



Circular 0027/2019

**To: The Managerial Authorities of Recognised Primary,
Secondary, Community and Comprehensive Schools
and
The Chief Executives of Education and Training Boards**

**MULTI-ANNUAL SUMMER WORKS SCHEME (SWS)
2020 onwards**

**Scheme of Capital Grants for Small/Medium Scale Works in recognised
Primary and Post-Primary Schools**



**School Planning and Building Unit,
Department of Education and Skills,
Portlaoise Road, Tullamore,
Co. Offaly.**



SWS Helpline: Freephone 1800 804 069



www.education.ie

The Minister for Education and Skills is pleased to announce details of a Summer Works Scheme (SWS) that will be applied on a multi-annual basis commencing in summer 2020 and to invite applications under the Scheme in accordance with the terms and conditions of this Circular Letter. Please read this Circular Letter carefully before completing the application form.

The Department is providing school authorities with a better lead in period for planning and delivering projects under the Summer Works Scheme. The key features of this new scheme are:

- There is a longer application period. School authorities will have a 13 week period until 30 June 2019 to submit applications under the new Summer Works Scheme. This compares to a circa. 5 week period for submitting applications under previous schemes.
- School authorities will be notified in Q4 2019 of applications that are approved for delivery under the Summer Works Scheme for Summer 2020. This provides a good lead in period for school authorities to manage the planning, organisation, procurement and delivery of their projects.
- As schools are now required by legislation to report annually on their energy usage through the SEAI's website Energy-in-business/Monitoring and Reporting for schools, payment of the grant to schools who receive funding under this new SWS scheme will be subject to them registering on the SEAI website and making a commitment to submitting the appropriate returns.

The purpose of the SWS is to devolve funding to individual recognised primary and post-primary school authorities to undertake small-scale building works which can be carried out during the summer months or at other times that avoid disrupting the operation of the school.

Primary and Post-Primary schools participating in the Free Education scheme, with permanent recognition from the Department and in non-rented accommodation, are eligible to apply under the SWS.

Applications submitted by schools must comply with all the terms and conditions of the Scheme (attached to this Circular Letter).

Schools will be invited to submit their proposals on-line using the Esinet portal. As in previous years, the Esinet platform that schools currently use to make payroll returns has again been extended to facilitate an online SWS Application Scheme. It is intended that the Esinet system will be open for applications from mid-April 2019. As also in the case of previous years, paper based applications will not be accepted under any circumstances. **The closing date for receipt of all applications under this Scheme will be 30th June 2019.**

Schools that applied for category 10 works (External Works, e.g. upgrade and resurfacing of yards and car parking, etc.) under the 2016/2017 SWS Scheme need not re-apply for these works under this new scheme. It is intended to undertake an analysis of these outstanding applications later this year. This analysis, together with funding availability and priorities for the SWS in 2020 will determine the pathway forward in respect of these remaining applications for category 10 external works. **It is open to schools with an outstanding category 10 application from 2016/2017 to submit an application for other works under this new scheme.**

Commensurate with the level of funding set aside for the Scheme, applications will be assessed on a top down basis in accordance with the prioritisation criteria (outlined in Section 3 of the Scheme’s Terms and Conditions). Responsibility for identifying and applying for the most urgently required project rests with the school authority. **Schools may apply for one project only.**

The scheme being announced will operate on a multi-annual basis commencing in summer 2020. Under this new scheme, valid applications from schools that are not reached for funding reasons from within the funding made available in 2020 will qualify to be assessed for purposes of the funding available in subsequent years, subject to the overall availability of funding.

Timetable for this Scheme

Publication of Governing Circular Letter	29th March 2019
Esinet system open for applications from	Mid-April 2019
Completed application forms should be returned on line via Esinet by the closing date. <i>Schools are urged to submit applications in advance of this date where possible.</i>	30th June 2019
Publication of list of successful applicants approved to proceed in 2020	November/December 2019
School Authority must confirm acceptance of grant offer to the Department’s Planning and Building Unit	within 4 weeks of date of grant of approval letter
School Authority will be required to confirm to the Department’s Planning and Building Unit that the works have commenced and request draw down of 70% of the grant aid.	within 6 months of the date of grant approval
School Authority will be required to have requested the drawdown of the final 30% of the grant aid.	within 12 months of the date of grant approval letter

SWS Helpline Freephone service

A Freephone SWS Helpline service will be put in place to assist schools with any queries on the Scheme including completion of the application form. This service will be available between the hours of 9am to 1.00pm and 2.30pm to 5.30pm with effect from the 29th March 2019 to 30th June 2019. The Freephone number is 1800 804 069.

Note that, at that time, SWS related calls to other lines will automatically be re-directed to this number to ensure that information given to schools is being provided by staff specifically trained in the detail of the SWS.

Freedom of Information Act

Persons signing application forms are reminded that the Department may be obliged to release any information supplied under the Freedom of Information Act 2014.

Eamonn Cusack
School Planning and Building Unit

March 2019.

Terms and Conditions Applicable to Applications under the multi-annual Summer Works Scheme 2020.

1. Schools covered by the Scheme

The Scheme is open to primary and post primary schools participating in the Free Education system with permanent recognition and in non-rented accommodation.

2. Making an application

To make an application schools must complete the on-line Application Form which may be accessed on Esinet portal. In the case of schools under the Patronage of an Education Training Board (ETB) applications may be made by either the ETB School or by the ETB on behalf of its schools – schools should confirm the arrangements that are in place with their ETB.

3. Works covered by the Scheme

The Scheme covers necessary works to improve the integrity of buildings and their external environment that, ideally, can be delivered during the summer months.

It is important to note that this scheme is designed to address necessary and immediate works. Only those applications satisfying the fundamental criterion of need will be considered. Funding will not be made available to projects considered by the Department to be desirable but not essential.

Categories of work eligible for funding, are prioritised on the following basis:

- Priority/Category 1: Life Safety Systems
(Fire Alarm, Fire Detection and Emergency Lighting)
- Priority/Category 2: Roof Works
- Priority/Category 3: Electrical Works (other than Life Safety Systems)
- Priority/Category 4: Mechanical Works
- Priority/Category 5: Science Labs (incl. Gas Works)
- Priority/Category 6: Toilet facilities
- Priority/Category 7: Windows Projects
- Priority/Category 8: Curricular Requirements (excl. Science Labs)
- Priority/Category 9: Fabric defects
- Priority/Category 10: External environment projects

Under previous Summer Works Schemes, applications for projects to facilitate inclusion and access for pupils or staff members with special needs were accepted. As applications under this heading are now dealt with on an ongoing basis by the Department under the Department's Emergency Works Scheme (EWS), applications for special needs works should not be made under this or future SWSs.

Note also that applications otherwise submitted under the EWS will be accepted only in the case of projects that are unforeseen and are an absolute emergency, as defined under the terms and conditions of that Scheme.

Works **not covered** by the SWS include:

- Asbestos/ Dust Extraction/ Radon remediation projects (the Department has separate schemes for dealing with these issues)
- Projects containing new build elements (i.e. that extend the foot print of the existing building) with the exception of toilet facilities
- Works that should be addressed by routine maintenance such as painting, replacement of floor coverings etc.
- Works to or provision of temporary accommodation
- Projects that have been funded under earlier Summer Works or other schemes
- As referred to above, works to facilitate the inclusion and access of students and staff with special needs – such works are considered for funding under the EWS.

The assessment of individual applications will take into account factors such as, future sustainability issues e.g. falling enrolments or where a school has a major capital project pending.

Where a school applies for projects not covered by the scheme, any Consultant's fees incurred by the school will have to be met by the school from its own resources and will **not** be funded by the Department.

4. Application process

Schools may apply for **one** project only.

Schools should identify the works needed at their schools, prioritise them and apply for the most urgent project only.

Schools should also note that it will not be possible to fund all applications and, therefore, they should only apply for those projects of an urgent and priority nature.

N.B. Applications for multiple projects will automatically be INVALIDATED and will not be considered.

5. Technical issues relating to applications.

A Consultant's report is necessary:

- For a professional diagnosis of the full nature and extent of the proposed project.
- To verify the absolute necessity for the project relative to the impact of not doing it.
- To provide a detailed breakdown of the cost. If the project relates to Priority/Category 1, 3 or 4, a breakdown of costs in the National Standard Building Elements and sub-elements must be provided, including costs per m² of building area affected by the proposed works. For all other Priority/Category works Section 6 of the consultant's report template must be completed.
- To enable the prioritisation of projects on the basis of professional objective information.

The appointment of a Consultant is a matter for the School Authority and any fees arising must be borne by it. A reasonable contribution towards fees incurred will be included in the overall grant amount for successful applicants. Please see Appendix A of this Circular Letter for guidance on the appointment of a Consultant.

No commitment should be entered into with a Consultant beyond completing the report on the works being considered.

The Consultant's report to accompany a school's application must be on the template provided and must include photographic evidence where applicable. A copy of the consultant's template report can be downloaded from the Esinet portal or from the Department's website.

Note that the consultant template report must be completed by:

- (a) a Consultant who has the appropriate qualifications for the works being considered as the use of a Consultant not appropriately qualified will result in an application being invalidated.**
- (b) in addition the suitably qualified Consultant must have adequate Professional Indemnity Insurance and Employer's and Public Liability Insurance – see Appendix A of this Circular. Otherwise the application will also be deemed invalid.**

Guidance on the procedures for tendering for the appointment of a Consultant to oversee the completion of projects will be issued to schools whose applications are approved.

Please note that it is the responsibility of the School Authority to ensure that the completed Consultant's report including the mandatory photographic evidence is successfully attached to the on-line SWS application where applicable.

6. Assessment process

There will be 4 steps in the assessment process, A – D.

A. Validation of applications

Only applications deemed valid will progress to the determination of need stage.

You must be able to answer “YES” to **all** of the following questions for an application to be considered valid:

	Yes
Is the project within the scope of the Summer Works Scheme? i.e. See Section 3 and 4 above	
Is the Consultant appropriately qualified and insured for the particular project? (see Appendix A)	
Has a Consultant’s report been fully and properly completed to include a breakdown of costs?	
Is the application made under the appropriate Category? (see Section 3)	
Has the Consultant included the mandatory photographic evidence if applicable?	
Has the application been agreed by the Chairperson of the Board of Management or CEO (as appropriate) on behalf of the Patron?	

B. Determination of Need

This determination will be based on the evidence provided by the Consultant’s report and the mandatory photographic evidence. It is important, therefore, that the quality of the Consultant’s report is such as to demonstrate clearly the absolute necessity for the project (i.e. cannot be addressed by routine maintenance).

C. Approval/Refusal of the Application

Invalid applications will not be approved. A valid application will be approved, in principle, if:

- the application clearly demonstrates that the works are absolutely necessary and not just desirable;
- the works needed cannot be addressed as a matter of routine maintenance.

However, it is important to understand that approval in principle does not mean that funding will be available to allow a project to proceed.

D. Allocation of funding for approved projects

It may not be possible to progress all valid projects depending on demand and the level of funding available. Therefore, applications will be assessed in accordance with availability of funding on a top down basis in accordance with the prioritisation criteria (see Section 3). To avoid overheating of the market prioritisation may involve a stage approach to approval of categories.

The scheme being announced will operate on a multi-annual basis commencing in summer 2020. Under this scheme, valid applications from schools that are not reached for funding reasons in 2020 will qualify to be assessed for purposes of the funding available for summer works in subsequent years.

When applications under the Scheme are finalised, decision letters will be made available on the Esinet portal to all successful and unsuccessful applicants. Decisions in the case of successful applications will also be published on the Department's website <http://www.education.ie/>.

The Department will require the agreement of the School Authority to have the project monitored by the Department or its agents and to allow access to its premises and records, as necessary, for that purpose.

In addition, Department staff may visit schools to examine applications with regard to determination of need.

7. Project delivery

Under the terms of the Scheme, School Authorities are empowered to manage these works with guidance from, and minimal interaction with the Department. Responsibility for procuring the services of Consultants and contractors is devolved to School Authorities. Schools are also responsible for managing the projects, including cost management, through to successful completion.

In line with the role envisaged for Education Training Boards (ETBs) whereby these Boards will provide support services to other education service providers at local level, it is intended that schools, in certain areas, can avail of the project management/procurement/project delivery expertise that has been developed in ETBs in the delivery of projects approved under this scheme. Further details of such arrangements will be outlined in the approval letter to successful applicants.

8. Grant details

Amount which will be approved

The grant payable by the Department (inclusive of VAT and fees) will be **whichever is the lesser of the following**:

The amount of grant-aid approved by the Department in its letter of approval made available on the Esinet portal

or

The lowest valid tender amount for the proposed project plus fees.

Funding shortfall

If there is a shortfall in funding, the options open to School Authorities are to:

- Reduce the scope of the works to stay within the limit of the grant.
- In the case of primary schools, use funds allocated by the Department under the terms of the Grant Scheme for Minor Works to supplement the SWS grant provided such funds are not required for more urgent and immediate works.
- Make up the shortfall in funding from own resources.

What the grant covers

- The grant is intended to cover the capital cost of the project including VAT, contribution towards the cost of consultant report associated with application, associated planning charges, Consultants' fees incurred in the design and construction of the project, fees for the Project Supervisor Design Process (PSDP) and fees for the Project Supervisor Construction Stage (PSCS).

Payment of grant

- Payment of the grant will be subject to schools registering on the SEAI website "Energy-in-Business, Monitoring and Reporting for Schools" and must do so before grant aid is paid. Schools can register by using the following link:<https://www.seai.ie/energy-in-business/monitoring-and-reporting/for-schools/>
- Payment of the grant will be made to the School Authority in two moieties. The first payment will be for **70%** of the grant amount, when the works have commenced on site, and the second and final payment will be for the remaining **30%** of the grant amount. Such payments will be paid subject to compliance with the conditions as set out in Appendix B.

9. Keeping of project records and audits/inspections

- All records in relation to a project for which funding is approved must be kept for 7 years at the school or at the ETB offices in the case of an ETB schools (and not in the Consultant's office).
- The Department reserves the right to audit/inspect these records and the works carried out. In this regard, a percentage of projects will be selected for detailed audit and inspection.
- The Department reserves the right to refuse to pay out grant aid on foot of an application with false information or where the administration of the project was not in accordance with the Department's guidelines. Please note that any deliberate attempt to use false information to claim grant aid may result in referral of the matter to An Garda Síochána.
- The Department will select a proportion of applications for audit as part of the determination process prior to a decision being made on the application.

Appendices

Appendix A

Engaging Professional Advice for the Preparation of a Technical Report for Small Scale Works

Important: The cost of engaging professional advice to prepare a technical report must be met in full from a school's own resources. Failure to procure a Consultant in the appropriate discipline or the procurement of a Consultant without adequate Professional Indemnity Insurance & Employer's and Public Liability Insurance will result in the application being invalidated.

**Advice will be available on the Freephone SWS Helpline service from:
29th March 2019 to the 30th June 2019**

Before a Consultant is appointed:

- Refer to the Department's Technical Guidance Documents (TGDs):
 - Guidance on Procuring Consultants for Small Works (3rd edition April 2016) click [here](#).
 - TGD-007 5th edition April 2016 Design Team Procedures for Small Works click [here](#).

As the onus rests with the School Authority to ensure that the appropriate level and range of service is procured, it must ensure that the Consultant is in the **appropriate** discipline for the works concerned. Please refer to Guidance on Procuring Consultants for Small Works for advice on Consultant disciplines.

Examples of **unacceptable** qualifications for the purposes of a Consultant's report are:

- Agricultural Engineer, Building Contractor, B. Sc. (Environment), Estimator, Electrician, Plumber, Window Contractor, OPW architect (unless it is verified with the application that the report is carried out on the direction of the OPW acting on the instruction of the Department of Education and Skills.)

This list is not exhaustive. If you have **any** doubts in relation to the suitability of a proposed Consultant, please contact the Helpline. The Department's decision will be final as to whether or not a Consultant is appropriately qualified for the purpose of this Scheme.

School authorities must ensure that that the Consultant is competent and qualified to carry out the work. A **minimum** of at least five quotations in writing or by email from suitable Consultants (reference Guidance on Procuring Consultants for Small Works, see above for link) must be sought, a minimum of three written quotations obtained, and

the one most suitable selected on objective criteria. While fee competitiveness is of first importance and should be weighted accordingly, the criteria at (e) below (i) to (v) should be used to assess suitability.

Appointment of a Consultant to carry out the Report:

- (a) The School Authority should refer to the application form for the scope of the technical report required.
- (b) Follow Guidance on Procuring Consultants for Small Works, Sections 1 and 2.
- (c) When a School Authority engages professional advice to assist in the preparation of a report, the cost must be met in full out of the school's own resources.
- (d) When engaging professional advice for the preparation of a report, the School Authority must appoint the relevant Consultant for that task only. The School Authority must not enter into any commitments regarding an overall appointment or fees for works other than the preparation of the report and must make this clear to the Consultant before the appointment is made.
- (e) The Consultant should have appropriate professional Qualifications and previous experience in preparing reports of a similar nature.
- (f) To enable the School Authority to assess which firm to engage it is recommended that the following information be requested from the Consultants under consideration for the work:
 - (i) Experience in projects of a similar nature highlighting the scope of works, the timescale and how the Consultant ensures accurate cost information.
 - (ii) A brief summary of the scope of the agreed report and a timescale for its delivery.
 - (iii) Confirmation of appropriate professional Qualifications, Professional Indemnity Insurance and Employer's and Public Liability Insurance.
 - (iv) A list of the relevant other services where required, (including Quantity Surveying Services) which will be bought in, and confirmation that those service providers will be qualified professionals in the relevant discipline.
 - (v) VAT inclusive all-in lump-sum fee (including buying-in other services as required, and all expenses).

"Buying-in" means that the professional Consultant engaged by the school undertakes as part of the overall fee to get advice as required from other professional disciplines (e.g. Quantity Surveyor, Structural and M&E).
- (g) For the preparation of reports, School Authorities should avoid appointing a Consultant who proposes to act solely in a Project Management type role and who has to buy in the services of another Consultant to prepare the actual report.
- (h) The appointment of a Project Supervisor (Design) Process is not normally required for the preparation of a report.

- (i) In assessing the amount of work necessary to prepare the technical report, the School Authority should discuss with their Consultant(s) a realistic scope of works. Additionally, accurate professional cost advice is an essential part of the report. Accordingly, the cost of the work must be clearly identified alongside the cost of any associated planning or other statutory fees and an estimate of the professional fees for managing the execution of the works should the project be approved.
- (j) The level of fee for the preparation of the report should be confirmed before the Consultant is appointed and should relate to the preparation of that report only. The School Authority should be satisfied that the agreed fee is a fair reflection of the time and resources required to carry out the task.
- (k) For a technical report (as above) a formal contract is not required. A simple letter of appointment summarising the agreed scope of work should suffice.

Do not:

- Enter into any commitments regarding an overall fee for the proposed works and make it clear to the Consultant that the appointment is for the preparation of the Report only and **does not entitle** the Consultant to be appointed to carry out the works if the application is successful.

Consultant's Insurance Requirements:

Professional Indemnity Insurance:	Minimum cover is €750,000.
Public Liability Insurance:	Minimum cover is €6,500,000.
Employers Liability Insurance	Minimum cover is €13,000,000
Employers Liability Insurance:	Minimum cover is €13,000,000.