

Culture, Tourism, Europe and External Affairs Committee  
The Glasgow School of Art  
Committee Meeting on 15 November 2018

The Glasgow School of Art  
Statement of Rebuttals

It was considered that it would assist Members if we would respond to points raised in evidence so far. We have reviewed the Committee transcripts to note the substantive points not already addressed in our written submission. This statement contains our response to those points.

1. *There has been a lack of transparency on the part of GSA:*

Since the 2014 fire, we have endeavoured to respond to the public interest in the situation as well as responding to issues raised by our students, the local community and other stakeholders. After the 2018 fire, the demand for information escalated to such an extent that we set up a website<sup>1</sup> to keep people up to date with developments. There has been no intention to exclude people who want to know what has happened or what happens next. Our Chairwoman has acknowledged that her Board was not entirely successful in communicating with the public in the immediate aftermath of the 2018 fire. She explained that the Board thought they were doing so but it is clear from some public feedback that the information was not getting through to everyone. Should Members conclude that the public sector would benefit from Guidelines on effective stakeholder engagement during emergency situations, we would be willing to share our experience and our processes for dealing with major incidents.

2. *The 2014 Fire Report was redacted:*

The Fire Report issued by SFRS in 2014 was only redacted to the extent that it concealed the identity of the individuals involved in the incident. The extent of the redaction was restricted to a single image, which may have identified the individuals. We have written to SFRS seeking clarification and they have stated "The Scottish Fire and Rescue Fire Investigation Report into the 2014 Glasgow School of Art fire was fully compliant with Information Governance standards at the time of its publication". For the avoidance of any doubt, GSA will continue to take all appropriate action to protect the identity of the individuals.

3. *Why was a temporary sprinkler system not installed during the construction works? "An average person looking at the situation would see it as extremely unfortunate that in both fires you were just about to put in a sprinkler system"*<sup>2</sup>.

This question was answered at the Hearing on 25 October by Page\Park. We confirm that, to the best of our knowledge, there is no temporary fire suppression system suitable for a building of the scale and complexity of the Mackintosh Building that could have been installed during the construction period.

4. *The GSA monetised the Mackintosh Building:*

GSA Enterprises is the commercial arm of the School responsible for the public engagement in the GSA's Mackintosh heritage. Its profitability is very limited and contributes about £40-60k pa from the tours of the Mackintosh Building and its retail operations. Its purpose is not to generate

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<sup>1</sup> <http://www.gsa.ac.uk/about-gsa/key-information/mackintosh-building-fire-15-june-2018/>

<sup>2</sup> Committee Chair on 25 October

income but to help balance the number of visitors with the use of the building as a working art school and make publicly accessible the GSA's history, collections and archives, ensuring we can welcome visitors to the building while maintain the learning experience of those students studying there.

All tour guides were GSA students thereby helping to support them through art school and developing their employability skills. The GSA Shop sold specific Mackintosh products and products by staff, students and alumni to promote the output of the school as a centre of creative production.

GSA Enterprises operates alongside our other public engagement activity including our exhibitions, events and talks, access to our archive and collection and our Open Studio provision. This is all detailed in our submission to the Scottish Funding Council Museums, Galleries and Collections Grant.

In 2011 the GSA issued Guidelines on the Commercial Use of the Mackintosh Building<sup>3</sup>. We did not regularly permit commercial use of the Mackintosh Building or engage in external venue hire. Where external uses were permitted this was usually with organisations the School had a partnership or relationship with or was in support of wider city objectives.

5. *GSA reliance on public funding, insurance payments and fundraising to restore the Mackintosh Building:*

As an HEI, GSA receives public funding from the Scottish Government via the Scottish Funding Council in line with all other universities in Scotland. We also generate a significant part of our income from international and RUK student recruitment and competitively won research grants and commercial contracts and are expected to, by the Scottish Funding Council Financial Memorandum achieve an operating surplus to support future investment and development.

In respect of the Mackintosh Building we received a payment from our Insurers in settlement of a claim against our Insurance Policy following the Mackintosh Building Fire in 2014. The insurance settlement sum funded the Restoration project. Both the scope of works and the cost thereof were part of a holistic approach to the upgrading, repair and re-instatement of the entire building. The project focussed on a comprehensive survey and schedule of repairs, upgrading and improvements to accessibility, fire safety and facilities. This was carried out in the spirit of deep research of the building and the quality to bring the A listed fabric back in an appropriate, sensitive manner.

The Mackintosh Building has benefited from fundraising initiatives in the past as has the GSA more broadly in advance of its educational mission and strategic ambitions and is likely to do so again in the future.

6. *Failure to engage with experts:*

In our written submission we explained the Project Governance established to facilitate the School's overview of the project. That structure included an Expert Panel hosted by Page\Park. The purpose of this panel was to allow the design team to have access to experts when required. In addition to this, there were approximately 125 highly experienced, specialist conservators and

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<sup>3</sup> GSA Document 8: Protecting the GSA Heritage Guidelines for commercial use of the Mackintosh Building

craftspeople working with us on the project. It should be borne in mind that we had a project programme and budget and, as a public body, we had to manage that process efficiently and effectively. In order to do so, we established a project governance that ensured the design team had access to the necessary expertise when required. That expertise was available within the School, the Design Team, contractors, craftspeople and conservators and the Expert Panel. We also sought support and advice throughout the project from other conservation bodies and those undertaking similar post-fire projects. These included HES, the National Trust team from Clendon House and the team from Battersea Arts Centre. Such accessibility to a range of experts across all aspects of the project, helped us anticipate and mitigated challenges throughout the project as well as ensuring the highest quality of design and work on site. Our architects also played a key role in setting up the organisation BIM For Heritage, which is instrumental in developing and providing advice for those using this technology in historic buildings projects<sup>4</sup>.

The level of expertise gained by our internal team has been called upon by other institutions following major disasters. We have taken part in international disaster response conferences and recently have provided advice to the National Museum of Brazil following the fire there in September.

#### 7. *Insurance Issues:*

GSA elected to take out Owner Controlled Insurance Policy (OCIP) to cover the contract works on the Mackintosh Building and the undamaged parts of the building under one policy. This allowed the School to maintain full control of the insurance cover for the whole building.

Construction insurance encompasses the risks associated with property development, both new build projects and alterations to existing structures. The contract conditions operative for each project drive the insurance requirements – complex projects particularly those involving substantial existing buildings such as here with the Mackintosh are often structured so that the employer arranges the requisite insurance protection. The resultant insurance cover arranged is generically referred to as either an "Employer", "Owner" or "Principal" Controlled Insurance Programme. By controlling their own insurance programme, the employer can benefit from broader cover, better costs, greater peace of mind and more control in the event of a claim.

#### 8. *Office Accommodation on the Construction Site*

The contract required compliance with the Joint Code of Practice on the Protection from Fire of Construction Sites and Buildings Undergoing Renovation, which recognises that there can be temporary accommodation within a segregated part of a building undergoing refurbishment during the course of the works. It was a requirement of the contract that Kier Construction (Scotland) Limited provided office accommodation for the Client Project Management Team, including the construction Clerk of Works. Keir (Construction) Scotland Limited elected to install site accommodation in the eastern (undamaged) basement including accommodation for the GSA Project Management Team. Due to the schedule of work, the Project Management Team was relocated off-site (Blythswood House) in January 2018. At all times, Kier Construction Scotland Ltd retained possession of the whole of the site.

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<sup>4</sup> <http://www.bim4heritage.org/>

9. *General Access to the Construction Site:*

In the past week, there has been a series of press articles about the hosting of events in the Mackintosh Building during the contract period. In our written submission, we have explained how the Contractor controls all access to his site during the contract period. All access was therefore subject to the Contractor's procedures and processes. **At all time, the Principal Contractor retained possession of the site.**

Interest in the Mackintosh Building did not diminish in the aftermath of the 2014 fire. On the contrary, vacating the building to facilitate the restoration works created an opportunity for experts, students and others to increase their knowledge of the Mackintosh Building and its construction. Once the building had been made safe after the fire on 23 May 2014 (bearing in mind that fire damage was contained to part of the building), GSA worked with our Multi-Works contractors Taylor and Fraser Ltd to arrange certain visits from a range of professional, academic and interest groups. At this stage in the project, Taylor and Fraser Ltd were the Principal Contractors in possession of the site.

After the award of the Main Contract to Kier Construction (Scotland) Ltd in June 2016, GSA continued to seek opportunities to provide safe access for interest groups, our own and other students and professionals to the building whenever the operations on site allowed. These visits were developed with Kier subject to the GSA Access Protocols<sup>56</sup>, the status of operations on site and Kier's Health and Safety assessments. Safety of visitors and operatives and efficient site operations remained the absolute priorities at all times. If physical access was not possible, an alternative was arranged normally including a talk or "virtual tour" from a member of the GSA Project Management Team.

We had a commitment throughout the contract works to permit, where possible, public and professional access to the building where it could be accommodated without detriment to safety of momentum of works on going on the site.

In line with this commitment, we hosted and spoke at numerous lectures, seminars and outreach events from audiences ranging from the half dozen or so SPAB (Society for Ancient Buildings) scholars to up to 500 - where venues such as Glasgow Royal Concert Hall were used. We also organised nearly 100 tours of the building for school groups, professional bodies, Scottish government officers and elected members and occasionally individuals. Events were also held in the building, but of much less frequency, due to the desire not to impede the contractors progress and the need always to ensure safety and supervision. Notwithstanding that, about half a dozen events were held over the 4 years since the 2014 fire - including

- A recording of the GSA Choir within the Library to cut a fundraising disc for the restoration appeal;
- the filming of Ross Birrell's - 'A Beautiful Living Thing' first shown at the RIBA in London
- The Mackintosh Memories Tea party to gather archive and anecdotal information about the School and in particular the Mackintosh Building amongst alumni in their 80's and 90's;
- A fund raising and 'thank you' lunch in the partially completed Library for Scottish Government, Glasgow City Council, alumni and members of the Board of Governors;

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<sup>5</sup> GSA Document 9: Accessing the Mackintosh Building, August 2016

<sup>6</sup> GSA Document 10: Estates - Site Rules

- Training day for members of the Chartered Institute of Building (CIOB) as part of a series of CPD events run on the back of the restoration project;
- Rediscovering Mackintosh - where the Mackintosh Research Fellow - brought 2 groups of Year 3 students into the Meeting Room for an elective critical studies last year on the restoration project which also involved guided tours of the building.

In the period 2015 until the June fire, we held five events with the Charles Rennie Mackintosh Society including virtual and physical tours, conferences and talks. Only students, Historic Environment Scotland and the Glasgow City Heritage Trust had more access to the project.

At all times visits were subject to the contractor's safety procedures and structures. Full site induction was provided for all visitors and, for any events which involved movement into the building beyond the Technical Meeting Room, appropriate PPE had to be worn and the visit accompanied by a chaperone who had been through an enhanced induction and held a CSCS Card<sup>7</sup>. The Technical Meeting room was equipped with a large TV screen with capacity for AV and screen/projector, if required, could also be utilised. All equipment was covered by a current (portable appliance testing) PAT test. Site rules required that all electrical equipment used on site was covered by an appropriate PAT test.

10. *The Mackintosh Building should be rebuilt and used as museum:*

Within Scotland's higher education sector there are a number of museums as part of university estates. The Scottish Funding Council recognise that "Scottish university museums are very diverse in terms of scale and content of collections and remit. While some museums are at the centre of their institution's academic community, others occupy a more peripheral position."<sup>8</sup> In this respect, The Glasgow School of Art is unique. The Mackintosh Building is not only at the centre of our academic community it is core, along with our entire collection, archive, exhibitions and cultural engagement programmes. This was articulated in our recent application to the Scottish Funding Council Museums, Galleries and Collection Grant:

*"Our Museum, Galleries and Collections include at its core, a Museum and Galleries Scotland Recognised Collection including elements of our publicly accessible Category A Listed Mackintosh Building that is still used as a functioning art school and a large and diverse number of items by Charles Rennie Mackintosh.*

*Our entire Museum, Galleries and Collections are central to the institution's academic purpose and are not a static depository."*

Our application<sup>9</sup> was produced so that the case for the restoration and continued use of the Mackintosh Building as a working art school could be fully understood.

The Mackintosh Building was designed and constructed to promote the development of creative practice. It continued as a working (operational) part of The Glasgow School of Art from 1899 to 2014 and during that time only minor alterations were required to maintain its suitability to

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<sup>7</sup> Indicating a level of knowledge and understanding of site health and safety processes, procedures and requirements: <https://www.cscs.uk.com/>

<sup>8</sup> The Scottish Funding Council

<sup>9</sup> GSA Document 11: The Glasgow School of Art: Scottish Funding Council Museums, Galleries and Collection Grant, March 2018

perform that primary function. The period during which it is not able to perform this function has been extended by the fire of June 2018 but it will still be short interlude in the life of this building. To strip it of its primary function and consign it to the status of a visitor attraction, would be to strip life and purpose from the building. It would also deny future generations of the opportunity to benefit from study in the most important building of one of Scotland's most innovative and creative architects, a building that was designed for them. Converting the Mackintosh Building to a museum would not be an expression of responsible custodianship, it would be a piece of sabotage against our built heritage and a failure of our duty to future generations.

11. *There should be a public inquiry:*

The decision on whether or not a public inquiry is necessary is for the Scottish Government.

12. *The DGI Case:*

At the time of appointment, the GSA followed a rigorous procurement process and the issues relating from the DGI were not known. Throughout the Contract the focus of the GSA internal and external team was on this project and ensuring that the works to and care of the Mackintosh Building were of the highest standard.

When the DGI report was published, we discussed its content with Brian McQuade, the Managing Director of Keir (Construction) Scotland Limited. As he explained, the DGI case involved a new build project undertaken under a Design and Build Contract, undertaken by a different arm of the Keir Group. The Mackintosh Restoration Project was undertaken by Keir (Construction) Scotland Limited under a Traditional Form of Contract, the circumstances were not comparable therefore. Throughout the Kier Contract, the whole team – client, contractor, sub-contractor and professional consultants – were focussed on delivering the highest quality of work on our project. Addressing the DGI case with Brian McQuade illustrates our cognisance of the issues it raised, and that we dealt with those issues in a way appropriate to our project.

13. *Capability of GSA to oversee this Project?*

Our submission has been explicit regarding our approach to both the Governance and Management of the GSA and of the Mackintosh Restoration Project. We are a robust and well management higher education institution.

However, we recognise the scale of the rebuild following the 2018 fire is significantly different and we are committed to working with our partners across national and local government to define the most appropriate model for the GSA to lead on the rebuild of the Mackintosh Building as a working art school, core to the educational experience of our students and central to Glasgow's international standing as a centre of creative and cultural production.

14. *GSA's student experience is poor: NSS is lowest in Scotland?*

In the National Student Survey 2017 and 2018 the GSA was the lowest ranked higher education institution in Scotland and the lowest in the UK. This is not a position the GSA is proud of or how we want to be recognised and valued. It is counter to our continued (since 2015) global position (QS World University Rankings) as one of the world's top 20 art schools and one of only four in the UK ranked and the only one in Scotland in the top 20 alongside Royal College of Art London, University of the Arts London, Goldsmiths College, University of London.

While our position in 2018 can be attributed to poor performance in three programme areas this is not an excuse. We are committed to addressing both systemic and temporary issues which affect the educational experience of our students and are implementing a series of actions to achieve this.

*15. GSA failed to be open about the losses from the 2014 fire:*

In March 2015 The Glasgow School of Art issued a full media release detailing the impact of the 2014 fire across the GSA's Archives and Collections. This was covered widely in the media at the time. Meanwhile, the GSA's Archives and Collections took the following steps to share information about objects lost in the fire.

- After the 2014 and 2018 fires, donors were contacted to inform them of any impact to their donations.
- We also issued this statement on the A&C blog in December 2014: <http://www.gsaarchives.net/2014/12/an-update-on-the-archives-and-collections/>
- We provided Museums, Galleries Scotland with details of Mackintosh Collection losses (see attached) – this was so that they could review if the Mackintosh Collection should retain its Recognised Status. After receiving this statement, MGS confirmed the collection was still of Recognised status.
- The A&C online catalogue has an index term '23<sup>rd</sup> May 2014' which provides an overview of the impact of the fire and also links to images of any collection items lost in the fire: <http://www.gsaarchives.net/archon/index.php?p=core/search&subjectid=112>

**The Glasgow School of Art  
8 November 2018**