offices. From these inspection files, we were only able to obtain evidence of inspection in 67% of the schools for the year 2004. Notably, in one district, we could only obtain evidence of inspection for 16% of schools. Subsequent to our audit, the Department informed us that in some cases inspection did take place, however the inspection reports were missing from their files. In order to monitor the frequency of fire inspections, the Department should ensure all inspection results are kept for review at head office.

**Recommendation**

**3.82** **We recommended the Department of Education ensure annual fire safety inspections occur in all schools.**

**Departmental response**

**3.83** *Annual fire inspections are required for all schools, The Department will formally request from the Fire Marshal, a copy of all*

*annual inspection reports and department staff will ensure that a follow-up is done with the school districts when infractions are noted.*

***Recommendation***

**3.84 We recommended the Department of Education ensure all inspection results are kept for review at head office.**

***Departmental response***

**3.85 The Department agrees with the recommendation.**

***Adequate monitoring of roof inspections***

**3.86 Mould contamination in schools has been associated with illness and has resulted in school closings. To avoid such problems, regular roof inspection and maintenance is essential.**

**3.87 As part of our audit, we reviewed roof inspection practices for school buildings. We determined that the Department of Supply and Services inspects roofs on a five-year cycle on behalf of the Department of Education. Inspection reports are sent to the Department in hard copy form and are also available online.**

**3.88 We reviewed the completion of inspections in five districts and noted that, in all cases, roofs were inspected on a timely basis. Inspection report findings were well documented and reviewed by departmental staff.**

***Follow-up procedures***

***Adequate follow-up procedures for water quality***

**3.89 We noted the Department has adequate systems in place to review inspection results and record completion of remediation for problems noted with inspections of water quality. We reviewed 44 inspection files for water quality and noted in all cases identified problems were rectified in a timely and appropriate manner.**

***Inconsistent documentation of follow up for fire inspections***

**3.90 Subsequent to the yearly inspection of school facilities, the Office of the Fire Marshal submits the initial copy of the Fire Marshal Inspection Report to the Department. We were pleased to note that the Department has assigned to specific staff the responsibility to review inspection results and ensure the noted deficiencies are rectified.**

**3.91 As part of our audit, we obtained copies of 97 fire inspection reports for 2004. Of these, 85% had fire code deficiencies requiring remedial action. We noted that in all cases the assigned departmental staff had received and reviewed the inspection reports. All repairs of a capital nature had been added to the list of capital priorities and all items estimated at less than \$10,000 had been reported to the district. Thus, departmental staff is appropriately notifying districts of necessary fire code repair items.**

**3.92 However, the Department is not consistently ensuring the noted deficiencies were rectified in a timely fashion. For 2004, we could find**

no documented evidence of follow-up procedures for the fire inspection reports we reviewed. For the years prior to 2004 we were able to find examples of documentation of follow up procedures.

***No evidence of follow up for playground inspections***

**3.93** We also reviewed a total of fifty playground inspections with noted safety deficiencies. Unlike fire inspections, there has been no clear assignment of responsibility at the departmental level to ensure deficiencies are corrected in a timely fashion. We could find no evidence of follow-up procedures for any of these inspections. In fact, in some cases we noted the same problem recorded month after month, year after year.

***Recommendation***

**3.94** We recommended the Department of Education develop appropriate follow-up procedures to ensure the timely completion of needed repairs identified by facilities inspection processes. Further, results of follow-up procedures should be well documented.

***Departmental response***

**3.95** *In the case of fire code inspections, school districts have been reminded that they must provide the Department with evidence of follow-up procedures. The Department will monitor for compliance. As for playground inspection, a review of the requirements under Policy 406 – Outdoor School Play Area – will be conducted with the school districts.*

**Minor repairs**

***Lack of monitoring of completion of minor repairs***

**3.96** Any repairs estimated at less than \$10,000 are classified as minor repairs. Examples of noted items in need of repair are broken windows, swings and slides, door hinges, washroom and fire code upgrades.

**3.97** When a minor repair is identified it is recorded on a work order and assigned to a maintenance staff person at the district office.

**3.98** The Department implemented a computerized work order system in 2000. It allows districts to:

- maintain an equipment inventory and then to identify the necessary maintenance and inspections on such;
- identify types of maintenance and frequency of services;
- train staff and assign inspection and maintenance routines;
- schedule maintenance and inspection work orders;
- follow up on repairs required through feedback from work orders;
- plan and schedule repairs;
- acknowledge receipt of a work order;
- allow districts to establish priorities; and
- verify that the work has been completed.

**3.99** Given the noted benefits, we were surprised to find, in the five districts we visited, only two were actively using the system to its maximum potential. Two were using it to a limited degree and one not at all.

**3.100** It is virtually impossible to monitor the completion of work orders using a paper based work order system. Due to the large volume of work orders, managers cannot efficiently review them to determine if and when they were completed.

**3.101** Districts using a computerized work order system have the capability of producing reports by task, employee, date issued and completed. While we were impressed with the ease and convenience of the production of these reports, we could find no evidence these reports were being produced on a regular basis and used for monitoring completion of tasks. We further noted incidences in these reports where work was not completed for a number of months.

***Recommendation***

**3.102** We recommended the Department of Education ensure the implementation of its computerized work order system in all districts.

***Departmental response***

**3.103** *The Department of Education's computerized work order system is installed in all school districts. However, the level of implementation varies from district to district. The Department will continue working with the districts to complete the implementation of this system province-wide.*

***Recommendation***

**3.104** We recommended the Department of Education ensure districts are producing adequate reporting detailing the timeliness of completion of repairs. Reports should be reviewed by district staff and problems addressed in a timely fashion.

***Departmental response***

**3.105** *A work order status reporting system is a function of the ... computerized system. This function will be discussed with the school districts.*

***Instances of repairs not identified in work order system***

**3.106** As part of our audit process, we reviewed seventy six inspection reports to determine if identified deficiencies were recorded in the work order system. If not, there would be little chance of the repair being completed. We noted several instances where necessary repairs with regards to roofing, school grounds, and playgrounds were not recorded in the work order system. While district staff had no formal explanation for this, they did admit feeling there is often no use

adding more work to a system that isn't able to address the current repairs.

**Recommendation**

**3.107 We recommended the Department of Education remind district staff they are required to record all identified repairs in the work order system.**

**Departmental response**

**3.108** *The school districts have been reminded of this requirement.*

**Conclusion**

**3.109** The third criterion was not met. While legislation sets standards, the Minister is not ensuring these standards are met. We noted inconsistent inspection practices and a lack of follow-up procedures.

**Addressing problems with school facilities**

**3.110** Our fourth criterion was:

*The Minister should ensure that significant problems noted with the condition of school facilities are addressed in a timely fashion.*

**3.111** Inspections or audits are a starting point for determining the condition of a building. The next step is to ensure the problems noted are addressed in a timely fashion. We noted several instances where significant problems had not been addressed within a reasonable timeframe. District staff informed us they feel that lack of funding is the number one contributing factor to these findings.

**Inadequate capital funding**

**3.112** The average age of provincial school facilities is approximately 36 years, with some schools over seventy years of age. As buildings age, the repairs necessary to maintain them, as well as to provide necessary upgrades, become more costly.

**3.113** Based on the gap between funding and needs, the Department does not have sufficient funding available to meet its mandate to effectively maintain school facilities. Due to insufficient budget allocations, the condition of school facilities is placed at risk. The extent of this risk needs to be documented and reported to the decision makers and the public.

**3.114** Government has provided capital funding of \$46 million, \$35 million, and \$34 million respectively for the past three years. The Department allocates this budget to both capital improvements and major capital construction. Capital improvements refer to the projects identified as capital repairs, while major capital construction refers to the building of new schools or major additions to current buildings.

**3.115** Capital improvements are identified by school and district staff and also inspection findings, and are categorized by priority for each district. The Department has developed standard definitions for each priority category. The definitions are as follows:

*Priority 1*

*Very urgent and important. Essential work that requires immediate attention because of major risks to the health and safety of the occupants of the building.*

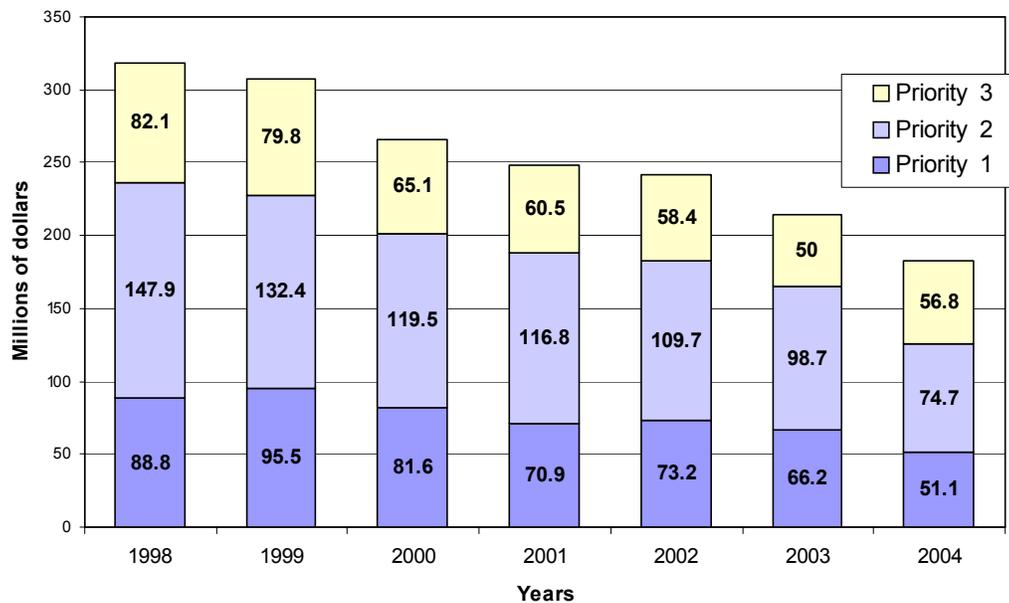
*Priority 2*

*Very important but not urgent. Essential work that may have major repercussions and/or is detrimental to the functioning of the school and/or the comfort of the occupants. Harmful consequences on their health and/or safety are unlikely, however.*

*Priority 3*

*Important work that may have certain repercussions on and/or is detrimental to the functioning of the school and/or the comfort of the occupants.*

*Exhibit 3.1  
Capital improvements needed*



**3.116** Exhibit 3.1 details the identified necessary capital improvements by prioritized category.

**3.117** Government has not provided sufficient funding to address the above identified issues. Exhibit 3.2 details the shortfall in funding provided.

*Exhibit 3.2*

*Shortfall in capital improvements funding*

	In millions				
	2000	2001	2002	2003	2004
Identified capital repairs	\$266.2	\$ 248.2	\$241.3	\$214.9	\$ 182.6
Budget for capital repairs	(21.0)	(18.4)	(15.8)	(16.8)	(16.3)
Repairs eliminated by new construction	(6.6)	(7.0)	(7.8)	(8.4)	(6.6)
Shortfall	<u>\$238.6</u>	<u>\$ 222.8</u>	<u>\$217.7</u>	<u>\$ 189.7</u>	<u>\$ 159.7</u>

**3.118** We analyzed capital improvements categorized as priority 1 and noted a significant lack of funding made available to address these problems. Priority 1 items in 2004 total \$51.1 million; the budget allocation was \$16.3 million. Because priority 1 items have been defined as very urgent and important with major risks to the health and safety of the building occupants, we would, as a minimum, expect these repairs to be completed. The lack of completion of urgent repairs in our opinion exposes the building occupants to significant risk.

**Recommendation**

**3.119** We recommended the Department of Education report funding shortfalls and associated risks to the decision makers and the public.

**Departmental response**

**3.120** *In September 1998, capital improvement priorities totalled \$319 million, including \$89 million in health and safety projects. As of September 2005, total capital improvement requirements have been reduced by \$148 million to \$171 million and health and safety requirements to have been reduced by almost 50% to \$48 million. This shows the Department's commitment to capital improvement.*

**3.121** *In fact, this government is committed to addressing Priority 1 health and safety requirements in public schools and has publicly announced in the State of the Province address in January 2004 an investment of \$100 million over four years. This funding will be used to address priority capital projects in schools including the elimination of health and safety requirements that had been identified at that time.*

**3.122** *The status of capital improvement is published in the annual "Believing in Achieving" report. The first report was published in May 2005.*

**Funding is not allocated based on identified risk**

**3.123** Despite the lack of overall funding, we would expect the Department to allocate the funding it does receive in a way that minimizes the identified risks both in individual school buildings and province-wide. We examined the funding structure the Department uses for providing capital repair funding to each district. Capital improvement allocations are divided initially by size of each District (numbers of students). Consideration is then given to the amount of new construction budgeted for in each District.

**3.124** Departmental officials informed us of the informal practice to attempt to provide districts with an equitable allotment of dollars. This may not provide for the most economic and efficient completion of projects. Exhibit 3.3 summarizes the allotment of funding for capital repairs to each district for 2004.

*Exhibit 3.3  
Funding for capital repairs*

2004 Year					
District	Number of schools	Budgeted capital repairs	Necessary capital repairs	% necessary repairs budgeted for	Budget major construction
2	38	\$ 1,280,000	\$ 35,314,883	4%	\$ 3,100,000
6	24	1,226,000	8,992,600	14%	
8	37	1,265,000	20,923,211	6%	
10	16	870,000	9,177,312	9%	
14	30	943,400	23,950,397	4%	5,200,000
16	18	835,000	10,961,705	8%	2,100,000
16	21	950,000	9,589,620	10%	
17	18	1,005,000	14,617,000	7%	700,000
18	34	1,217,000	26,747,740	5%	
1	13	560,000	11,378,539	5%	12,000,000
3	23	672,000	17,302,649	4%	5,500,000
5	22	695,000	9,595,246	7%	100,000
9	23	667,000	5,827,000	11%	
11	21	715,000	10,574,039	7%	
Total		<u>\$ 12,900,400</u>	<u>\$ 214,951,941</u>		<u>\$ 28,700,000</u>

**Recommendation**

**3.125** We recommended the Department of Education allocate capital repair dollars to districts on a priority basis which considers the risk to safety and health of building occupants.

**Departmental response**

**3.126** *The allocation among districts in each linguistic sector takes into consideration the size of the district and the number of Priority 1 health and safety requirements.*

**Deficiencies not being addressed in a timely fashion**

**3.127** Once repairs have been identified and categorized, the next obvious step is to ensure major deficiencies are addressed within a reasonable time frame. We noted several instances where this was not the case.

**3.128** We reviewed several inspection files and, in many cases, could find no evidence of timely repair. Notable were building repairs to meet the current fire code. For 2004, the Department has identified \$ 9,098,236 worth of necessary repairs to bring schools up to current fire code standards.

**3.129** In addition, the Department has identified a need of \$31,942,089 to add sprinkler systems to schools. The Fire Code requires that sprinkler systems in schools meet 1995 Building Code standards. These standards require the replacement of older sprinkler systems whenever a building undergoes major renovations, replacements or retrofits.

**3.130** While the Department is attempting to address some of these problems on a yearly basis, the funding is obviously not adequate to address them in a timely fashion. Because fire code repairs are deemed as priority 1 items, we would expect them to be promptly addressed.

**Roofing repairs being addressed**

**3.131** Roof repairs and replacement can be one of the more expensive repairs a school can incur. It is also the type of repair that if neglected can lead to problems such as mould and poor air quality. Additionally, putting the costs off today can lead to increased costs in the future.

**3.132** As a result of inspection findings, the Department of Supply and Services compiles a yearly roofing study for the Department. Necessary repairs are categorized as the following priorities:

- badly deteriorated, leaks, replace ASAP;
- poor condition, failing to perform, replace soon; and
- past life and/or poor condition, replace in near future.

**3.133** The 2005 study recommended the Department complete \$7,242,200 worth of repairs, of which \$4,570,000 were categorized as priority 1. We were pleased to note the Department has completed the great majority of the priority 1 roof repairs.

**Condition of play spaces not meeting CSA standards**

**3.134** In our review of playground inspection reports, we noted that various aspects of play spaces and equipment do not meet current CSA standards. One area of specific note is that of protective surfacing. Protective surfacing is the most critical safety factor on playgrounds because the majority of playground injuries are due to falls. Hard,

paved surfaces such as concrete and asphalt as well as earth surfaces such as grass, soil and hard packed dirt are not acceptable for use under and around play equipment. None of these surfaces provides adequate protection against injuries.

**3.135** The Department has been aware of the lack of protective surfacing for quite some time. Departmental Policy 406 states “Upon request of the school district, and to the extent possible, the Department of Education will fund the initial upgrading of existing protective surfacing to meet the CSA standards. Funding will be a one-time allocation, to a maximum of \$10,000 per school. Should more requests be received than can be accommodated in any year, accommodation will be based on the order in which requests are received, while insuring an equitable proportion of requests is met in each district.”

**3.136** This aspect of policy contradicts the responsibility of the DECs to ensure play spaces conform to CSA standards. The Department is only agreeing to provide \$10,000 per school, regardless of need. Further, they are only agreeing to provide this amount “to the extent possible”. This lack of commitment to ensure protective surfacing meets CSA standards, regardless of the cost, inevitably means DECs are unable to fulfill this aspect of their responsibility.

**3.137** We noted several playground inspections reporting the deficiency in protective surfacing, yet no repair was made.

#### *Recommendation*

**3.138** We recommended the Department of Education adhere to departmental policy by ensuring the condition of play spaces complies with CSA standards.

#### *Departmental response*

**3.139** *The Department of Education will review the policy on play spaces with the school districts as stated previously.*

#### **Repair standards for play spaces not being met**

**3.140** In our review of inspection reports for playgrounds, we noted several instances where there was no documentation of remedial action. Examples of necessary repairs with no identified remedial action were:

- lack of protective surfacing;
- cracks in slides;
- worn swing seats; and
- loose or missing bolts on equipment.

**3.141** Despite the noted problems, access was not barred for these playgrounds.

**3.142** We further noted that in some cases identified deficiencies had not made it from the inspection report to a work order. Hence, there was no assurance of the work ever getting completed. District staff could not explain this to us other than to surmise that they sometimes feel there is no point completing any more work orders that are not going to get done.

***Recommendation***

**3.143** We recommended the Department of Education adhere to departmental policy by ensuring repairs of play spaces and equipment be carried out in compliance with CSA standards.

***Departmental response***

**3.144** *The Department of Education will implement a compliance monitoring process.*

**Numerous minor repairs not being addressed in a timely fashion**

**3.145** While the Department uses the term minor repairs for all repairs estimated at less than \$10,000, such repairs are often far from being minor in significance. These types of repairs can be related to fire safety, air quality, roofing, ground maintenance, and window replacement.

**3.146** The number one complaint of district staff was the under funding of minor repairs. They see this as not only an area of risk, but also a problem that will lead to increased costs in the future. Funding is not based on identified need, but on building square footage and numbers of students.

**3.147** Exhibit 3.4 details the departmental minor repairs funding and actual expenditures for the 2004-2005 fiscal year.

**3.148** The Department informed us the funding formula was developed to ensure some level of equitable distribution of minor repair dollars. However, because funding provided is not based on identified needs, minor repairs are not getting addressed in a timely fashion. One district showed us a list of outstanding minor repair work for one year. The repairs were extensive and estimated at a cost of \$1,000,000 to complete. Some districts admitted to us the need to take monies from other budgets to pay for minor repairs that just could not wait. Other district staff told us they often just stop doing repairs when the money runs out.

## Exhibit 3.4

## Minor repairs funding by district

District	Funding	Actual expenditure
1	\$ 200,330	\$ 282,459
2	627,737	1,216,131
3	377,370	477,494
5	330,450	493,625
6	396,561	578,123
8	574,473	680,679
9	348,760	592,077
10	206,492	378,936
11	273,360	490,257
14	373,672	594,502
15	240,546	320,048
16	331,577	501,172
17	235,810	576,218
18	448,918	750,973
Totals	\$ 4,966,056	\$ 7,932,695

**Recommendation**

**3.149** We recommended the Department of Education ensure necessary minor repairs are addressed in a timely fashion.

**Departmental response**

**3.150** *The funding allocation for minor repairs is part of an overall funding model for all cost components. The objective of the funding model is to equitably divide the total budget for each linguistic sector among school districts. It is not appropriate to evaluate the funding model line by line because districts have the discretion to reallocate funding norm allocations within their budget to meet local priorities.*

**Conclusion**

**3.151** The fourth criterion was not met. The Minister is not ensuring significant problems noted with the condition of schools are addressed in a timely fashion. This is due in part to the lack of funding provided by government. However, policy and procedures do not ensure significant repairs are appropriately prioritized with the funding the Department does receive. Further, the Department is not analyzing the risks and associated costs of not performing necessary repairs and providing government with such information.

## Reporting on effectiveness

**3.152** Our fifth criterion was:

*The Minister should ensure that satisfactory procedures are established to measure and report on the effectiveness of programs for the maintenance of school facilities.*

## Government's annual report policy and accountability

**3.153** Government must be held accountable for results. New Brunswickers should be informed about how well government is doing in relation to goals and objectives. The management of school facilities is no exception. In order to fulfill this obligation for accountability, information on intended and actual results must be produced and presented to the Legislative Assembly and ultimately the public.

**3.154** This is reflected in the Province's annual report policy, which states:

*To the degree possible, departments and agencies should give a clear account of goals, objectives and performance indicators. The report should show the extent to which a program continues to be relevant, how well the organization performed in achieving its plans and how well a program was accepted by its client groups.*

**3.155** If departments are supposed to be giving a clear account of their goals and objectives when the year is finished, they should have them in place when the year begins. Further, these goals and objectives should be driving the departments' programs throughout the year.

## Lack of goals

**3.156** The Canadian Council of Legislative Auditors defines a goal as "a general statement of desired results to be achieved." We determined that the Department has developed no formalized goals relating to the maintenance of facilities.

## Recommendation

**3.157 We recommended the Department of Education develop, document and communicate goals for facilities maintenance.**

## Departmental response

**3.158** *The overall goal and objective of the Department of Education is to have safe and healthy schools for all school children as stated in Section 45(4)(b) of the Education Act. We aim at this objective with a number of stakeholders including school districts and a number of provincial departments including Supply and Services, Public Safety and Health and Wellness. Record investment has been secured over the last few years for major and capital improvement projects. The Department realizes that there is always room for improvement. The recommendation will be reviewed with our stakeholders.*

**Lack of objectives**

**3.159** The Canadian Council of Legislative Auditors defines an objective as "a specific statement of results to be achieved over a specified period of time. This statement may be described in terms of a target." Targets not only provide departments with a focus for the year, but also with a measuring tool for year end (i.e. did we accomplish what we set out to do?). Generally, achieving objectives would ensure that the overall goals were also met.

**3.160** Examples of such targets might be:

- we intend to complete 80% of priority 1 roofing projects; and
- we intend to achieve 100% compliance with required inspections.

**3.161** We determined that there are no such objectives for facilities maintenance.

**Recommendation**

**3.162** We recommended the Department of Education develop objectives relating to the maintenance of facilities that are linked to goals. These objectives should be documented and communicated to all affected parties.

**Departmental response**

**3.163** *The recommendation will be reviewed with our stakeholders.*

**Lack of reporting**

**3.164** In response to growing expectations for accountability in government, management has a responsibility to report on effectiveness. This is often accomplished through departmental annual reports. During our audit, we noted a lack of departmental reporting on the effectiveness of building maintenance.

**Recommendation**

**3.165** We recommended the Department of Education ensure its annual report include:

- a clear account of goals and objectives relating to facilities maintenance; and
- disclosure on how well the Department has done in achieving its plans relating to facilities maintenance.

**Departmental response**

**3.166** *The Department will review the content of its annual report in regard to school facilities.*

**3.167** Despite the significant costs of maintenance and potential safety concerns, we found no reporting of the management of these costs, or mitigation of risk in any departmental annual reports. There is no annual reporting on performance and compliance with legislation and policies regarding maintenance of schools. Further, the failure to have publicly available information on the condition and cost of

deferred maintenance hides the problems from the public and decision makers. Decision makers are not provided with comprehensive data on needs.

***Recommendation***

**3.168 We recommended the Department of Education annually advise government of:**

- **the estimated level of expenditures necessary to appropriately maintain school facilities; and**
- **the major repairs that have been deferred because of limited funding and the projected risks associated with deferring the major repairs.**

***Departmental response***

**3.169** *Every year, the Department of Education develops a Capital Budget for government approval. The submission is based on priorities identified by school districts and DEC's together with an evaluation of specific needs provided by the Department of Supply and Services (ie: roof inspections, fire codes, accessibility projects).*

***Conclusion***

**3.170** The fifth criterion was not met. There is a lack of procedures to measure and report on the effectiveness of facilities maintenance. The Department has not developed and thus not reported on goals and objectives relating to the maintenance of facilities.