

EIS submission to the Buchanan and St Ambrose High School Campus Independent Review.

1. Introduction

- 1.1 The Educational Institute of Scotland (EIS), Scotland's largest teacher trade union, welcomed the establishment of this independent review into the case of two North Lanarkshire where significant concerns over the health and safety of pupils and staff have emerged.
- 1.2 The EIS, which represents more than 58,000 members at all levels in the career structure and in all sectors of Scottish education, has members in Buchanan High School and St Ambrose High School.

2. Timeline of Events

- 2.1 The EIS Rep at Buchanan High School first contacted the North Lanarkshire Local Association of the EIS on 19 September 2018 regarding the colour and consistency of the water that was being used within the Home Economics Department. These incidents of blue water were reported to the Council. The Council responded in November 2019 by issuing a Q&A leaflet to parents and staff indicating that the likely cause was corrosion of copper plumbing creating a copper solution. A number of measures were taken to resolve the situation, including replacement filters, daily flushing of the entire system until the taps ran clear and replacing piping with plastic pipes in parts of the section. Bottled water was made available to reassure pupils and staff.
- 2.2 In December 2018, the local association wrote to the Council requesting copies of the water tests and tests for monitoring of ground or gas conditions. The local association also requested that the Council carry out tests on the site on a regular basis.
- 2.3 A meeting was held on Tuesday 15 January 2019 to help alleviate the many concerns around the contaminated water supply. During this meeting, an assurance was given that there would be transparency and that the tests would be made available to trade unions by the end of January; subsequently, however, this did not happen.
- 2.4 In an email sent on 17 January, the local association had requested, again, assurances that tests would be carried out on the copper pipe and that these would be available by the end of the month as previously intimated. The local association also requested that the information regarding the monitoring of ground or gas conditions that had been carried out on the site on a regular basis be made available. The Council finally responded on 31 January indicating that some of the information would be made available but this fell short of all the data which had been requested, indeed even all of the data which had been promised.

- 2.5 During the week commencing 3 February 2019, newspaper articles surrounding the blue water were published in The Sunday Post and The Daily Record. Subsequently, the local association representative was given verbal assurances by Council officials that the information published in the newspapers surrounding the water quality tests was inaccurate. The local association representative then asked for the written information to be sent to the schools after the February holiday, offering reassurance that the water quality was within acceptable, safe limits following the article published in the Sunday Post. He again made a request to the Council to provide all water/ground and gas tests to offer further reassurance to staff in these schools that they were within acceptable limits prior to the dates in the current batch of water tests.
- 2.6 At a meeting on 8 February, the local association representative was given a limited number of tests from 26th November 2018 to 6th February. He again made a verbal request to the Council to provide all water/ground and gas tests to offer further reassurance to staff in these schools that they were within acceptable limits prior to the dates in the current batch of water tests.
- 2.7 The local association representative sent e-mail sent thanking the Council for providing the water tests for St. Ambrose/Buchanan High School from 26th November 2018 to 6th February 2019 at the meeting on 8 February. However, by this stage the local association representative was deeply frustrated that he had only received a limited tests and information. It was for that reason he submitted a request for all relevant information via a Freedom of Information request. It was his experience that, despite the Council promising to be "open and transparent" at the 17 December 2018 meeting, the actions of the Council fell well short of this in terms of information provision.
- 2.8 The response to the FOI request was received on 14 March 2019. He received the water test results but received no records of ground and gas test monitoring for the period because he was advised, for the first time, that the information sought was not held.
- 2.9 In June 2019, the Council was again approached with a request that further testing be carried out to ensure that the remediation works remain intact and to screen employees through health monitoring since the Council has a duty of care. The Council was asked to provide copies of any further tests that have been carried out since the last set of test results provided after the meeting on the 8 February 2019. These have yet to be provided.

3.0 Future Action

- 3.1 Throughout this time, there is a general perception within the EIS and amongst the membership in the two schools, that North Lanarkshire Council has done far too little, far too late regarding this whole issue. In particular,

the local association should not have had to resort to making Freedom of Information requests to gain access to health and safety information and reports which should have been readily provided under the provisions of the Safety Representatives and Safety Committee Regulations of 1977. This has only served to generate suspicion and mistrust. This specific aspect has led the EIS to make a formal complaint to the Health and Safety Executive.

- 3.2 It is the view of the EIS that the Council has lost the confidence of the community it serves – both in terms of staff and the wider school community. We have argued that further and ongoing tests/inspections should be carried out of ground/soil/gas conditions to ensure that the risk assessment remains intact and valid. It may be necessary to take expert advice on the report.
- 3.3 Further, we recommend that the Council should move immediately to reinstate the Council's Safety Committee with all the obligations towards Safety Reps which flow from this.
- 3.4 It is encouraging that the Scottish Government responded quickly in announcing the establishment of this independent review. In fact, we had written to the DFM on the day of the announcement urging such an action, which clearly was already being thought of. Through the Inquiry, Scottish Government needs to provide re-assurance to the public, the pupils and staff since confidence has been severely eroded by the handling of this matter to date.
- 3.5 The EIS believes that additional testing of the environment will go a long way to restoring this confidence. In particular, the monitoring of the site, including the monitoring of air and soil samples should continue as a priority. Whilst the EIS accepts that to date no health risk has been demonstrated conclusively, in terms of offering reassurance to members of the school community, the EIS would support the provision of access to medical screening to those who desire it. A positive response to these requests, which have been raised by several bodies, should be part of a comprehensive future action plan on the part of North Lanarkshire Council.
- 3.6 In conclusion, the EIS has sought a constructive engagement with North Lanarkshire Council throughout this process and we have had as an objective to address the concerns of our members in both schools whilst also being mindful of the need to continue to deliver high quality education to the pupils at both establishments. We are not contesting the scientific evidence which we have accessed to date but we are mindful of the stress and anxiety which exists amongst the school community, including staff, and we feel that the poor handling of this matter and the completely unnecessary lack of transparency have contributed greatly to the situation. It is not enough, therefore, for the Council, or indeed anyone else, to assert the safety of the site – demonstrable measures need to be put in place to offer ongoing reassurance to the school community.