



16/09/2024

James Webb

fyi-request-28043-f0600bf2@requests.fyi.org.nz

Tēnā koe James

OIA: 1334097 – School buildings and seismic-related requests

Thank you for your email of 14 August 2024 to the Ministry of Education (the Ministry) requesting information related to seismic ratings of school buildings.

Your request has been considered under the Official Information Act 1982 (the Act).

I have addressed each of your questions in turn. Please note, I have re-numbered the parts of your request for ease of responding.

1. How many schools have one or more buildings that have a seismic rating of less than 30% NBS?

Thirty of the 15,000 school buildings across the country have been confirmed and recorded as rating below 34% of the New Building Standard (NBS), meaning they are in the category “earthquake prone”. Of these, 25 buildings at 16 schools have scored 30% or below of the NBS. In total, 19 schools have buildings with a seismic rating of 34% or less.

See Annex 1 – School buildings rated below 34% NBS, as at 16 August 2024.

2. How many schools have not been informed of their seismic rating for these buildings since 2020?

All of the 19 schools with buildings confirmed as having a seismic rating of less than 34% have been informed.

3. How many complaints has the ministry received from schools regarding undisclosed information relating to their seismic rating?

Two of the 19 schools with confirmed earthquake prone buildings complained about undisclosed information relating to their seismic rating.



4.1 What is the ministry's process for informing schools of their seismic rating?

Once the Ministry receives the final report, the school is briefed – in person - on the seismic assessment/s and the Ministry's Engineering Strategy Group (ESG) recommendations to support a joint decision on the next steps and continued occupancy of the building. In some cases, an ESG member may be included in the meeting to explain the findings and recommendations.

4.2 Is there a separate process for when a building is assessed at below 30% NBS?

When buildings are assessed as below 34% NBS, the Ministry's Engineering Strategy Group (ESG) will review the assessment and advise on whether buildings can continue to be occupied. These recommendations are based on the nature of the engineering risk and an assessment of the practical steps that can be taken to eliminate or minimise the risks.

4.3 Under what circumstances would the Ministry not inform schools of the seismic ratings of their buildings?

There are no circumstances where the Board should not be informed of the seismic ratings of their buildings. Timely communications to schools, especially about health and safety matters, is a priority. In the two instances where this did not occur, we have apologised to the schools and have taken action to reinforce our expectations about this to staff.

5. What seismic rating does a building need to have for the Ministry to consider it unsafe to occupy?

This is a building specific risk evaluation. For buildings assessed below 34% NBS, the Ministry's Engineering Strategy Group (ESG) will review the assessments and advise on whether buildings can continue to be occupied or actions to support continued occupation. These recommendations are based on the nature of the engineering risk and an assessment of the practical steps that can be taken to eliminate or minimise the risks.

This process aligns with MBIE's [Seismic Risk Guidance](#) – a reference document to help building users, tenants and owners understand seismic assessments of their buildings and make risk-informed decisions about continued occupancy of these buildings.

6. How does the ministry financially support schools that require remediation?

The Ministry funds remediation through baseline funding.

7. What seismic rating must a building have to consider it a priority or urgent matter to address?

This is a building specific risk evaluation. For buildings assessed below 34% NBS, the Ministry's Engineering Strategy Group (ESG) will review the assessments and advise on whether buildings can continue to be occupied or actions to support continued occupation. These recommendations are based on the nature of the engineering risk and an assessment of the practical steps that can be taken to eliminate or minimise the risks.

8. Has the ministry sought legal advice on the liability it may face if low rated buildings caused harm to students?

I decline to answer this part of your request under section 9(2)(h) of the Act, as answering it may constitute a waiver of privilege.

Please note, we may publish this response on our website after five working days. Your name and contact details will be removed.

Thank you again for your email. You have the right to ask an Ombudsman to review my decision on your request, in accordance with section 28 of the Act. You can do this by writing to info@ombudsman.parliament.nz or to Office of the Ombudsman, PO Box 10152, Wellington 6143.

Thank you again for your email. If you have further questions, please contact our media team in the first instance at media.team@education.govt.nz.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Scott Evans', with a stylized flourish at the end.

Scott Evans
Hautū | Deputy Secretary
Te Pou Hanganga, Matihiko | Infrastructure & Digital