

# Assessment of Asbestos Management in Schools

*Undertaken by the  
Asbestos Testing and Consultants Association (ATaC)*

*January 24<sup>th</sup> 2010*

**Paul Rowen MP**, chair of the Campaign Against Asbestos in Schools and Lib Dem Health and Safety spokesperson said: *"This report confirms what we already feared about asbestos in schools-it is simply not being dealt with. This is a major risk to both pupils and staff, and we have already seen too many deaths as a result of poor asbestos management. The Government needs to renew their efforts in tackling this problem, and ensure that the training is in place to allow school staff to deal with the problem quickly and safely."*

**Dave Prentis**, General Secretary of **UNISON**, the UK's largest public sector union, said: *"Put simply, there is no place in our schools for asbestos. This report adds to the growing body of evidence that asbestos in schools is a health hazard and the Government should take urgent action to have it removed. The safety of students and staff should be paramount. Asbestos claims many lives every year, but it is often many years later that the consequences of exposure become clear. Let's rid our schools of this hidden danger."*

**Philip Parkin**, General Secretary of **Voice**: the union for education professionals, said: *"ATAC's audit and our own research reveal that in many schools, staff are not aware of the dangers of asbestos; they do not know where it is and are not involved in its management. Urgent action is required to improve standards of asbestos management, and to create an action plan for asbestos in schools, including: audits, risk assessments, relevant training and guidance, and for all asbestos to be identified and removed in a phased programme when schools are refurbished."*

**Dr Mary Bousted**, General Secretary of the **Association of Teachers and Lecturers**, said: *"This report by ATaC is further damning evidence that the current policy of managing asbestos in UK schools and colleges is fundamentally flawed. Thousands of teachers, support staff and students in the UK could be putting themselves at risk every day if their school or college contains asbestos. This situation is unacceptable, and ATL calls on the government to stop dithering and change its policy on asbestos in schools and colleges. We call on the Government to authorise a national audit of asbestos in all educational establishments, set up an independent body to monitor and provide advice on asbestos in schools, and to have all asbestos removed from our schools and colleges. The health of our young people and those working in education is far too precious to allow this issue to be swept under the carpet any longer."*

**Christine Blower**, General Secretary of the **National Union of Teachers** said: *"The NUT welcomes this report, the fruits of a long-standing campaign to push forward the measures needed to shed light on the true situation of asbestos in schools. This is not a time for passing the buck. The Government must take action now to eradicate asbestos from all schools. ATAC's survey shows that decisive steps are desperately needed, and this can only emerge from a full audit of educational establishments. The NUT looks forward to working together with the Government and other teachers' organisations to address this serious issue."*

**Unite** said: *“Unite the union represents an extremely varied array of people working within the schools environment, for example school support workers and workers carrying out maintenance, refurbishment and construction projects. We are extremely concerned over the results of this report and its findings that asbestos is being poorly managed in schools. Our support workers are being continually placed at risk, and our members carrying out refurbishment and maintenance projects, who are already in a high risk category of exposure to asbestos, are being placed in great danger from ill conceived management plans. Unless a clear policy on handling asbestos in schools is developed the risks will remain and families will continue to be devastated by asbestos related illnesses.”*

**Chris Keates**, General Secretary of **NASUWT** said: *“Some local authorities and governing bodies are not taking health and safety issues associated with asbestos seriously enough and are failing to comply with their statutory responsibilities to manage asbestos appropriately. There are no safe levels of exposure to asbestos and a long-term strategy for the complete removal of asbestos from all buildings used for educational purposes should be the goal.”*

**Martin Ward**, Deputy General Secretary of the **Association of School and College Leaders** said: *“The problem of asbestos in schools undoubtedly is more serious and widespread than commonly acknowledged. A more comprehensive survey is urgently needed so that headteachers and local authorities clearly understand the scale of the problem and what needs to be done to make sure all pupils and adults working in schools are safe from asbestos.”*

**Mary Turner**, National President of **GMB** said: *“GMB has campaigned for many years on all aspects of exposure to asbestos at work. As a former Dinner Lady I am only too well aware of the dangers of asbestos to the children and our members who work in schools. This includes Teaching Assistants, cleaners, caretakers and of course catering staff. GMB joins with the other trade unions in the education sector in calling for the proper management of asbestos in schools. This should include adequate training to identify both the material and its condition, and a record of where it is located. Schools management need to accept their full responsibility for this and plan for the phased removal of this deadly substance.”*

**NAHT** said: *“NAHT wishes to express its concern at the findings of the ATAC report and urges the government to take all necessary measures to ensure that the health of pupils and all those who work in schools is not put at risk.”*

**Michael Lees**, a dedicated campaigner whose wife contracted mesothelioma as a teacher and died in 2000, said: *“The Government’s policy of managing asbestos in schools has failed, for this report is but further evidence of the appalling standards of asbestos managements in many schools. It is unacceptable that in the twenty first century a civilised society has failed to implement measures that protect the most vulnerable people in that society - our children.”*

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## EXECUTIVE SUMMARY

Asbestos materials have been extensively introduced into our buildings since the 1950's during refurbishment or new builds. However we were all unaware of the huge problem asbestos would cause to our society until it was too late.

It is estimated that in 2010 four thousand people will die from their previous exposures to asbestos dust, and this death toll is set to continue rising until possibility 2025. Sadly these figures do include children, teachers and support staff who were exposed to asbestos in our schools.

This is despite the fact that in 1967 Dr Lloyd-Davies, the Chairman of the Government's Advisory Committee on Asbestos, wrote to the Department for Education warning of the risks from low levels of asbestos exposure and stressing that children are particularly at risk and therefore rigorous measures must be taken to prevent their exposure. However his warnings were not heeded and schools continued to be built throughout the 1970's and into the 1980's using large amounts of asbestos.

As knowledge increased and the severity of the problem became more apparent, regulations and guidance were introduced and reinforced. The first specific asbestos regulations were passed into law in 1983 and since then they have been regularly updated, with the guidance advising on increasingly stringent measures to be taken to effectively manage the asbestos to prevent the release of asbestos fibres.

Effective asbestos management can be very expensive and the standards vary enormously. The Parliamentary estate for instance has a very effective and well resourced system of asbestos management, however in comparison many schools do not. The Government's policy for schools is to leave their asbestos in situ and manage it, rather than removing it. That is fine, but because this policy has not been backed by the necessary resources many schools are neither managing their asbestos effectively nor safely.

Most school buildings contain asbestos. All of the asbestos material is old and where it has not been properly maintained, it is deteriorating. All types of asbestos can cause mesothelioma, however schools can contain large amounts of the more dangerous types. Numerous incidents have taken place where asbestos fibres have been released, the schools contaminated and teachers, support staff and pupils have been exposed. The increasing numbers of mesothelioma deaths amongst teachers and support staff is testament that the policy of management has failed.

This report is to provide evidence to the Government that the policy of management is not working and that fundamental steps have to be taken to ensure that the occupants of schools are made safe. The asbestos consultants association, ATAC, has undertaken a pilot study of a small sample of schools to assess their standard of asbestos management. The results reflect what they regularly find in schools throughout the country – that the majority are not managing their asbestos effectively or safely.

The assessment found common faults that were not only bad practice they also contravened the regulations and demonstrated a basic lack of asbestos awareness and training. At times there was a lack of clarity between local authorities and schools over responsibilities and who was legally the dutyholder, so nobody was entirely clear who was in charge or who was responsible for what.

A basic first step in asbestos management is to identify the extent, type and condition of asbestos in a building, for only then can measures be taken to ensure that it is safely managed. However some of the surveys were superficial having failed to look in places most likely to contain the most dangerous asbestos, they instead just identified the easily identifiable, but low risk, floor tiles and lavatory cisterns. Some surveys failed to record that they had not looked in the less accessible places, so that contractors entered the areas as they were under the false impression that they had been assessed and no asbestos found. This resulted in actual and potential contamination of the contractors and the schools.

The regulations governing asbestos require a written asbestos management plan that clearly lays out what steps are to be taken to manage the asbestos. In some schools this was again superficial or even non-existent. Regular reviews are meant to be undertaken but in some there was no evidence that had been done, and in one school recommendations made thirteen years ago had not been carried out.

Maintenance or building work can easily damage asbestos materials and therefore stringent measures have to be taken to ensure that contractors are trained, know of the presence of asbestos and are tightly controlled. Although some schools had a reasonable control of contractors, in others the controls were seriously flawed to the extent that asbestos was damaged, the school contaminated and inevitably people exposed.

The conclusion is that in the majority of these schools the systems of asbestos management are not of an acceptable standard, they are ineffective and at times dangerous. This small sample has highlighted that there is a serious problem. If the occupants are to be made safe then a comprehensive audit has to be undertaken of the extent, type and condition of asbestos in the nation's schools and the standard of asbestos management. An assessment has to be made of the risk to the occupants, with particular emphasis on children. Only then can proportionate resources be allocated, and people trained so that they at least stand a chance of managing their asbestos safely.

This report highlights the failure of schools to manage their asbestos effectively, however the evidence is not in isolation. It was compiled using factual information gathered by ATAC members visiting schools and auditing their asbestos management systems, and although it is a small study it reflects what they find in many other schools. It also reflects all the other evidence, for instance when HSE has undertaken on the ground inspections they have found similar flaws in asbestos management, and because of the severity of the offences they have taken prohibition and improvement action against a significant number of schools and authorities.(See appendix 4).

Voice, the teachers' trade union, has recently collated the responses from six hundred of their members in a survey of the standards of asbestos management. Their results also show a general lack of training and asbestos awareness in the schools. These findings have been reinforced in an HSE and DCSF survey of local authorities and diocese undertaken last year to assess the compliance with guidance on managing asbestos in System built schools. The responses, and lack of responses, add to the evidence that a significant number of them do not have effective systems of asbestos management. As a result on the ground inspections are being undertaken by HSE inspectors of thirty four local authorities.

Lessons have to be learnt from this and the other reports that have highlighted the failures, for only then can measures be taken to rectify the situation. These lessons should be extended and applied when schools are refurbished and rebuilt under the Government's Building Schools for the Future (BSF) and Primary Capital Programme (PCP) projects. As a practicing professional I am consulting on projects around the country where I find that all too often funding has been based on flawed information about the asbestos in the fabric of the schools. In my experience the projects going forward are costing some eight times more than the original budget and are also way off programme.

Clearly the Government is now investing in our schools, but this will not be effective without good leadership and informed high level/policy management focused with clear goals.

Some examples:-

- Develop and deliver training for Head teachers, site managers and support staff.
- Establish a worker involvement strategy that can report up and down through the school or authority.
- Develop an effective template of asbestos management throughout the school system and to assist in schools implementation of the plan.
- Develop an audit system with the HSE to ensure effective management.



This audit has added to all the other evidence that a significant number of schools are not managing their asbestos effectively or safely. If our schools are to be made safe then measures have to be urgently taken to improve their asbestos management. This will involve a step change in policy. This must be given high priority to ensure that effective solutions are implemented for the long term. With the knowledge that we have now, and have had for the last forty years, exposing our children, teachers and support staff to deadly asbestos fibres is unacceptable.

JOHN O'SULLIVAN

Chairman of ATAC

## INTRODUCTION

Asbestos materials were introduced extensively into our buildings since the 1950's during refurbishment or new builds. We were unaware of the huge problem asbestos would cause to our society until it was too late. Unfortunately in 2010 we estimate 4000 people will die each year from previous exposures to asbestos dust and is set to continue until possibility 2025.

Most schools in the country contain asbestos, it is now old and where it has not been well maintained it is deteriorating. There are frequent asbestos incidents in schools where contamination occurs and people are exposed to asbestos fibres.<sup>1</sup> As there is no level of exposure below which there is no risk, it is essential that rigorous measures are taken to prevent these incidents, and the resultant exposures.

For the last fifty years Government policy has been to manage the asbestos rather than remove it. This is the responsibility of the local authorities, diocese and school authorities. However the evidence is that the system of asbestos management in many schools is not of an adequate standard, in some it is ineffective, in others it is almost non-existent, and in some it is at times dangerous.

Over the years the school stock has not been well maintained so that as the fabric of the buildings has deteriorated then so has the asbestos. To bring the schools up to an acceptable standard many thousands are now being rebuilt or refurbished under the Building Schools for the Future initiative and the Primary Capital Programme, however the opportunity is not been taken to remove the asbestos, instead it will remain in many schools. The Schools Minister confirmed the policy by stating:

*“Providing that asbestos-containing materials are maintained in good condition, they can be left where they are and managed until a building reaches the end of its life.”*

*“Although it is worrying to teachers and parents that schools contain asbestos, asbestos does not pose a serious risk if it is managed properly in accordance with the Control of Asbestos Regulations.”<sup>2</sup>*

The Government maintain that their policies are working and that the majority of school employers and particularly local authorities are managing their asbestos responsibly:

*“We believe that the majority of school employers and particularly local authorities are managing their asbestos responsibly.”<sup>3</sup>*

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<sup>1</sup> Asbestos incidents and failures of asbestos management in schools 14<sup>th</sup> Dec 2009

<sup>2</sup> Letter Minister of State for Schools and Learners Rt Hon Jim Knight MP 30<sup>th</sup> April 2009

<sup>3</sup> Letter Minister of State for Schools and Learners Rt Hon Jim Knight MP 27<sup>th</sup> November 2008

The confidence of the Government that their policy is working is not held by many teachers, support staff, their unions, MP's, asbestos consultants and others. In 2009 DCSF and HSE issued questionnaire to all local authorities and diocese in England to assess the standards of asbestos management in System built schools. The response, and lack of response, confirmed the misgivings as it was apparent that a significant number of local authorities and diocese do not have control over the asbestos in their school, and are not managing their asbestos either responsibly or in accordance with the control of Asbestos Regulations.

The members of the Asbestos Consultants Association, **ATAC**, have serious concerns over the general standards of asbestos management in schools. MPs, the teaching unions, school support staff unions and others are equally concerned that staff and pupils are being put at risk. ATAC have therefore joined forces to highlight these concerns, collect evidence, and identify common flaws and to recommend ways forward to the Department for Schools, the HSE and the Government.

As part of the project in 2009 ATAC offered to assess the standard of asbestos management in one hundred schools, with their member companies offering their services **free of charge**. The teaching unions contacted their members and asked that their school authorities volunteer themselves for the project. The schools that have taken part have not therefore been selected because it was known that there were flaws in their asbestos management, it is because the school authorities volunteered themselves for the assessment.

A small selection of schools have been assessed so far, and this paper summarises their findings. This is a pilot project and it is fully acknowledged that the number of schools involved is too small to be considered a statistical survey. However the flaws in asbestos management that are highlighted in these reports are typical of those in many schools throughout the country and reflect what the people on the ground have found over the course of many years – That generally the systems of asbestos management in schools are not of an acceptable standard.

## **METHOD OF ASSESSMENT**

The assessments are carried out by experienced consultants who visit the school to assess the quality and effectiveness of the asbestos management. Those responsible for asbestos management are interviewed and documentation reviewed.

The assessment is based on an HSE questionnaire that their inspectors use to assess the standards of asbestos management and compliance with the “duty to manage” regulation. It examines whether the areas of responsibility are clearly defined, whether people are trained, if an asbestos survey and management plan exist, and if so whether they are of a satisfactory standard and carried out by an accredited organisation. It looks at the effectiveness of the management plan. It asks questions about the control of contractors who carry out work on the buildings and whether they are briefed on the location of asbestos. It examines if any work has been carried out on asbestos materials, and if so whether the work was to a satisfactory standard. The questionnaire is at Annex 1.

## MAIN FINDINGS

### Standards of Asbestos Management

#### Summary

All of the schools inspected contained asbestos with the majority being of an age and type that would be expected to contain considerable amounts.

None of the dozen schools were found to be fully compliant with HSE guidance and only four could perhaps be said to have an adequate standard of asbestos management. The majority had unacceptable standards which were either ineffective or unworkable and with the potential to cause a contamination or exposure incident. In one school the system of asbestos management was virtually non-existent despite the fact that there was a significant amount of asbestos known to be present.

In the majority of the schools it was apparent that failures in asbestos management had led, or could have led, to damage to asbestos materials. In some there was evidence of the release of asbestos fibres causing localised contamination episodes and the possibility of exposure having occurred.

The basis of a workable asbestos management plan (AMP) is a thorough asbestos survey that has investigated all the accessible areas and, as far as reasonably practicable, identified all the asbestos. Although all schools had an asbestos survey of one form or another, the information varied from useful to misleading and almost non-existent.

In a number of schools the asbestos survey had just identified a small number of asbestos occurrences. However, because of the limitations of the survey and the type and date of the building it is probable that considerably more asbestos exists than had been identified. In one school, because of the system-built nature of its construction it is known that there is a significant quantity of asbestos present but only two areas had been identified. As the asbestos has not been identified it has not been effectively managed.

If a survey does not access a room or a void then that fact must be clearly marked in the report otherwise it could be thought that it had been accessed and no asbestos identified. This is particularly pertinent with the failure to look in the ceiling voids and not recording this fact resulted in contractors carrying out work that disturbed asbestos.

The regulations require that the details of the survey are clearly recorded and that a written AMP is drawn up detailing what actions are going to be taken to ensure that each area of asbestos is maintained in a safe condition, and what arrangements are in place to ensure this happens. None of the schools had a site specific written asbestos management plan developed from the survey information. Some of the plans were generic and therefore contained no specific details of the asbestos in the particular school and therefore no details of the actions that should be taken. In some schools the plans were muddled, disorganised and missing critical sections. In one school no plan existed at all.

When building or maintenance work is planned in a previously un-accessed area, the work must only take place after a complete investigation of this area has been carried out. This is to ensure that any asbestos that may be present is identified, and measures taken to ensure that the contractors do not disturb it. In a number of schools no such survey took place and it is possible that asbestos was disturbed.

The law is specific that the duty to manage asbestos in a workplace rests with the dutyholder who must set the policy and procedures and ensure that they are carried out. For maintained schools the duty holder is the local authority, for voluntary aided and foundation schools the school governors, and for independent schools the proprietors, governors or trustees.

The ultimate responsibility remains with the dutyholder but the practical task of managing the asbestos can be delegated to the school, but if that happens then the local authority or diocese must ensure that the individuals are trained and competent in carrying out the task.

In half of the schools there was no record of who the dutyholder was and in two schools it was not known who was in charge of asbestos management and nor were clear lines of responsibility laid out. This caused particular problems where responsibilities were split between the local authority and the school, and in one school this resulted in contractors entering a potentially contaminated area.

In the majority of schools the training of the individuals who are expected to manage asbestos was either poor or non-existent. It is not therefore surprising that the standards of asbestos management were unacceptable in the majority of schools. This should have been identified and corrected, but because there was no real awareness of asbestos matters amongst the school authorities and local authorities officials these faults passed undetected and uncorrected.

An important part of managing the asbestos is ensuring that contractors visiting the school are properly briefed on the locations of asbestos and the necessary measures to avoid damaging it. Although all of the schools had some system in place, most failed to fulfil all the necessary requirements, and some had obvious weaknesses that could potentially allow asbestos to be inadvertently disturbed. In one of the schools this actually occurred while the audit was taking place where the auditor witnessed a building contractor removing screws from an asbestos insulating board panel. In another school the auditor witnessed work being carried out on light fittings despite the fact that it appears the area had not been surveyed and there was no risk assessment.

There was evidence of damage to asbestos in more than half of the schools. However because of the superficial nature of many of the surveys much of the asbestos has not been identified, it is therefore probable that more damage has occurred to asbestos than that identified in the audit.

The end result of the failure to implement an effective management system is that asbestos can be disturbed and fibres released resulting in contamination and exposure episodes.

### **Summaries of standards of asbestos management in each school**

The following are summaries of the standards of asbestos management in each school. The later sections look at each aspect in turn. The summaries of the individual schools are at Annex 2.

**School 1.** The asbestos management in the school is of an unacceptable standard. Since 2004 all maintenance, construction work and remedial work on asbestos has been planned and risk-assessed against a flawed asbestos survey undertaken by the council. In a recent incident, this led to previously non-identified asbestos ceiling tiles being disturbed and the likely exposure of the contractors along with localised contamination. Other exposures have only been avoided by luck, rather than good management.

**School 2.** The asbestos management in the school is not of an acceptable standard and this was proven during the audit when a contractor was seen to work on an AIB panel without knowing it was asbestos. There is no written asbestos management plan available on site and there are serious questions over whether the asbestos survey is fit for purpose. It is possible that because of the type of building and date of construction, that there is considerably more asbestos in the school than has been identified. The duty holder has attended training courses and is conscientious, but the system is totally reliant on him.

**School 3.** The standard of asbestos management in this school is wholly inadequate, which has resulted in several incidents of asbestos being disturbed. The duty holder arrangement is informally split between the Council and the school but key site staff are poorly trained.

The support received from Council Property Services is sometimes inappropriate, misleading, and even wrong and budgetary resources are woefully inadequate. A survey was carried out that failed to assess the extent of asbestos in the ceiling voids, but even more worryingly failed to clearly record its limitations. This survey was then used as the basis for extensive remedial work during the summer of 2009 and it is highly likely this caused exposure and contamination incidents.

**School 4.** The asbestos materials appear to be well managed. The survey is appropriate for the building and has accessed the less accessible areas. However there are certain aspects that are not satisfactory and need addressing. For example, the person in charge of the asbestos management has not been trained; there is no formal asbestos management plan and the documentation has not been fully updated when asbestos remedial work has been completed. There also is no record that an in depth intrusive survey was carried out before refurbishment work took place.

**School 5.** The asbestos management in this school is not of an acceptable standard and at times it is likely to have been unsafe. The survey is outdated, inadequate and has failed to assess critical areas. Remedial measures that were recommended in 1996 when the survey was completed have not been actioned. There is no proper written asbestos management plan and the standard of staff training is poor. Because the surveys had failed to investigate the less accessible places, such as ceiling voids, it is highly likely that asbestos has been disturbed during work in these areas.

**School 6.** The asbestos survey in this school is inadequate and outdated and it therefore cannot be relied upon to have produced a true picture of what asbestos is in the school. Other records are equally inadequate and the overall asbestos management arrangements are unacceptable.

A redeeming feature is that the school is kept in good condition and therefore any asbestos is less likely to have deteriorated or been damaged. Perhaps the reason for the lack of resources devoted to asbestos management is that the bulk of the material that has been identified is classified as “low” risk, and therefore not considered as a priority on the school’s limited resources.

It is recommended that a thorough asbestos survey should be carried out in the school to determine the actual extent, type and condition of all the asbestos. This particularly includes an assessment of the less accessible places such as ceiling voids, lofts and beneath the floors.

**School 7.** There is a significant amount of asbestos in this school; however no attempt has ever been taken to identify it. To compound the problem no one has been trained and the

areas of responsibility have not been defined so it is unclear who the dutyholder is. There is no asbestos management plan and the system of asbestos management is virtually non-existent.

**School 8.** In a school of this size and complexity a rigorous and effective system of asbestos management is essential. However, the poor quality of the survey is not a sound basis for such a system and the management plan is superficial. The asbestos that has been identified has been managed to a satisfactory standard as it appears to be in good condition. And a new team has recently taken over and it would appear that they are now taking measures to correct these faults.

**School 9.** The standard of asbestos management in this school is not acceptable. It was clear that asbestos management is not given the priority that it should be, for the system was disorganised and because of the obvious damage to high risk asbestos materials. It was difficult to conduct an audit because of the lack of a proper management plan and because of an incomplete and difficult to interpret asbestos survey. But for the very same reasons it would have been difficult for the school authorities to manage the asbestos effectively. The local authority has a remote system of asbestos management and has not delegated sufficient powers to the people at the school. The staff have not been adequately trained in asbestos awareness or management and therefore appeared unaware of the deficiencies in their system of management.

**School 10.** The Building is very well maintained and in good condition and there is sufficient budget allocated for asbestos management. There is a significant amount of asbestos and because the school is well maintained the asbestos appears to be in good condition. However, it is not clear who the dutyholder is and there is a need for asbestos awareness training for the headteacher, governors and other staff; the service personnel have been trained by union staff. The survey is appropriate and a suitable basis for the asbestos management plan but it is not apparent that recommendations have been carried out. Notwithstanding these comments, the asbestos in the school is managed to a reasonable standard.

**School 11.** The asbestos is not being effectively managed in this school; the survey has a large number of exclusions including the ceiling voids, and the asbestos management plan is not written specifically for the school. This is coupled with the fact that the standard of training is inadequate. During the assessment light fittings were being replaced despite the fact that it would appear the area had not been surveyed for asbestos and no risk assessment had been carried out. There was also damaged asbestos in the school that had been left unsealed.

**School 12.** The auditor considered that the school authorities are managing their asbestos to a reasonable standard. The designated persons are well trained and motivated and have a good understanding of asbestos management and the risks. However, the system would benefit from a written asbestos management plan and more robust re-inspections.

## Surveys

### Summary

All the schools had an asbestos survey of one form or another. The majority of the surveys were not of an adequate standard and did not provide a proper basis for a workable system of asbestos management.

### Regulations and Guidance

The Regulations state:

*In order to enable him to manage risk from asbestos in non-domestic premises, the dutyholder shall ensure that a suitable and sufficient assessment is carried out as to whether asbestos is or is liable to be present in the premises...*<sup>4</sup>

The guidance states:

*In order to have an effective asbestos management programme....A survey of the premises must be undertaken to locate and assess the ACM's.*<sup>5</sup>

*All areas should be accessed and inspected as far as reasonably practicable (e.g. above false ceilings and inside risers, service ducts, lift shafts, etc) or must be **presumed** to contain asbestos.*<sup>6</sup>

*The results must be recorded in a clear, comprehensible, readily accessible form*<sup>7</sup>

### Nine surveys were not an adequate basis for asbestos management

Asbestos surveys in nine of the twelve schools did not provide an adequate basis for an effective system of asbestos management. They either had not attempted to identify all of the accessible asbestos or they were superficial, misleading or outdated, consequently they cannot be relied upon to have produced a true picture of what asbestos is actually in the schools.

There is evidence that in six schools these flaws could have been responsible for asbestos materials being disturbed during building and maintenance work which would have exposed

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<sup>4</sup> Control of Asbestos Regulations 2006 4(3)

<sup>5</sup> HSE Surveying sampling and assessment of asbestos containing materials MDHS100 documentation para 6

<sup>6</sup> HSE Surveying sampling and assessment of asbestos containing materials MDHS100 documentation para 13

<sup>7</sup> HSE Surveying sampling and assessment of asbestos containing materials MDHS100 documentation para 63

the contractors and contaminated the school. In a seventh it was pure luck that asbestos lagging was not damaged as it had not been identified before refurbishment work began.

### **Surveys failed to identify the more dangerous asbestos**

It is essential to identify all the asbestos in a school if it is to be managed safely, for a thorough asbestos survey is the basis for a workable system of asbestos management. The guidance has stressed this for more than twenty five years by advising local authorities, diocese and school authorities to carry out a diligent and determined search to identify their asbestos by extent, type and condition.

Instead of that many of the surveys were superficial, as they identified the visible and easily identifiable low risk materials such as asbestos floor tiles, Artex ceilings and lavatory cisterns, but made no attempt to identify the far more dangerous asbestos lagging and asbestos insulating board in the slightly less accessible places such as in the floor ducting and ceiling voids.

The ceiling voids in many thousands of schools are used to lay the services such as cabling, plumbing, heating pipes and even gas mains; they are therefore designed to be accessible. However because they are large open spaces they pose a serious risk of allowing the spread of a fire, consequently they are often fireproofed using asbestos insulating board (AIB) and asbestos cloth. Also asbestos lagging is often present and it is not unusual to find AIB off cuts in the void. All these materials are high risk, consequently it is important to identify them during an asbestos survey.

### **Ten schools had not looked in the ceiling voids, or records unclear**

The Approved Code of Practice states:

*You will need to record on the drawing any area not accessed or inspected and it must be assumed to contain asbestos unless you have strong evidence that it does not.*<sup>8</sup>

The surveys in ten schools had either not looked in the ceiling voids, or the documentation was unclear whether they had or not. This lack of clarity led to the misapprehension that the area had been accessed but no asbestos had been found. As a direct result in three of the schools contractors entered actual or potentially contaminated areas under the misplaced illusion that there was no asbestos present.

### **Failure to identify asbestos causes contamination**

If areas have not been accessed during the survey then before work is carried out a further survey has to specifically target the area to determine if asbestos is present. If the work will disturb walls, ceilings, ducting or other previously inaccessible places then an intrusive, Type 3, survey has to be undertaken to investigate the hidden voids.

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<sup>8</sup> Control of Asbestos 2006 ACOP para 47

In five of the schools maintenance, building and major refurbishments had been carried out without undertaking a survey beforehand despite the fact that the areas had not been previously accessed, in one school the person responsible for asbestos management had no idea that such a survey was meant to take place.

In two further schools the Type 3 surveys failed to access the hidden voids which totally negates their very purpose. In one cabling work was carried out in the ceiling void despite the fact that asbestos was present. In another the record that they had only looked in a limited number of the ceiling voids was hidden deep in a one hundred and seventy page document so that contractors once again entered the void to carry out cabling work presuming incorrectly that the void had been assessed and contained no asbestos.

A similar occurrence occurred in another school where once again the caveats were hidden inside the document and, once again work went ahead on the incorrect presumption that the area was free from asbestos. This resulted in asbestos being disturbed, and the contractors and school contaminated. Both incidents highlight the need that if there are areas that have not been accessed then this has to be spelt out in a manner that cannot be missed.

### **Old surveys not compliant with guidance or regulations**

In three of the schools the surveys had been carried out ten or more years before so that they predated the present guidance and asbestos regulations, consequently they were not compliant in certain aspects. None of them had been properly reviewed in the intervening years, with one having recommendations still outstanding 13 years after they were made, another auditor noted that the report was appropriate at the time of the survey, but now it is at the best misleading.

### **Presumptive surveys. No positive identification of asbestos**

An asbestos survey should identify all the accessible and less accessible asbestos in a building, it should also identify the type of asbestos that is present. That is because chrysotile can cause mesothelioma, but amosite is 100 times more dangerous and crocidolite 500 times more so, they also release their fibres far more readily. A small sample of the material is therefore taken and analysed, this is a Type 2 survey.

However by law a dutyholder need not take any samples but can just walk around and presume that the walls and ceilings are asbestos. This is called a presumptive or Type 1 survey, and although it is legal and might work in an office where there is little likelihood of disturbance, it is bad practice in a school as they are full of children and it must always be presumed that the material could be disturbed.

Despite this one large secondary school had just carried out a Type 1 presumptive survey some ten years ago, and to compound the problem it is also likely that the survey had not

accessed the ceiling voids. Therefore the school authorities have no real idea of the scale of asbestos in the school, its extent, type or condition. This is despite the fact that it is known that areas of the school contain high risk sprayed asbestos and AIB, it was also built at a time that asbestos was extensively used. Consequently the asbestos has not been identified and cannot have been adequately managed for the last 35 years, purely because the school authorities failed to take the most basic first step of identifying their asbestos.

In another school the survey was carried out by the local authority and claims to be a Type 2 survey, however there is no evidence that any samples have been taken and the building manager confirmed that none had been. It is therefore a presumptive survey. The survey is complicated and difficult to follow and again there is no record whether the ceiling void has been accessed. Despite its limitations it was used as the basis for structural alterations in the school. Because of its limitations the contractors' uncovered previously unidentified asbestos pipe insulation and it was pure luck that they did not damage it.

### **Surveys not undertaken by accredited organisations**

It is good practice that an asbestos survey is undertaken by an organisation that has been accredited by the UK Accreditation Service (UKAS). This ensures that they have attained the necessary standards in surveying and assessing risk. However it is not law that organisations have to be accredited, consequently a school can employ a non-accredited organisation.

It is remarkable that if work is to be undertaken on a gas appliance then the contractor has to be fully accredited, and yet in a school full of asbestos the school authorities are perfectly at liberty to employ an organisation that has no known credentials; indeed, many do as it is frequently a far cheaper option. However as the majority of surveys prove in these schools that such an option might save money in the short term, but it does not provide an adequate basis for a system of asbestos management, and it does not ensure the safety of the occupants.

### **Extracts from the audit reports**

**School 1.** *The City Council survey has only attempted to look for asbestos in readily-accessible places, and has not investigated above head height or in any under-floor services. To compound the problem, the limitations and caveats of the survey were not recorded in the documentation, but instead were passed on verbally to the building services assistant, and were not known of by the duty holder. This is dangerous practice.*

*Despite its limitations, the survey has been used as the basis for construction and maintenance work that has taken place in the school, and it is possible that this has directly led to two serious asbestos incidents occurring.*

**School 2.** *It was claimed that the survey is a Type 2 asbestos survey. However the Facilities manager confirmed that no samples were taken during the survey, instead a presumption has been made that asbestos materials are present, which suggests that it is a Type 1 survey.*

*The survey looks very comprehensive although it is complicated and difficult to follow. It is unusual as no caveats have been used and there is no information to confirm whether or not the ceiling voids have been assessed.*

**School 3.** *Despite its importance to the school the survey was held at Council Property Services until August 2009, when it was finally passed to site.*

*Extensive work was undertaken during the summer 2009 holiday. Council Property Services had misunderstood the survey report of March 2009 and had wrongly considered some areas to be asbestos-free. Works were carried out by a licensed removal contractor during the Summer holidays, but all of the associated paperwork was still with Council Property Services; therefore the school site report had not been updated.*

**School 4.** *A type 2 asbestos survey was carried out in 2004 throughout the school with samples of suspect materials being taken. The company carrying out the survey was not UKAS accredited. All the limitations and caveats in the survey seem appropriate and include access to ceiling voids and maintenance areas.*

**School 5.** *The asbestos log was present in the site manager's office and could be readily found. It does not comply with the current guidance on asbestos surveys. It was compiled from an asbestos survey completed in 1996. A proper review has not been carried out in the intervening years so that the deficiencies remain uncorrected.*

*One of the requirements of the current regulations is that when asbestos is found an assessment is made of the risk it poses, and the guidance advises that should be in the form of a Material risk assessment and a Priority risk assessment. But the log/survey has made no such assessments.*

*The survey conducted in 1996 recommended that certain actions should be taken within six months. Despite that, some 13 years later a number of the actions are still outstanding.*

*As there is no written record it is unclear whether the ceiling void has been accessed. It did however become apparent from comments made by the site agent that the ceiling voids had not in fact been inspected during the original survey, and neither had they been in a later "audit" that had been carried out. He also confirmed that despite the lack of information in the surveys he knows that there is asbestos in the ceiling voids.*

**School 6.** *The survey data is from 1999 and does not appear to have been audited or revised since its origin.*

*Not all the buildings are shown in the report and it is not 'user friendly'. In addition, the survey appears to have been carried out by a single surveyor in one day, which is not sufficient to access all the areas and to identify all the asbestos. The survey should therefore not be relied upon to have identified all the asbestos in the school.*

*It is unlikely that full access to ceiling voids and other less accessible areas was obtained during the survey and a 'generic' note implies this was the case.*

*The survey report recommendations are irrelevant as the report is 10 years old. No evidence exists of any re-inspection over the last ten years of the asbestos materials that were identified. The survey report was appropriate at the time of survey, but now the report is at best 'misleading'. It does not comply with legislation and guidance issued since 1999.*

**School 7.** *A thorough asbestos survey is an essential part of any system of asbestos management as it identifies the extent, type and condition of asbestos in the building so that systems can be put in place to manage it. If this information is not available then the asbestos cannot be managed. No such survey had been carried out.*

*The only surveys that exist are type 3 surveys that have been undertaken before maintenance and construction work has been carried out. The surveys are not suitable as a basis for a system of asbestos management for the whole school.*

*This failure to identify the vast bulk of asbestos in the school is confirmed as the asbestos register viewed on line only records the location of ACMs in two places within the kitchen. Nothing else is recorded in the whole school although it is known that the CLASP buildings on site contain significant amounts of AIB.*

**School 8.** *The asbestos survey is 10 years old. The survey is superficial as it is a type 1 presumptive survey. Because of its limitations a type 1 survey is not suitable for a school. There is no record that shows whether or not the less accessible places such as the ceiling voids have been accessed.*

*Having apparently made no attempt to assess the potentially more dangerous asbestos materials in the ceiling void, the survey has comprehensively identified the less dangerous asbestos materials such as floor tiles, Artex coating and asbestos cement, all of which are in readily accessible places and easy to identify.*

*It is therefore probable that there is more asbestos in the school than has been identified in the survey. It is possible that there is considerably more.*

**School 9.** *The survey was not suitable for the site and the site activities. It was not complete for only the analysis certificates and the drawing were present. The survey plans were of a minute scale and not easy to interpret and the duty holder was not familiar with them. There were no material or priority risk assessments in the survey or register. To compound the problem there was no record in the register of any survey recommendations. It is unknown whether there are any, and if there are, whether or not they have been actioned.*

*There are many caveats in the survey but it is unclear whether they are appropriate as some documentation appears to be missing from the file. It is unclear whether the voids, including the ceiling voids and floor ducting, have been inspected and whether any areas have been unnecessarily excluded from the survey.*

**School 10.** *The survey is suitable for the site and had been carried out by a UKAS accredited company. The plans are available and the caveats used were specific and appropriate for the report and building.*

**School 11.** *The asbestos survey was carried out in 2006 and updated in June 2009. The survey has excluded elements that are required as the basis for a management survey. The guidance instructs that less accessible areas should be inspected; however a large number of the voids had not been accessed including in particular the ceiling voids.*

**School 12.** *The information is comprehensive and is based on the original survey carried out by a UKAS accredited company in 2000, then a "re-inspection survey" was done in-house in 2008 by a local authority building surveyor, and then they have done their own subsequent re-inspections in 2009. The current information came from the local authority re-inspection survey; it is only a register of asbestos materials and their priority risk scores. There are photos and plans indicating locations. However surprisingly there are no exclusions or caveats and the areas that have not been accessed are not listed in the report. The auditor had a gut feeling that voids and ducts have been excluded from the survey.*

## Asbestos Management Plan

### Summary

Not a single school had a written asbestos management plan (AMP) that was of an acceptable standard. Some schools had no written plan at all, whereas others had disjointed, disorganised and superficial documents. None of the asbestos management plans were written specifically for the school.

### Regulations and guidance

The Regulations state:

*Where the assessment shows that asbestos is or is liable to be present in any part of the premises the dutyholder shall ensure that –*

- a) A written plan identifying those parts of the premises concerned is prepared; and*
- b) The measures which are to be taken for managing the risk are specified in the written plan.<sup>9</sup>*

The Guidance states:

*The management plan should be clear and unambiguous. It should set out the aims of the plan, what is going to be done, when it is going to be done, and how it is going to be done.*

*There needs to be clear lines of responsibility, with each person involved understanding their role.*

*A mechanism for regular monitoring and an annual review of the management plan to ensure that it is working properly should also be included.<sup>10</sup>*

Later guidance recommends more regular reviews:

*...As a minimum, the arrangements should be reviewed every six months even if there have been no changes.<sup>11</sup>*

### **Unacceptable standard of asbestos management plans**

Not a single school had an effective, workable written asbestos management plan (AMP). Seven schools did not have a formal written asbestos management plan, and the other five had non-site specific generic plans. This is despite the fact that a written asbestos management plan is not only required by the regulations, but it is also an essential component for managing asbestos in a school. A generic plan is fine as a policy document, but because it is not site specific it does not include details of how to manage each individual area of asbestos in the school, and therefore cannot be considered as a practical working document.

In a few of the schools the site staff had a reasonable control of the asbestos, but their AMP was kept in their heads and not written down. Problems then arose in their absence.

The regulations also require that the plan should be subjected to a review, with the latest guidance recommending a thorough six monthly review even if no changes have been made and a record should be kept once they have taken place. In most of the schools it was not

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<sup>9</sup> Control of Asbestos Regulations 2006 Regulation 4 (8)

<sup>10</sup> HSE A comprehensive guide to Managing asbestos in premises HSG227 2004

<sup>11</sup> Control of Asbestos Regulations 2006 Regulation 4 (9) (10) para 111

apparent that regular reviews took place, in some it was clear that no review had ever taken place.

### **Auditors critical of standards of asbestos management plans**

The following are comments from the auditors' reports:

*The school does not have a formal, written asbestos management plan (AMP). This is despite the regulations stipulating that there should be one. Instead asbestos management in the school is conducted on an informal basis.*

*There is no formal asbestos management plan on site. There is an up to date asbestos register with a brief section which covers the premises manager's and contractors' responsibilities.*

*There was a generic asbestos management plan (AMP) on site, although it's non-specific nature made it of questionable value. There was no mention of prioritisation of asbestos items, nor of timescales for remediation. There was no overarching statement of intent with regard to asbestos remediation. The AMP is not specifically written with targets and procedures, so that it is not possible to directly correlate what is being done on site with a written procedure.*

*There is no asbestos management plan. ...The deputy bursar might hold all aspects of the management plan in his head, but the problems arise when he is not present, and therefore the measures which are to be taken for managing the asbestos need to be specified in a written plan.... but no record exists that any such review has taken place.*

*There is no written asbestos management plan for the site. Instead there is a policy document, and a site "log" instead of a recognised asbestos survey. The policy document was dated 2000 and provides some information but omits critical information such as the name of the duty holder. The site log consists of a list of asbestos materials but does not provide the information that one should expect in an asbestos survey or a management plan.*

*There is an asbestos management plan held as a 'hard copy' document. It is a generic document prepared by the local authority with procedures applicable to a number of schools but was not written specifically for this site. It is 'disjointed' at best. It contains management procedures and asbestos policy but needs to be reviewed and the documentation needs to be updated and consolidated.*

*The procedures outlined in the management plan are not being adhered to as it is not being kept updated by site personnel with the site specific information. No documentation of past asbestos work, incidents or removal exists on site. Therefore any information taken from the plan and survey report may not be correct.*

*By law there should be a written asbestos management plan detailing what actions have to be taken to ensure that the occupants of the building, any visitors or visiting contractors are safe. But no such plan exists.*

*The asbestos management plan is a very generic format and therefore is of a general nature that applies to any school with no specific reference to this particular school. It is also just 5 pages long which in a very large complex with many buildings and known high risk materials, means that it can only be of a superficial nature.*

*It is recommended that the asbestos management plan is rewritten and expanded so that it is a workable document and specific for the site.*

*The survey and asbestos management plan are not regularly reviewed as this has only taken place as and when the asbestos legislation has changed. This is contrary to the current guidance and is bad practice. Procedures to review the plan and survey are implemented through the caretakers, but this is not comprehensive. It is intended that the reviews will in future take place annually.*

*There was not a proper asbestos management plan, but instead a register that was incomplete and kept in a disorganised fashion with poor scale plans. The documentation supplied was primarily a site specific asbestos register but not a proper asbestos management plan. It consisted of an incomplete file that did not contain all the necessary information. This made the task of the dutyholder very difficult to carry out effectively.*

*It was evident that not all staff would be aware of an asbestos management plan.*

*The document was also not a formal asbestos management plan; rather it had generic management recommendations as part of the Type 2 survey report.*

*There is an asbestos management plan that was issued to the school by the council in June 2009, a few weeks before this assessment. It is not site specific but is a generic document ...In addition to this parts of the plan are missing including the local risk assessments and the permit to work proforma, there is also no management check list for the duty holder.*

*The asbestos management plan is more like an asbestos register with priority risk assessment added on with highlighted scores, rather than an asbestos management plan.*

## **Dutyholder**

### **Lack of clarity in responsibilities**

In half the schools there was no record of who the dutyholder was.

Without doubt the lack of a clear definition of responsibilities is in part responsible for the poor standards in asbestos management in the majority of the schools. If it is unclear who is in charge then inevitably the asbestos management will drift without anyone accepting overall responsibility and ensuring that the asbestos is managed effectively.

### **DCSF define who is dutyholder**

The legal responsibility for ensuring that a school complies with health and safety legislation rests with the dutyholder. The DCSF define who is the dutyholder and outlines their responsibilities:

*“For the majority of educational premises, the duty holder will be the employer. Who this is varies with the type of school, but for community schools, community special schools, voluntary controlled schools, maintained nursery schools and pupil referral units the employer is the Local Education Authority (LEA). For Voluntary Aided and Foundation schools it will be the school governors. For independent schools it may be the proprietor, governors or trustees.*

*Where local authorities (LAs) are employers they must set health and safety policies and procedures. They should also set policy for maintenance issues including asbestos management. Even where health and safety related functions have been delegated to governing bodies. The LA as the employer must still set the policy for asbestos management. It should be made clear within this policy, or in separate documentation, whether asbestos management as a health and safety function is also delegated to governing bodies.*

*Health and safety issues including asbestos management can only be delegated to competent individuals. Hence the LA would need to ensure that the individuals who they intend to delegate to are trained to a sufficient level of competency.*

*The LA should implement robust monitoring arrangements to ensure the required standard for asbestos management is achieved...”<sup>12</sup>*

### **Six schools no record of dutyholder**

Legally the dutyholder in eleven of these schools is the local authority and in one it is the governors, although the day to day management of the asbestos can be delegated. The documentation should clearly state who the dutyholder is and who is in charge of the day to day asbestos management in the school.

In six of the schools there was no record of whom the dutyholder is or who is in charge of the day to day management of asbestos. Only one school listed the local authority as the

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<sup>12</sup> The duty to manage asbestos in buildings Who is likely to be a duty holder?  
<http://www.teachernet.gov.uk/management/resourcesfinanceandbuilding/schoolbuildings/legislation/asbestos/duty/>

dutyholder. In the other schools the post of the dutyholder was recorded as building manager, facilities manager, the joint chair of governors, and headteacher.

The day to day management was delegated to headmaster, deputy headmaster, the building manager, facilities manager, deputy bursar, site agent, maintenance manager and school business manager; in two schools, it was not known who was in charge of asbestos management, and in a further school the responsibilities were listed for the headteacher, Health & Safety site manager, Estates site manager, teaching and non-teaching staff etc; but no mention was made of any hierarchy or inter-relationships.

### **Split responsibility between LA and schools causes problems**

Problems were caused in a number of schools as the legal responsibility rests with the local authority and the day to day management with the schools. The local authority is meant to set the asbestos policy and then ensure that the school authorities who have to put it into practice are trained and equipped to do so. However in eight schools the standards of training were not of an acceptable standard, in four the person in charge of the day to day management had no training in asbestos management or awareness, and in another the training took place nineteen years ago and no refresher training had taken place since then.

As responsibilities were not clearly defined, in some cases essential paperwork was kept by the council when it was clearly needed by the school for the practical management of the asbestos. In one case this directly led to contractors entering a contaminated area as the survey that had identified the asbestos was held by the council.

In four of the schools the people who practically look after the day to day management of the asbestos were both conscientious and enthusiastic about their duties; however, rather than the local authority assisting them, they hampered them. In one school the local authority had overseen an ineffective system of asbestos management for many years, and it was only because a new team had taken over "on the ground" that a workable system of asbestos management was in the process of being implemented. In at least two schools the failure to identify much of the asbestos was because of a poor asbestos survey carried out by the local authority.

It is essential that the areas of responsibilities are clearly laid down between local authorities and schools. There should be no doubt in anyone's mind who is legally responsible as the dutyholder for the asbestos management in the school and who is practically in charge of the day to day management of the asbestos.

## Training

### Summary

In the majority of schools the standard of asbestos awareness and management training was either poor or non-existent.

### The Regulations

The asbestos regulations state:

*“Every employer shall ensure that adequate information, instruction and training is given to those of his employees who are or who are liable to be exposed to asbestos, or who supervise such employees...”<sup>13</sup>*

The Approved Code of Practice (ACOP) states:

*“Refresher training should be given at least every year and should be appropriate to the role undertaken...”<sup>14</sup>*

DCSF guidance makes it clear that the local authority has to ensure that if they delegate the duty of managing the asbestos then people have to be trained:

*“Health and safety issues including asbestos management can only be delegated to competent individuals. Hence the LA would need to ensure that the individuals who they intend to delegate to are trained to a sufficient level of competency.”<sup>15</sup>*

### Eight schools poor training. Four non-existent

In eight schools the training of the duty holder or the person delegated to manage the asbestos was not of an acceptable standard; in four schools there was no evidence that training had taken place at all. In many cases the training was not sufficiently in depth, with one being described as being of just two hours duration. Although the person might have gleaned an element of asbestos awareness in that time, it is insufficient to give even a basic grounding in asbestos management. It is apparent that the local authorities and school authorities were under the impression that they were safely managing their asbestos, despite the fact that most of them were not. Their lack of training meant that they were not even aware that their systems of asbestos management were putting their staff and pupils at risk.

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<sup>13</sup> Control of asbestos regulations 2006. Regulation 10 Information, instruction and training.

<sup>14</sup> Control of asbestos regulations 2006. Regulation 10 Information, instruction and training. ACOP Refresher training para147.

<sup>15</sup> The duty to manage asbestos in buildings Who is likely to be a duty holder?

<http://www.teachernet.gov.uk/management/resourcesfinanceandbuilding/schoolbuildings/legislation/asbestos/duty/>

The training should be tailored to a person's role in the school depending whether they are a governor, headteacher, a building manager, caretaker or a member of the teaching staff. All should be aware of the dangers of asbestos and the precautions that have to be taken to prevent people disturbing the material. The headteachers and governors certainly should have sufficient asbestos awareness so that they are able to allocate proportionate resources and to know whether the person carrying out the asbestos management in the school is doing an effective job. However that was not the case, as unsafe practices were taking place in the majority of the schools inspected in this assessment, and clearly had been for years; what is more, no one in authority had corrected the bad practices. This is particularly pertinent as the governors and headteachers have responsibilities in law for the health and safety of the occupants, so that they are the people who will be prosecuted if something goes wrong, and this has happened in a number of schools following asbestos incidents.<sup>16</sup>

The asbestos consultants, unions, MPs and others have stressed the need to train the governors and headteachers. The Schools Minister agreed with this in a Parliamentary debate in March and said she would work with the National College for School Leadership to see whether asbestos management could be further embedded into the training for headteachers.<sup>17</sup> But nothing came of this, and in December the Chief Executive of the National College stated that such training was not his College's responsibility.<sup>18</sup>

As well as the senior school officials being trained, the people actually carrying out the everyday task of managing the asbestos should not only be trained in asbestos awareness but should also have attended a course so that they are fully equipped to effectively manage the asbestos in their schools.

The ACOP requires refresher training at least once a year and yet in one school the person in charge of asbestos management had last attended asbestos training some 19 years before and had never had any refresher training, in four schools no basic training had taken place, let alone refresher training.

One auditor summed it up having inspected a school where the standard of asbestos management was unacceptable and at times dangerous. He stated:

*"The staff I met during my assessment were undoubtedly willing and potentially able to effectively manage the asbestos. What they lack is appropriate management training which, coupled with greater resources, would enable them to design and implement a rigorous and effective management system."*

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<sup>16</sup> Asbestos incidents and failures of asbestos management in schools.

<sup>17</sup> 25 Mar 2009: Column 130WH Asbestos in schools. The Parliamentary Under-Secretary of State for Children, Schools and Families Sarah McCarthy-Fry MP

<sup>18</sup> Letter Chief Executive National College 21 December 2009.

## Assessment of Risk

### Regulation

The Regulation states:

*Assessing the risk:*

*Where the assessment shows that asbestos is or is liable to be present in any part of the premises the dutyholder shall ensure that - A determination of the risk from that asbestos is made.<sup>19</sup>*

An essential part of a survey is that an assessment is made of the risk posed by each area of asbestos material that is identified during the survey. This allows priorities to be set for managing the asbestos so that the higher risk materials that have been identified can have any remedial actions carried out first and re-inspections will be on a more frequent basis. If the material is considered to be potentially high risk then special precautions can be put in place and priorities can be set for removal. In a school a risk assessment is important as it identifies asbestos materials that are particularly vulnerable to damage from the children.

The risk assessment is based on the type of asbestos material, the type of asbestos it contains, its condition and the vulnerability to damage.

### Materials not identified therefore no risk assessment

The more dangerous materials are asbestos lagging, asbestos insulation, sprayed asbestos and asbestos insulating board. These materials were present in the schools that were audited. The problem was however that the majority of schools had surveys that had failed to access the ceiling voids and floor ducting where these more dangerous materials are likely to be present. If they haven't been accessed then the regulations require that it is assumed that they could contain the most dangerous materials, and precautions taken as if they do, but as has been proved all too often in these assessments that frequently does not happen.

In addition two surveys didn't take any samples and therefore it is certainly possible that the surveyor could have missed asbestos insulating board panels, as they are difficult to positively identify by sight alone.

In these cases no risk assessments were carried out.

### Risk underestimated

In at least three schools asbestos insulating board that was liable to damage by the children had been classed with too low a risk score, consequently they were not given priority for

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<sup>19</sup> Control of Asbestos Regulations 2006 Regulation 4 (8a)

remedial action and neither were sufficient precautions taken to prevent the children damaging them.

In one case there were AIB panels on fire doors throughout the school, which are highly vulnerable to damage. For if a door is slammed or a person kicks or hits the door then although the visible surface of the material may be painted the reverse face will not be, consequently asbestos fibres will be released and filter out through the smallest gap or crack. No doubt the school would not have allowed non-safety glass in their doors, but clearly they had no concept of the dangers presented by the AIB panels in the doors, for these were classed as low risk and the recommendation in the survey was that they should just be monitored and managed. This is a dangerous underestimation of the very real risks posed by the material. The auditor assessed them as high risk and advised that they should be removed.

### Comments from reports

The following are comments from the assessments of the individual schools:

*The two surveys utilise different scoring systems than that advised in HSE guidance. The duty holder has a good commonsense approach to prioritising works, considering material and condition, but also occupancy and planned works. However all of this is kept in his head, with no formal system or proper paper trail in place.*

*The survey has assessed that there are no high risk asbestos materials and only a few medium risk ones in the school. However it has identified numerous locations of asbestos insulating board (AIB) lining panels to fire doors throughout the school, which it has incorrectly assessed as low risk. The assessment is flawed as in the opinion of the auditor all the door panels should be classified as high risk because of their vulnerable location they could easily be damaged by the children. It would appear that the surveyors may have followed the algorithm for a material risk assessment but not considered the occupancy of the premises and potential damage.*

*The survey has no record that any attempt has been made to assess the risk from the materials that have been identified, for there are no numerical scorings for either Material or Priority risk assessments. This is contrary to the regulations and also to good practice, for without this assessment priorities cannot be set for remedial work or for the periodic inspection of the materials.*

*One of the requirements of the current regulations is that when asbestos is found an assessment is made of the risk it poses, and the guidance advises that should be in the form of a Material risk assessment and a Priority risk assessment. But the log/survey has made no such assessments.*

*Perhaps the reason for the lack of resources devoted to asbestos management is that the bulk of the material that has been identified is classified as “low” risk, and therefore not considered as a priority on the school’s limited resources.*

*There were no material or priority risk assessments in the survey or register, although it is possible that they had been removed and were kept elsewhere. The lack of the assessments means that there are no clear priorities for managing the asbestos, for remedial work or for re-inspections.*

## **Control of Contractors**

### **Summary**

All schools had some system in place to control contractors on site to ensure that they did not disturb asbestos materials, however ten of them failed to fulfilled all the necessary requirements. In four schools the controls had obvious weaknesses so that there was the very real potential for contractors to enter the site and disturb asbestos, and indeed this occurred in one school during the audit.

### **The need for control of contractors**

There have been many asbestos incidents in schools caused by contractors carrying out work that has disturbed the asbestos. It is therefore an essential element of any system of asbestos management that there have to be rigorous measures to ensure that contractors do not disturb asbestos materials. If it is known that the work will by necessity disturb the materials then further stringent measures have to be implemented.

### **Signing in procedure**

As part of the control of contractors there has to be a system to ensure that they sign in when they enter the school, read the asbestos statement and the relevant parts of the asbestos management plan and are briefed on the whereabouts of asbestos.

All schools had a signing in book and generally contractors did sign in; however in one school although the auditor was assured that reception asks contractors to sign in, this did not happen. In another school the contractors only had to sign in when they first visit the site, subsequently they only have to sign the asbestos register if asbestos has been identified in the area that they were working in. In five schools there was no asbestos statement in the signing in book.

### **No check on contractors’ training in nine schools**

It is a legal requirement that, as a minimum, contractors are trained in asbestos awareness; many of the incidents that have occurred in schools might have been avoided had the

contractors been properly trained. This was graphically-illustrated during one of the audits when contractors removed screws from AIB and, when questioned, admitted that they did not possess any asbestos training.

There was no evidence that nine of the schools in the audit had a system of checking whether contractors had asbestos awareness training, in another two the documentation was not available and only one school had proof that they always check that contractors are trained. In at least one school the check appeared to be the responsibility of the Council Property Services, but the school were not convinced that they send contractors to site who have any asbestos training at all. In other schools it was part of the main contractors terms of contract that their workforce were trained, however one dutyholder believed that there was a potential issue of contractors sending sub-contractors to the school who were not appropriately trained, and there was no system in place to guard against that.

### **Too much reliance on key personnel**

In two schools reliance was placed on the official in-charge of asbestos being aware that contractors were on site and briefing them. In one of the schools it appeared that the site manager was a key person and that in his absence an alternative system was not in place and there was no proper handover procedure. In the other school the procedures seemed to work when the business manager had appointed the contractor, but did not when the contractor had been appointed by someone else. In this school there was evidence that contractors had been on site but had not followed any asbestos related procedures.

### **AIB damaged because of inadequate control of contractors**

The dangers of having a less than rigorous system for controlling contractors were aptly demonstrated during the audit. An engineer was replacing an alarm in a corridor adjacent to a fire door containing AIB with an AIB door surround. He had just unscrewed an alarm box from the AIB panel surrounding the door which had released asbestos debris. On questioning he admitted that he was unaware of the presence of asbestos. It transpired that the duty holder had briefed another engineer from the same company, but not him. He had no asbestos awareness training and according to the engineer neither had anyone else in his company.

## **Assessment of Asbestos Before Building and Maintenance**

### **Summary**

Construction, maintenance work or asbestos remedial work had taken place in all of the schools, all of which required further asbestos surveys to be carried out before the work began. In five schools, no survey was carried out before the work began. It is very likely that,

in each of those five schools. Contamination of both the contractors and work area had occurred. In two further schools incomplete intrusive surveys had been carried out before work began that had failed to access the voids, in one case contamination was avoided only because of the site manager's own personal knowledge that asbestos was present. In the other case it was presumed incorrectly that the area was clear of asbestos and so the work was allowed to proceed, which was very likely to have contaminated both the contractors, and the area of works within the school.

## The Regulations

The Regulations state:

### *Identification of the presence of asbestos*

*An employer shall not undertake work in demolition, maintenance, or any other work which exposes or is liable to expose his employees to asbestos in respect of any premises unless either –*

- a) He has carried out a suitable and sufficient assessment as to whether asbestos, what type of asbestos, contained in what material and in what condition is present or is liable to be present in those premises; or*
- b) Assumes that asbestos is present, and that it is not chrysotile alone.<sup>20</sup>*

## No survey. AIB disturbed. Contractors and school contaminated

One incident occurred where contractors disturbed asbestos insulating board (AIB) ceiling tiles in the process of installing smoke detectors and cabling. The ceiling void had not been inspected in the original survey and therefore a further inspection of the area should have been carried out before the work started. However, as the original survey report had not clearly recorded that this area had not been inspected, the dutyholder mistakenly presumed that it had been. The work therefore went ahead without the contractors being aware of the presence of asbestos, resulting in disturbance of the asbestos insulating boards. Because of the nature of the work, asbestos contamination of both the rooms and the contractors would have occurred.

## No further survey. Walls removed.

Two years before in the same school there had been another serious incident, in this case construction work took place to build a new reception area that involved removing walls in the old part of the school. There was a very real danger of disturbing asbestos materials and yet the operation was planned on the basis of the original and flawed City Council survey. Another survey should have been carried out, and in this case as the walls were to be removed, the survey should have been an "intrusive type 3". No such survey was carried out

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<sup>20</sup> Control of Asbestos Regulation 5 Identification of the presence of asbestos

and instead, the contractors relied on the City Council survey and must have presumed, incorrectly, that no asbestos was present.

**No further survey, relied on superficial survey. Asbestos insulation discovered.**

In another school the authorities failed to undertake an intrusive survey when structural alterations took place in the toilets. Instead reliance was purely placed on the original type 2 (1) survey. It was apparent that was normal practice in this school despite the fact that the survey was superficial as it had taken no samples and had failed to record whether or not it had assessed the voids. During the work the builders discovered some asbestos insulation on pipe-work that had not been previously identified. It was pure luck that they did not damage the material.

**Type 3 survey failed to access voids. Contractors presumed no asbestos. Cabling work carried out.**

In a further school the asbestos survey was dangerously flawed which had directly led to a serious asbestos incident taking place. It is clearly stated at the beginning of the survey that it is a type 2 survey with a type 3 in the ceiling voids. However buried deep in the hundred and seventy page document, the survey states that only representative access had been made into the ceiling voids or in some instances none at all. This is an unacceptable caveat in a type 3 survey which is meant to comprehensively identify all the asbestos in the specific area it is carried out. This was particularly pertinent in this case, as the school required a full investigation of the ceiling void before refurbishment work was carried out.

The H&S site managers had both been operating under the misconception that the entire survey was type 3, and had commissioned major refurbishment based on it's (incomplete) findings. To compound the problem, Council Property Services had misinterpreted the caveat stating that areas had not been accessed as meaning "where no asbestos had been reported, none was present." As a result, extensive cabling work was carried in the contaminated ceiling voids without the Council authorities, the school authorities or the contractors being aware of the presence of asbestos, or taking any precautions.

The auditor considered the fact that the caveats are "hidden" deep in the text of a 173 page report to be little short of a dereliction of duty on the part of the consultants who carried out the survey.

In yet another school the canteen was re-furbished in 2005 however there was no evidence that an intrusive survey had taken place before the work began.

**No investigation of ceiling void. No additional survey. Cabling work undertaken.**

In a further school the original survey had failed to access the ceiling void, and to compound the error had failed to record the fact. However no further survey was carried out to investigate what asbestos was present in the void; consequently cabling work went ahead and in all probability disturbed asbestos.

**Type 3 failed to investigate voids. Site agent warned contractors' asbestos present.**

In the same school work was carried out and a Type 3 survey conducted before the work began. However the survey was seriously flawed for it not only failed to investigate whether any hidden asbestos was present, it even failed to look in the ceiling void. This is shown in the report which contains a number of caveats such as "No access gained into ceiling voids" and "Services risers not opened up for inspection." These caveats totally defeat the very purpose of a Type 3 survey. Despite this, according to the Site Agent, he advised the contractors that from his personal knowledge asbestos was present in the ceiling voids.

**Another Type 3 failed to investigate voids. Probable contamination.**

A similar incident occurred in another school where once again a Type 3 intrusive surveys had been completed beforehand, however the surveys were inadequate as they failed to investigate all the voids, which totally defeats the purpose of this type of survey. In all probability this caused widespread contamination of both the contractors and the school.

**No survey. Construction and refurbishment work. Official unaware survey necessary.**

In yet another school construction and refurbishment works had taken place since the original survey report. However, there was no evidence of targeted type 3 surveys or additional inspections or re-inspections within the file. The Business Manager was unaware of any requests for additional inspections or the requirement for them to be carried out, which would tend to confirm that Type 3 surveys had not been undertaken.

**No additional survey. Original survey failed to investigate voids.**

During the audit in another school contractors were renewing some light fittings. However there is no evidence that an intrusive asbestos survey has taken place to assess whether any asbestos materials were likely to be disturbed. This was of particular concern because of the limitations of the original type 2 survey it was not known what asbestos existed in many of the ceiling voids. In addition the contractors had not carried out a valid risk assessment before starting the work. Because of this the contractors were at risk of inadvertently disturbing asbestos materials.

## Damage to Asbestos

### Summary

The audit identified that damage had occurred or possible damage had occurred to asbestos materials in nine of the schools.

All of the schools contain asbestos and all but two contain significant amounts. It is known that in some of the schools the surveys have failed to identify much of the asbestos, and it is also known that some high risk materials have been incorrectly assessed as low risk. Therefore there is likely to be considerably more asbestos present than has been identified. Again because of the nature of asbestos surveys they had only identified the condition of the accessible asbestos, whereas studies have proved that damaged deteriorating asbestos materials can be hidden in the voids.

Because of the generally poor standards of asbestos management in the schools, it is probable that more damage has occurred to asbestos than was identified in the audit.

### Comments from audit reports

The following are extracts from the audit reports which show the potential for damage to asbestos in the schools, and also outline damage that had already occurred and was identified by the auditors.

*A significant amount of asbestos has been identified in the school and includes materials that potentially present a risk to the occupants. Some of the asbestos materials are in a poor condition and, as well as building and maintenance work disturbing the asbestos, the material has also been disturbed during normal occupancy, with the very real possibility that asbestos fibres have been released.*

*There are some asbestos insulation residues on the plant room walls that has been encapsulated and labelled; despite this, items have been stored in the room and propped against the walls, so it is only a matter of time before some of the encapsulated asbestos insulation is damaged.*

*There are AIB ceiling tiles in classrooms and stairwells. It is evident that pupils have thrown objects at the AIB ceilings as the tiles have imprints of what appears to be footballs on them. It is most likely that impacts such as this will have released asbestos fibres, for although the visible surface is painted, the top surface is not, consequently asbestos fibres can be readily released.*

*The AIB window surrounds have been screwed in place, and there is some deterioration of the asbestos material around the screw holes.*

*A recent incident occurred where contractors disturbed asbestos insulating board (AIB) ceiling tiles in the process of installing smoke detectors and cabling. Because of the nature of the work, asbestos contamination of both the rooms and the contractors would have occurred.*

*Two years before there had been another serious incident, where construction work took place to build a new reception area that involved removing walls in the old part of the school. The work was carried out without an asbestos survey determining whether any asbestos was present.*

*AIB had recently been removed from two changing room wet areas to enable refurbishment. The auditor examined the changing rooms and very easily noted two small fragments of AIB on the floor. There were also noticeable quantities of dust and debris that had been left on window sills following the work. Staples which presumably had been used to keep the polythene enclosure in place still remained in the window sills. The auditor advised the duty holder to have the room locked, and call the asbestos contractor back on site to carry out a thorough clean up in order to make the room safe.*

*There are numerous locations of asbestos insulating board, AIB, lining panels to fire doors throughout the school. These represent a very real risk of releasing asbestos fibres, one was slightly damaged and another had evidence of previous damage. There are also AIB door surrounds; during the audit an engineer unscrewed an alarm box from an AIB panel which had released asbestos debris.*

*All the other visible asbestos materials that were inspected in the school were in a good condition, although no asbestos materials were labelled. Because of the questions over the viability of the survey it is possible that there is asbestos in the school that has not been identified.*

*The asbestos remedial work was generally of an unsatisfactory standard. There is a serious problem of asbestos fibre release in system-built schools of this design; when walls and structural columns are knocked, amosite fibres can be released into the rooms and ceiling voids. The structural columns are clad in asbestos insulating board and to prevent the release of fibres, HSE guidance advises the top of the cladding is sealed with expanding foam. This is a major job in a school of this size, which will have hundreds of such columns. The auditor scrutinised just four photographs of columns within the survey, in order to make the duty holder aware of the issue. Of the four columns examined, three were very shoddily blobbed with expanding foam such that the column top was not effectively sealed, while the fourth had no foam applied at all. The site manager then stated that the building contractor*

*working on the summer 2009 refurbishment project had reported that no column tops had been sealed in his work area at all.*

*The survey stated that the ceiling voids were contaminated with asbestos. It is therefore necessary to maintain the ceiling grid as intact as possible. This is not done, as there are missing and broken non-asbestos suspended ceiling tiles in the school. Asbestos fibres can readily filter down from the ceiling void, into the rooms beneath.*

*There is a large amount of asbestos in the school, with much of it being high risk. AIB is present in ceiling tiles, transom panels, column cladding, skylights and is likely to be present in other places; for instance as AIB off-cuts were lying in the ceiling voids. It is known that in schools of this type, amosite fibres can be readily released from the walls and columns and yet, because the columns have not been properly sealed, and the suspended ceiling tiles are ill-fitting and / or damaged, asbestos fibres are easily able to filter down into the rooms beneath. Additionally (due to the misinterpretation of the survey report) the ceiling voids have been repeatedly worked within by contractors.*

*Although some asbestos has been removed from the school, significant amounts remain. The removal does not seem to have been prioritised because of the risk posed by the materials, for no priority seems to have been given the removal of high risk materials in vulnerable locations. Although many of the buildings have undergone extensive re-fits, in some locations the asbestos has been left, and this appears to be because of budget issues.*

*Amongst the asbestos remaining in the school is asbestos insulating board in some ceiling tiles and risers, many of which are in areas occupied by the staff and pupils, and because of their location are vulnerable to damage and the potential release of asbestos fibres.*

*This is a medium sized secondary school with a large complex of System built buildings. They are CLASP buildings which are known to contain significant amounts of asbestos. No attempt had been made to identify the extent, type and condition of asbestos in the school. This failure to identify the vast bulk of asbestos in the school is confirmed as the asbestos register viewed on line only records the location of ACMs in two places within the kitchen. Nothing else is recorded in the whole school although it is known that the CLASP buildings on site contain significant amounts of AIB.*

*The school was opened in 1974. There is sprayed asbestos coating to steel components in the school which is of high risk. There is also a significant amount of asbestos insulating board (AIB) which, depending on its location, can also potentially be high risk. Half the school is covered in textured coating (Artex); there are also asbestos floor tiles and various items of asbestos cement. The sprayed coating in the leisure centre has been encapsulated and labelled and is scheduled for removal. It is generally well maintained, fully encapsulated and*

*boxed in to a high standard; consequently the condition of the material could not be observed. Visually the asbestos that has been identified in the school appeared to be in good condition and well managed with regular re-inspections.*

*This is a medium sized secondary school. It is a CLASP System built building constructed in the 1960s. Because of the type of building and the date of construction it will contain significant quantities of asbestos materials. The survey had identified some high-risk materials present in the school, but it is likely that because of the deficiencies of the survey that there is significantly more asbestos present in the buildings than had been identified. Asbestos insulating board (AIB) panels had been identified above the classroom doors, and on analysis were found to contain crocidolite and amosite. One had been damaged at some point and had duct tape applied over the damage. One must question how the damage had occurred and who was present when it did. When AIB panels are hit they readily release asbestos fibres, clearly the front face was damaged but fibres will also be released from the reverse face as it will be unpainted. AIB packers had also been identified.*

*Five AIB panels were inspected; all five had been encapsulated. They are labelled but have some damage. The auditor's recommendation would be to remove the panels as they are readily accessible to the pupils. He also considers that the labelling, which is prominent, may even encourage pupils to investigate or damage the material. At the time of the visit the auditor considered that the identified asbestos materials were not releasing fibres but could do as they are in a potentially vulnerable position.*

*AIB ceiling tiles are present sporadically throughout the building. This potentially poses a significant risk if the tiles are disturbed or damaged...The ceiling tiles were in good condition and sealed by emulsion paint. There is a significant amount of potentially dangerous asbestos in this school but the school is well maintained and the asbestos appears to be in good condition.*

*The register indicates that there are AIB ceilings, lagging to pipes, rope seal to safe, AIB to incinerators and various asbestos cement items...There are both high and medium risk asbestos materials in the school, with AIB ceilings in various corridors and stores. There is asbestos in the pupil toilets in incinerators and lavatory cisterns. The rope seal to the safe in the manager's office is encapsulated and marked, however this was carried out several years ago and the encapsulation has deteriorated and some fraying has occurred, but this isn't noted on the re-inspection report. Other than the safe seal, there is no evidence that there is deteriorating asbestos material in the school.*

*There is high-risk asbestos insulating board in the Caretakers door that is in poor condition and will be releasing asbestos fibres. This should have been identified long before, and would have been if there had been an effective system of monitoring the condition of asbestos*

*materials. Because there was not, contamination will have taken place over perhaps a prolonged period of time.*

## DISCUSSION

Government Ministers claim that the majority of school employers are managing their asbestos responsibly. However the majority of schools in this assessment have unacceptable standards of asbestos management that put at risk the occupants of the building and the visiting contractors. There is increasing evidence that these twelve schools are by no means unique, but instead are a fair reflection of the standards in many schools throughout the country.

This is despite the fact that more than forty years ago the Department for Education were warned about the dangers of asbestos in schools, how low level exposure could cause mesothelioma and that children are particularly vulnerable to the affects of asbestos. They were told to take measures to prevent the release of asbestos fibres.

More than twenty five years ago local authorities, diocese and school authorities were instructed to undertake a diligent and determined search to identify their asbestos by extent, type and condition and then to implement a system of asbestos management which would prevent the damage to the asbestos materials and the release of asbestos fibres. They were advised to carry out periodic inspections to check on its condition and they were told to inform contractors and the occupants of its location to prevent them disturbing it. These measures were put into law in 2004 in the "Duty to manage" Regulation of the Control of Asbestos at Work Regulations.

Despite all of this, local authorities, diocese and schools have still not followed the guidance and by failing to do so they are not only breaking the law, they are also putting teaching staff, support staff, contractors and children at risk.

### **Ineffective regulation**

It took just a few hours of time in each school for asbestos consultants to uncover a whole plethora of bad practices, which no doubt had been present for many years and yet had passed unnoticed, and therefore uncorrected. One must ask why the system of regulation has not uncovered the flaws in these schools, why it had failed to ensure that the guidance that has been in place for more than a quarter of a century has not been followed.

The findings of this assessment add to the evidence that the system of regulation is not working. The responses to the recent DCSF/HSE questionnaire raised very similar issues as those found in this assessment when they concluded:

*Further verification is needed where: there was no reference to proactive monitoring by the LA to ensure compliance with policies and procedures.*

*In a number of the responses the evaluation has identified areas where management arrangements could be further strengthened... The importance of proactive management – instructions often issued, but not clear how formal monitoring of compliance and implementation takes place at school level.<sup>21</sup>*

This assessment found that schools were not following the guidance, but this had not been identified by the local authority. Indeed on a number of occasions it was the lack of support, and misleading direction from the authorities that was part of the problem.

Of course the governors, headteachers and building managers must shoulder some of the blame, but the widespread and common flaws in their systems of asbestos management are a symptom that something far more fundamental is wrong.

The very people who advise Ministers that all is well are the very people who had failed to uncover these serious flaws in asbestos management. They are also the very people who over the years have advised Ministers that it is safer that schools manage their asbestos rather than remove it. However having advised on the policy, neither they nor the Government have provided the schools with the resources so that they can achieve it.

### **Lack of training**

Not only has the system of regulation failed in these schools but so has the system that ensures that the people who manage the asbestos are trained and equipped to be able to do so. These assessments show that at all levels from the local authorities and school governors to the headteachers and support staff, the level of asbestos awareness is fundamentally flawed, for in the majority of the schools they actually thought that they were doing a good job, when they manifestly were not.

The lack of knowledge amongst the school officials of the asbestos regulations and the guidance shows that people have not been adequately trained. In some of the schools the auditors considered that the people managing the asbestos had the enthusiasm and capabilities to implement effective systems of asbestos management, but because of lack of training, resources and support from their local authorities they were not doing so.

DCSF lays down academic syllabuses and targets that teachers and pupils are expected to achieve, and a system of regulation and inspection that ensures they do. Yet when it comes to ensuring their safety from asbestos there are no such standards.

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<sup>21</sup> Asbestos Management in Schools – summary of HSE evaluation of on-line survey responses submitted from local authorities on asbestos management in system built schools 6 November 2009

Again the findings of this assessment are reflected in the responses to the DCSF/HSE questionnaire where possible flaws in asbestos training were identified. The HSE summary stated that further verification is needed where:

*The response did not demonstrate the provision of information, instruction and training to the school workforce on identifying the presence and management of asbestos.*

A survey carried out by the teaching union Voice of their members also identified a lack of asbestos awareness and training. 67% had not been told whether there was asbestos in the building, or what condition it was in. 72% were not provided information about asbestos management, and when asked whether anyone in their workplace had received asbestos training, more than half replied "No."

They concluded :

*"There are a significant number of schools where staff are not aware of the dangers of asbestos, they do not know where it is and are not involved in its management. How can they be expected not to damage it and to ensure that pupils do not damage it?"*

*This survey provides substantial evidence that urgent action is required to improve standards of asbestos management, particularly training for staff and authorities. The results of this survey add weight to the Voice election manifesto, which calls for:*

*The creation of an action plan for asbestos in schools, including: an audit of the extent, type and condition of asbestos in educational institutions and the standard of management; an assessment of the risk to those who work and learn in educational institutions; the provision of relevant training and guidance and the raising of awareness of the dangers of asbestos in these institutions so they can manage asbestos risks appropriately; and for all the asbestos to be identified and removed in a phased programme when schools are refurbished under BSF and PCP."*

If local authority officials, school governors and headteachers are not trained in asbestos awareness then they will not have a sufficient understanding of the dangers and the extent of the measures that are required to manage it effectively. If they had been trained then they would have known that the asbestos in their schools was not being managed safely and taken measures to remedy the situation. They would also have ensured that the people who manage the asbestos on a day to day basis were trained. It is therefore of fundamental importance that DCSF implements measures that set standards in asbestos training. They should draft syllabuses in asbestos awareness and asbestos management which are tailored for an individual's role. They should then implement a system of regulation and inspection to ensure that they achieve those standards.

### Defined areas of responsibility

The assessment found that areas of responsibility for managing asbestos are not clearly defined. The legal responsibility rests with the dutyholder, but in half the schools there was no record of who they were. This inevitably means that no one accepts that it is their responsibility to ensure that the asbestos is being effectively managed. This is further complicated in local authority maintained schools where the legal dutyholder is the local authority but the management of the asbestos is delegated to the school. The assessment found that there are problems where the responsibilities for practical duties are split between the local authority and the school if those areas are not clearly defined.

The experience in these schools was again reflected in the responses from the DCSF/HSE questionnaire, for they stated that another of the areas requiring strengthening is:

*Clarification of who is the dutyholder, and who takes responsibility for the management of asbestos.*

This lack of clarity has existed for many years but it is only now that DCSF is recognising that it is increasing problem as more schools take on the duties of managing their own budgets. Also as more schools opt out of local authority control the lines of responsibility between the owners, governors and headteachers have to be very clearly defined.

### Clear, specific guidance needed for schools

Another fundamental problem is that the regulations and most of the guidance have been drafted primarily for people working on asbestos and almost by default apply to the occupants of buildings. This has inevitably resulted in school authorities being confused about what applies to them and what does not. The regulations might by necessity have to be of a general nature but the guidance should not be. In 2004 the Schools Minister recognised that the guidance was outdated and needed urgently updating. He stated:

*“What schools need is clear guidance on best practice including what should be done in the event of inadvertent exposures.*

*This should not dumb down the subject as has happened so often in the past but needs to be written in a way that is accessible to a layman.*

*We agree with you that our guidance to schools and LEAs is dated and should be revised as a matter of urgency and DfES together with HSE plan to take this forward in a campaign targeting asbestos management in schools.*

*We also accept that asbestos found in schools has not always been dealt with in a professional manner.”<sup>22</sup>*

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<sup>22</sup> Letter Under-Secretary of State for Schools, David Miliband/ General Secretary NUT. 2004/0043423PODM Aug 2004

However this has still not happened and the assessments prove that the need for clear guidance on best practice is as essential now as it was six years ago. The guidance should be specifically written as a one stop reference for managing asbestos in schools. It should clearly define areas of responsibility. It should give clear definitions and examples of best practice. It should outline the standards to be achieved in training. It should make thorough asbestos surveys mandatory.

### **Thorough asbestos survey is a necessity**

The basis of an effective, workable system of asbestos management is a thorough asbestos survey, however it is not mandatory in law that a survey has to be carried out, and instead the employer can carry out a walk round building condition assessment and presume that everything in the school is asbestos, then carry out just a targeted asbestos survey when building and maintenance work is planned.

Such a system might work in an office where there is order and calm, but it does not in a school where there are children and the ever present potential for walls to be knocked, doors slammed or footballs kicked into ceiling tiles. Two schools in the assessment had purely carried out presumptive surveys, and ten schools had no record that they had looked in the ceiling voids. One of the schools in the assessment was a CLASP building of a type known to contain large amounts of asbestos insulating board (AIB – a high-risk material) that potentially can release fibres from common classroom activities, however the school had no idea what asbestos the buildings contained because they hadn't carried out a complete survey and only undertook limited surveys before building work was carried out. Although that would have protected the contractors during maintenance work, it most certainly did not protect the staff and pupils who occupy the buildings on a daily basis.

It is bad practice for a school not to have carried out a thorough asbestos survey and yet the majority of the asbestos surveys in the assessment were not of an adequate standard and are not of a sound basis for a proper system of asbestos management. But in the main what they have done is legal, and indeed encouraged by the DCSF. Documents obtained under the Freedom of Information act show that in the consultation for the 2002 Control of Asbestos at Work Regulations the Department for Education argued strongly and successfully against asbestos surveys being made compulsory, the reason being cost, they argued that surveys were only necessary before building or maintenance work to protect the contractors.<sup>23</sup> The outcome of this decision is that DCSF acknowledge that most schools have no real idea what asbestos they contain. Their present guidance for school authorities on identifying asbestos acknowledges this by stating:

*In many cases only visual surveys will have been completed and intrusive surveys will not have been done. This is sufficient to comply with the duty to manage regulations (so long as*

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<sup>23</sup> DfEE Head of Architects and Building Branch Capital and Buildings Division, Patel/HSE Head of Asbestos Policy Asbestos Submission 21 August 1997

*any asbestos present is in good condition and unlikely to be disturbed or damaged) but will not provide a definite identification of asbestos.*

*Therefore in most cases it will not be known whether or not asbestos is actually present and in these cases the duty holder should always presume that any material contains asbestos unless there is strong evidence to suggest it does not. Before extensive refurbishment or demolition takes place it may well be necessary to conduct intrusive surveys to ascertain for sure whether ACMs are present or not.<sup>24</sup>*

It is not enough to just carry out surveys before building work, for the very serious problems in system built schools have underlined the necessity to identify all the asbestos in a school so that it can be managed on a day to day basis to protect the occupants from asbestos exposure. It is unacceptable for a school not to have had a thorough asbestos survey, and guidance should be drafted that instructs that a thorough asbestos survey is a fundamental part of asbestos management in a school.

The problems highlighted within this report have also been identified by the HSE Field Operations Directorate. Within the annex 3 there are copies of the improvement notices and prohibitions notices that have been served to various schools, colleges and universities which again shows that the problems are endemic amongst educational establishments. The notices are for various offences which have been described within this report already and again this is further proof that the problem is very real and widespread.

## CONCLUSION

This assessment of a dozen schools has highlighted a number of common areas where the asbestos is not being effectively or even safely managed. Although it has looked at a small number of schools, the problems that have been identified are very familiar to the consultants carrying out the assessments. They encounter similar situations in schools up and down the country. Very similar problems were also identified in the responses to the DCSF/HSE questionnaire. These are not minor problems that have crept in over recent years; rather they are fundamental problems that are endemic in schools in the UK.

Although some schools might be managing their asbestos effectively, many are not which means that thousands, and perhaps millions, of teaching staff, support staff and pupils are at risk in schools in this country. The scale of this problem in schools has to be determined by not only assessing the standards of asbestos management in every school in the country but also assessing the extent, type and condition of their asbestos. As part of this and also as a basic part of asbestos management, all schools should carry out thorough asbestos surveys. Clear guidance should be drafted specifically for schools. Training courses should be introduced and rigorous standards set with a system of regulation introduced to ensure that

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<sup>24</sup> DCSF Teachernet 26<sup>th</sup> January 2010 how do you know if your school contains asbestos?  
<http://www.teachernet.gov.uk/management/resourcesfinanceandbuilding/schoolbuildings/legislation/asbestos/>

those standards are achieved. If these fundamental measures are taken then in future local authorities, diocese and schools will be equipped to manage their asbestos effectively.

Most schools in the country contain asbestos which if disturbed or damaged can release potentially dangerous fibres. This is of particular relevance in a school because children are more vulnerable to the effects of asbestos than adults. Therefore stringent systems of management have to be in place to ensure that fibres are not released, and so long as the asbestos remains in place those measures have to be rigorously maintained for the life of the school.

This assessment of a dozen schools has underlined the fact that schools are not managing their asbestos either effectively or safely.

This audit has only looked at a dozen schools, but the flaws found here are just a reflection of what is found in many, many other schools throughout the country. These flaws should have been identified decades ago and measures taken to correct them, but because they were not, teachers support staff and children have been exposed to asbestos, when it could have been prevented.

For more than a quarter of a century requests have been made to successive Governments that an audit is carried out to assess the extent of the asbestos problem in schools. This assessment of a dozen schools has shown that the need for a nationwide audit to determine the scale of the problem is as vitally necessary now as it was then, and it is long overdue.

The Government's policy of managing asbestos in schools has failed for they have not allocated the resources so that it can work. The schools that are not managing their asbestos safely should be identified and brought up to the standards of the best. People have to be trained. All schools should carry out a thorough asbestos surveys so that they can manage their asbestos. The results from those surveys should be collated so that the extent and condition of asbestos in the nation's schools is known. A risk assessment should be carried out with particular emphasis on children. Only then can proportionate resources be allocated. Only then will schools stand any chance of safely managing their asbestos.

## REFERENCES

1. Asbestos incidents and failures of asbestos management in schools 14th Dec 2009
2. Letter Minister of State for Schools and Learners Rt Hon Jim Knight MP 30th April 2009
3. Letter Minister of State for Schools and Learners Rt Hon Jim Knight MP 27th November 2008
4. Control of Asbestos Regulations 2006 4(3)
5. HSE Surveying sampling and assessment of asbestos containing materials MDHS100 documentation para 6
6. HSE Surveying sampling and assessment of asbestos containing materials MDHS100 documentation para 13
7. HSE Surveying sampling and assessment of asbestos containing materials MDHS100 documentation para 63
8. Control of Asbestos 2006 ACOP para 47
9. Control of Asbestos Regulations 2006 Regulation 4 (8)
10. HSE A comprehensive guide to Managing asbestos in premises HSG227 2004
11. Control of Asbestos Regulations 2006 Regulation 4 (9) (10) para 111
12. The duty to manage asbestos in buildings Who is likely to be a duty holder?  
<http://www.teachernet.gov.uk/management/resourcesfinanceandbuilding/schoolbuildings/legislation/asbestos/duty/>
13. Control of Asbestos Regulations 2006. Regulation 10 Information, instruction and training
14. Control of Asbestos Regulations 2006. Regulation 10 Information, instruction and training ACOP Refresher training para147
15. The duty to manage asbestos in buildings Who is likely to be a duty holder?  
<http://www.teachernet.gov.uk/management/resourcesfinanceandbuilding/schoolbuildings/legislation/asbestos/duty/>
16. Asbestos incidents and failures of asbestos management in schools
17. 25 Mar 2009: Column 130WH Asbestos in schools. The Parliamentary Under-Secretary of State for Children, Schools and Families Sarah McCarthy-Fry MP
18. Letter Chief Executive National College 21 December 2009
19. Control of Asbestos Regulations 2006 Regulation 4 (8a)
20. Control of Asbestos Regulation 5 Identification of the presence of asbestos
21. Asbestos Management in Schools – summary of HSE evaluation of on-line survey responses submitted from local authorities on asbestos management in system built schools 6 November 2009

22. Letter Under-Secretary of State for Schools, David Miliband/ General Secretary NUT2004/0043423PODM Aug 2004
23. DfEE Head of Architects and Building Branch Capital and Buildings Division, Patel/HSE Head of Asbestos Policy Asbestos Submission 21 August 1997
24. DCSF Teachernet 26th January 2010 how do you know if your school contains asbestos?  
<http://www.teachernet.gov.uk/management/resourcesfinanceandbuilding/schoolbuildings/legislation/asbestos/>

**Annex 1. Questionnaire**

**Annex 2. School Audit reports**

**Annex 3. Copies of Improvement / Prohibition Notices**

**Annex 4. VOICE Survey Findings**

**Annex 1. Questionnaire**

Guidance Notes.

The following notes have been prepared to assist with the schools audit. The purpose of the audit is to produce a report that can be used to benchmark levels of management.

We plan to produce the report with information for simple analysis (excel spreadsheet) and more detailed information for a more comprehensive review. It is possible that this will be undertaken by outside researchers so comprehensive information would be appreciated.

Where you feel it would assist please provided photographic evidence we do not need this to identify the schools.

Excel. Schools AMP Pilot Review (August 2009)

Asbestos Management Plan page. For each of the questions on the page please identify the response that most closely applies.

The information below set out the detail of the questions and additional information that we would like to gather.

## Management

Question 1 - Were you required to sign into the site?

We are trying to assess what would happen with visiting contractors.

Please outline what procedures exist on the site. If a signing in book is used does this contain an asbestos statement?

Question 2 - Were you provided with the asbestos management plan?

If yes what form does the document take? Is it a generic document or is it site specific?

Question 3 - Was the survey available?

How long did it take to find the survey? Is it readily available or kept under lock and key?

Question 4 - When was the document / items last reviewed?

When was the survey / management plan last reviewed? Who undertook the review? Does it appear comprehensive?

Question 5 - Where the surveys highlights items scoring 18+ has any remedial work been performed?

Has the remedial work or other recommendations within the survey been undertaken? Who undertook this work e.g. caretaker? Have the records been up dated and can a paper chain be identified?

Question 6 - If any ACM's have been removed are all the necessary documents available on site?

Where asbestos works have been undertaken is it possible to demonstrate the works were undertaken to a satisfactory standard. Are the following records available: Clearance certificate, method statement, and specification of works, consignment notes and site log?

Question 7 - Review. Has this been performed to a satisfactory standard?

Where work has been undertaken inspect area to determine if satisfactory?

Question 8 - Is a duty holder clearly identifiable?

Does the documentation contain detailed reference to the duty holder? If this person is available please confirm they are aware that they are the Duty Holder.

Please list the role of the Duty Holder, e.g. Caretaker, Head Teacher.

Question 9 - Has the duty holder been trained?

Please detail the type of training that has been provided, who provided the training and when this was done? Detail if any refresher training has been provided?

Question 10 - Are site staff trained and aware of AMP?

## Inspection

Question 11 - Is the survey fit for purpose?

What type of survey is it? Does it appear to be suitable for the site? Does it contain any specific exclusion? Are plans available within the survey?

Question 12 - Has the survey been performed by a recognised source and when was it conducted?

Was the surveying organisation UKAS accredited if uncertain please detail the Company?

Question 13 - Are caveats clear and appropriate?

Are the caveats used in the report appropriate? Does the report include inspections within ceiling voids and other maintenance areas? Detail if you feel any areas have been unnecessarily excluded from the survey.

Question 14 - Where construction works have been performed have appropriate additional inspections been undertaken.

Has any construction work been undertaken on the site since the original survey? If so can evidence be produced for appropriate Type 3 inspections?

## Asbestos

Question 15 - What types of asbestos have been identified on the site (Highest risk only)?

Provide a brief description of the materials identified on site. If only non-licensed products present please only refer to as non-licensed?

Is the use of the identified materials influenced by the buildings structure? E.g. High levels of insulation board as building system built).

Question 16 - Are high score items present in normal-occupied locations (Exclude plant rooms etc)?

Please detail what higher risk materials are present. Outline what materials are present in pupil occupied areas?

Question 17 - Review highest risk items. What is the condition of these?

Briefly assess the current condition of these materials. (If large school with numerous high scoring items a random selection of pupil and other staff occupied areas / items and locations is acceptable).

Question 18 - Where high-risk items are present are they likely to be releasing asbestos fibres?

Please detail your observation and the reasons you reached your conclusion.

Question 19 - Can the requirements of the AMP labelling etc be seen on the site?

Do the observation on the site indicate that the procedures in the Asbestos Management Plan are being followed?

Question 20 - Is survey/ AMP appropriate in terms of recommendations for site?

If the recommendation from the survey are for example leave and manage do you consider this acceptable in relation to your finding on the site? E.g. high levels of building decay or vandalism.

Question 21 - Do you consider the asbestos on the site is adequately managed with appropriate resources being made available?

Having reviewed the document and the procedures for the site and undertaken a brief inspection do you feel appropriate resources (information, training and budget) are available to adequately manage and control the asbestos upon the site?

Question 22 - Do you consider air monitoring is necessary upon this site?

We are currently trying to identify schools that would be suitable to assess and test methods for determining long-term low-level exposure. Would this site be suitable? If so please detail the reasons why? E.G system built with poor management.

### Contractors

Question 23 - Is it documented that all contractors have reviewed the AMP prior to starting work?

We are attempting to determine what if any information is provided to contractors. Please briefly outline the processes in place for the site. If no works have been undertaken since the asbestos survey or introduction of the Asbestos Management Plan please try to determine reason why. E.g. work undertaken by parents.

Question 24 - Is it recorded that they had appropriate asbestos awareness training?

Does a procedures exist for ensuring contractors have appropriate asbestos awareness training.

Question 25 - Was the survey / AMP appropriate for the work performed?

Where a survey exists please determine if it was appropriate for the works. For example all ceiling voids not accessed on survey yet cabling work conducted in ceiling voids.

Additional Comments:

**Annex 2. School Audit reports**

## Serial 1.

### Comments on asbestos management

#### Type of school

This is a medium sized secondary school mainly built in the mid 1950's. It is a System built school and because of its date of construction and type contains significant amounts of asbestos. A rigorous system of asbestos management should be in force to ensure the safety of the occupants.

#### Summary

The asbestos management in the school is of an unacceptable and at times dangerous standard.

#### Asbestos management plan

The school does not have a formal, written asbestos management plan (AMP). This is despite the regulations stipulating that there should be one. Instead asbestos management in the school is conducted on an informal basis.

#### Dutyholder

The name of the duty holder does not appear to be formally recorded in the documentation. As there was no AMP there was no reference to the duty holder. The Deputy headmaster was clear that he was the duty holder.

The duty holder has been in post for a number of years, however he had only just attended a half-day asbestos awareness course. The Building Services Assistant had non-specified asbestos "qualifications" which may have been "attendance only". It is considered that the training for key stakeholders is not sufficiently in-depth.

Information pertinent to asbestos and its management on site is distributed by the duty holder via e-mail. It is not specified how the duty holder ensures that it has been received, understood and then actioned by members of staff and there is no evidence that it has been successfully disseminated.

#### Asbestos survey

There were two type 2 surveys available on site; one carried out by the City Council in 2004, and one carried out by a private firm of asbestos consultants in 2008. The City Council are UKAS accredited, whereas the private consultants are not. The surveys are readily retrievable and the City Council's in particular was well thumbed. There were multiple copies of the City Council survey, and there may have been others.

The (unwritten) asbestos management plan (AMP) plan is informally reviewed both at the annual health and safety committee meeting, and as works are done. The ongoing review appears to be ad hoc, informal, and unstructured, with an ambiguous series of ticks and highlights on various copies of the two surveys. It is apparent that not all copies of the two surveys are updated in a consistent fashion. The auditor recommended that a single copy of the survey is designated as the “master” copy, for the purposes of asbestos management.

The two surveys utilise different scoring systems than that advised in HSE guidance. The duty holder has a good commonsense approach to prioritising works, considering material and condition, but also occupancy and planned works. However all of this is kept in his head, with no formal system or proper paper trail in place.

The independent consultant’s survey appears to have reasonable exclusions; however they were not readily apparent to anyone consulting the document, as they were not stated until an appendix half way through a report of approximately two hundred and fifty pages.

The City Council survey has only attempted to look for asbestos in readily-accessible places, and has not investigated above head height or in any under-floor services. This is contrary to HSE guidance which requires all accessible areas to be investigated, including the ceiling voids and under-floor services. To compound the problem, the limitations and caveats of the survey were not recorded in the documentation, but instead were passed on verbally to the building services assistant, and were not known of by the duty holder. This is dangerous practice.

Despite its limitations, the survey has been used as the basis for construction and maintenance work that has taken place in the school, and it is possible that this has directly led to two serious asbestos incidents occurring.

#### [Asbestos incidents](#)

A recent incident occurred where contractors disturbed asbestos insulating board (AIB) ceiling tiles in the process of installing smoke detectors and cabling. The regulations require that this asbestos should have been identified before the work began, in order to properly risk-assess the proposed works. As this area had not been inspected within the scope of the original survey report, it was necessary to have a further inspection of the area carried out, prior to the work commencing. However, as the original survey report had not clearly reported that this area had not been inspected, the duty holder mistakenly presumed that it had been. The work therefore went ahead without the contractors being aware of the presence of asbestos, resulting in disturbance of the asbestos insulating boards. Because of the nature of the work, asbestos contamination of both the rooms and the contractors would have occurred.

Two years before there had been another serious incident, where once again it would appear that the flawed asbestos survey could have been a contributory factor. In this case construction work took place to build a new reception area that involved removing walls in the old part of the school. There was a very real danger of disturbing asbestos materials and yet the operation was planned on the basis of the City Council survey. Again another survey should have been carried out, and in this case (as walls were to be removed) the survey should have been an “intrusive type 3”. No such survey was carried out; instead, the contractors relied on the City Council survey and must have presumed, incorrectly, that no asbestos was present.

#### Damaged asbestos ceiling tiles

A significant amount of asbestos has been identified in the school and includes materials that potentially present a risk to the occupants. Some of the asbestos materials are in a poor condition and, as well as building and maintenance work disturbing the asbestos, the material has also been disturbed during normal occupancy, with the very real possibility that asbestos fibres have been released.

There are some asbestos insulation residues on the plant room walls that has been encapsulated and labelled; despite this, items have been stored in the room and propped against the walls, so it is only a matter of time before some of the encapsulated asbestos insulation is damaged.

There are AIB ceiling tiles in classrooms and stairwells. It is evident that pupils have thrown objects at the AIB ceilings as the tiles have imprints of what appears to be footballs on them. It is most likely that impacts such as this will have released asbestos fibres, for although the visible surface is painted, the top surface is not, consequently asbestos fibres can be readily released.

The AIB window surrounds have been screwed in place, and there is some deterioration of the asbestos material around the screw holes.

#### Labelling

The independent consultant’s survey makes generally commonsense recommendations, but the absence of the AMP makes it impossible to assess whether any informal recommendations are being followed. There is no formal written policy for labelling asbestos materials but there is an informal system. The duty holder reported that the site manager labels some, but not all asbestos materials. It is potentially problematic to have a labelling policy that is done on a basis of understanding rather than one that is rigorously pursued with all asbestos materials being labelled, for a contractor could presume that the lack of a label indicates that the item does not contain asbestos.

### Asbestos budget

The budget for asbestos management, remediation and removal is approximately £50,000 per annum, which the duty holder believes is sufficient to manage the asbestos. He does however acknowledge that it is not be sufficient to remediate all of the ACMs within the likely life span of the school buildings.

### Asbestos debris

AIB had recently been removed from two changing room wet areas to enable refurbishment. The auditor examined the changing rooms and very easily noted two small fragments of AIB on the floor. There were also noticeable quantities of dust and debris that had been left on window sills following the work. Staples which presumably had been used to keep the polythene enclosure in place still remained in the window sills. The auditor advised the duty holder to have the room locked, and call the asbestos contractor back on site to carry out a thorough clean up in order to make the room safe.

### Control of contractors

As there is no AMP, contractors cannot sign as having read the document. However the auditor talked to a contractor who had signed as having read and understood the asbestos register, in addition he had been briefed about the asbestos in the vicinity of where his work was about to take place. It is considered that a briefing is better than the fairly pointless “read the 500 page register and sign here” approach. He also had received asbestos awareness training.

However there is no formal procedure for ensuring that contractors have the appropriate training. It is informally asked for but not rigorously pursued. The duty holder himself believed that there was a potential issue of contractors sending sub-contractors to the school who were not appropriately trained, and there is no current system in place to guard against that.

### Training

The duty holder needs proper training in how to manage the asbestos in his school effectively; part of that would give an understanding of the types of training a contractor should have had, and whether the training is of a satisfactory standard.

The asbestos management in the school is not of an acceptable standard. However the staff who the auditor met during his assessment are undoubtedly willing and potentially able to effectively manage the asbestos. What they lack is appropriate management training which, coupled with greater resources, would enable them to design and implement a rigorous and effective management system.

## Conclusion

Since 2004 all maintenance and construction work and remedial work on asbestos has been planned and risk-assessed against the flawed City Council asbestos survey. There have been instances where actual exposures have undoubtedly taken place, and potential exposures have only been avoided by luck, rather than good management.

The asbestos management in this school is not of an acceptable standard. At times, this has allowed unsafe practice, with resultant asbestos contamination of the school, undoubted exposure of contractors, and the possible exposure of the occupants.

## Serial 2.

### Comments on asbestos management

#### Type of school

This is a medium sized System built secondary school constructed between 1956 and 1958. It contains significant amounts of asbestos and therefore requires a rigorous and effective system of asbestos management to ensure that asbestos fibres are not released.

#### Dutyholder

The duty holder is trained and conscientious and on the surface has control of the asbestos management in the school. However it would appear that there are fundamental flaws in critical elements of the system of asbestos management that put serious questions over whether the asbestos is being safely managed.

The Facilities manager is the dutyholder. He carries out regular health and safety risk assessments including asbestos. He attended an asbestos awareness and premises management course in 2007 and a further two day course in 2008. All staff have been notified of the asbestos register. There is a regular monthly health and safety committee meeting with staff and unions. This is a commendable practice

#### Asbestos management plan

There is no formal asbestos management plan on site. There is an up to date asbestos register with a brief section which covers the premises manager's and contractors' responsibilities. Although there is no formal asbestos management plan the Facilities manager and his staff are well versed on where the survey has identified asbestos.

### Asbestos survey

The original survey was readily available with a re-inspection report dated in September 2008. This was printed off a web based property management system. There are no plans in the re-inspection report, however they may be on the web-site.

The survey was undertaken by a private company employed by the local authority responsible for the school. The company is not UKAS accredited. Although that is legal, it is ill advised for a school's asbestos survey to be carried out by a non-accredited organisation. The company's web-site acknowledges that they have a limited capability for undertaking asbestos surveys by stating they have "An in-house capability for Type 1 presumptive surveys, to identify materials within a building that are suspected of containing asbestos..." The statement continues by stating that they can arrange for other companies to undertake type 2 and 3 surveys and asbestos bulk sampling .

It was claimed that the survey is a Type 2 asbestos survey. However the Facilities manager confirmed that no samples were taken during the survey, instead a presumption has been made that asbestos materials are present, which suggests that it is a Type 1 survey. This view is further reinforced as there is no mention of areas inspected, asbestos sampled and there is no extensive list of samples taken, as there would be had this been a type 2 survey. The original report may itself be a re-inspection report but the Facilities manager was sure that it is the original. It appears that the survey report is an asbestos register and not an inspection report.

The survey looks very comprehensive although it is complicated and difficult to follow. It is unusual as no caveats have been used and there is no information to confirm whether or not the ceiling voids have been assessed.

### Unclear if ceiling voids assessed

A crucial first step in a system of asbestos management is a thorough asbestos survey that correctly identifies the accessible asbestos, and where it has been unable to access an area, this is clearly noted on the survey report. The auditor has raised some unresolved questions about the viability of the survey, for it would appear that it has not only failed to sample any material to confirm what is asbestos and what is not, it is unclear whether it has accessed the less accessible places such as the ceiling voids. Despite this maintenance work has been carried out without undertaking a further survey to investigate in depth whether any asbestos was present. This is contrary to the regulations that require a type 3 survey to be undertaken if structural work might disturb areas that cannot be accessed in a normal survey.

Despite this, no type 3 survey was undertaken when structural alterations were carried out on the toilets. Reliance was purely placed on the type 2 (1) survey, it appears that it is normal practice.

While accessing a void the builders discovered some asbestos insulation on pipe-work that had not been identified on the survey. It was luck that they did not damage the material.

AIB boxing identified in the original survey has subsequently been removed since the re-inspection report, however the plans have not been updated. This was part of a larger project but the paper work was incomplete for although a clearance certificate was available there was no consignment note, no specification and no method statement.

#### [Incorrect assessment of asbestos risk](#)

The survey has assessed that there are no high risk asbestos materials and only a few medium risk ones in the school. However it has identified numerous locations of asbestos insulating board, AIB, lining panels to fire doors throughout the school, which it has incorrectly assessed as low risk. The assessment is flawed as in the opinion of the auditor all the door panels should be classified as high risk because of their vulnerable location they could easily be damaged by the children. It would appear that the surveyors may have followed the algorithm for a material risk assessment but not considered the occupancy of the premises and potential damage. The fire doors did however appear to be in good, sound condition with no evidence of damage. There were two exceptions with one minor scratch to one particular fire door and the fire door to the boiler room had evidence of previous damage which had been sealed. Because the fire doors had been assessed as low risk the recommendation was to monitor and manage. As a result of the audit they should now either be programmed for removal or a more robust inspection scheme of 3-6 months supplemented by regular checks on their condition. There was confusion to where the high level panels in the main school kitchen contained asbestos. All the other visible asbestos materials that were inspected in the school were in a good condition, although no asbestos materials were labelled. Because of the questions over the viability of the survey it is possible that there is asbestos in the school that has not been identified.

#### [Control of contractors](#)

There is very little control or assessment of the contractors who enter the school. All contractors are directed to the Facilities manager who determines whether there is asbestos in the area that the work will take place, and whether they are likely to disturb the asbestos. They are asked to sign the register, however they are not required to sign if no asbestos has been identified on the survey in their area of work. No procedure is in place for checking whether contractors have asbestos awareness training, and generally they are not asked for proof of attendance of a registered course.

#### [AIB damaged](#)

The flaws in this system were aptly demonstrated during the audit. An engineer was replacing an alarm in a corridor adjacent to a fire door containing AIB with an AIB door surround. He had just

unscrewed an alarm box from the AIB panel surrounding the door which had released asbestos debris. On questioning he admitted that he was unaware of the presence of asbestos. It transpired that the duty holder had briefed another engineer from the same company, but not him. He had no asbestos awareness training and according to the engineer neither had anyone else in his company.

### Conclusion

There is no asbestos management plan and there are serious questions over whether the asbestos survey is fit for purpose. It was not carried out by an accredited organisation and appears to have been a limited presumptive survey with no samples being taken, it is not clearly stated but it also appears that it failed to look in the voids. In addition the risk assessments are wrong. It is possible that because of the type of building and date of construction, that there is considerably more asbestos in the school than has been identified. The presence of unidentified asbestos was confirmed when structural work was carried out and asbestos insulation discovered. It was pure chance that this was not damaged, as the original survey had been relied upon and no type 3 survey had been carried out. The duty holder has attended training courses and is conscientious, but the system is totally reliant on him and was proved to be unsafe, asbestos was disturbed and fibres released.

The asbestos management in the school is not of an acceptable standard. It has been proved to be unsafe.

## SERIAL 3

### Comments on asbestos management

#### Type of school

This is a large system built secondary school, constructed at the time that asbestos was used extensively in such structures. A rigorous system of asbestos management should therefore be in force to ensure that any asbestos present is not disturbed, and the fibres are not released.

#### Summary

However the standard of asbestos management has been proved to be dangerously inadequate, which has resulted in the contamination of the school, and the exposure of contractors and, almost inevitably, of the staff and pupils.

#### Control of contractors

There is a system for signing in contractors. They are provided with a fulsome, but muddled and confusing information pack and they are asked to sign to confirm that they have read and

understood the policies. The school are not convinced that Council Property Services send contractors to site who have any asbestos training at all.

#### Poor support from council

The support received from Council Property Services is sometimes inappropriate, misleading, and even wrong. Budgetary resources are woefully inadequate for the scale of the asbestos remediation that is potentially required.

#### Dutyholder and Training

There is no reference in the documentation to a dutyholder. Responsibilities are listed for the Headteacher, Health & Safety site manager, Estates site manager, teaching and non-teaching staff etc; but no mention is made of any hierarchy or inter-relationships.

The key site staff are inadequately-trained. There is no record that they have been trained in asbestos management, or even asbestos awareness; at the most they had CLASP-specific training delivered by the auditor in March 2009.

The site management and reception staff demonstrated an appreciation of the asbestos issues and procedures to be carried out. But the auditor was left with the impression that, in the absence of a formal, clear and concise policy, effective management was entirely dependent on the Health and Safety site managers having direct involvement with a project. However, they could all too easily be inadvertently bypassed.

#### Asbestos management plan

There was a generic asbestos management plan (AMP) on site, although its non-specific nature made it of questionable value. There was no mention of prioritisation of asbestos items, nor of timescales for remediation. There was no overarching statement of intent with regard to asbestos remediation. The AMP is not specifically written with targets and procedures, so that it is not possible to directly correlate what is being done on site with a written procedure.

#### Asbestos survey

An asbestos survey was readily available at reception, and there were further copies held by the site management. A Type 2/3 survey was carried out in March 2009 by a UKAS accredited organisation; however until then the survey used by the school was produced by a non-UKAS accredited company. Despite its importance to the school the survey was held at Council Property Services until August 2009, when it was finally passed to site.

Extensive work was undertaken during the Summer 2009 holiday. This was recommended to the school by the Council. It appears to have been done so that the school would be confident that the all of the first floor ceiling voids were clear of asbestos. Unfortunately, this appears to be a false aspiration, as Council Property Services had misunderstood the survey report of March 2009 and had wrongly considered some areas to be asbestos-free. Works were carried out by a licensed removal contractor during the Summer holidays, but all of the associated paperwork was still with Council Property Services; therefore the school site report had not been updated.

#### Poor asbestos remedial work

The asbestos remedial work was generally of an unsatisfactory standard. There is a serious problem of asbestos fibre release in system-built schools of this design; when walls and structural columns are knocked, amosite fibres can be released into the rooms and ceiling voids. The structural columns are clad in asbestos insulating board and to prevent the release of fibres, HSE guidance advises the top of the cladding is sealed with expanding foam. This is a major job in a school of this size, which will have hundreds of such columns. The auditor scrutinised just four photographs of columns within the survey, in order to make the duty holder aware of the issue. Of the four columns examined, three were very shoddily blobbed with expanding foam such that the column top was not effectively sealed, while the fourth had no foam applied at all. The site manager then stated that the building contractor working on the Summer 2009 refurbishment project had reported that no column tops had been sealed in his work area at all.

The survey stated that the ceiling voids were contaminated with asbestos. It is therefore necessary to maintain the ceiling grid as intact as possible. This is not done, as there are missing and broken non-asbestos suspended ceiling tiles in the school. Asbestos fibres can readily filter down from the ceiling void, into the rooms beneath.

#### Flawed asbestos survey

The asbestos survey is dangerously flawed; this has directly led to a serious asbestos incident taking place. It is clearly stated at the beginning of the survey that it is a type 2 survey with a type 3 in the ceiling voids. However buried deep in the hundred and seventy page document, the survey states that only representative access had been made into the ceiling voids, or in some instances none at all. This is an unacceptable caveat in a type 3 survey which is meant to comprehensively identify all the asbestos in the specific area it is carried out. This was particularly pertinent in this case, as the school required a full investigation of the ceiling void before refurbishment work was carried out.

The H&S site managers had both been operating under the misconception that the entire survey was type 3, and had commissioned major refurbishment based on it's [incomplete] findings. To compound the problem, Council Property Services had misinterpreted the caveat stating that areas had not been accessed as meaning "where no asbestos had been reported, none was present." As a

result, extensive cabling work was carried in the contaminated ceiling voids without the Council authorities, the school authorities or the contractors being aware of the presence of asbestos, or taking any precautions.

It is considered that the fact the caveats are “hidden” deep in the text of a 173 page report is little short of a dereliction of duty on the part of the consultants who carried out the survey.

#### Large amount of asbestos. Asbestos disturbed

There is a large amount of asbestos in the school, with much of it being high risk. AIB is present in ceiling tiles, transom panels, column cladding, skylights and is likely to be present in other places; for instance as AIB off-cuts were lying in the ceiling voids. It is known that in schools of this type, amosite fibres can be readily released from the walls and columns and yet, because the columns have not been properly sealed, and the suspended ceiling tiles are ill-fitting and / or damaged, asbestos fibres are easily able to filter down into the rooms beneath. Additionally (due to the misinterpretation of the survey report) the ceiling voids have been repeatedly worked within by contractors.

#### Conclusion

The asbestos management in this school is informally split between the Council and the school. The key site staff are inadequately trained. The support received from Council Property Services is sometimes inappropriate, misleading, and even wrong. Budgetary resources are woefully inadequate. A survey was carried out that failed to assess the extent of asbestos in the ceiling voids, but even more worryingly failed to clearly report it’s limitations. This has led to contamination of the school and exposure of contractors. Inevitably, staff and pupils have been exposed to asbestos.

The asbestos management in the school is inadequate and unsafe.

#### Serial 4

##### **Comment on asbestos management**

#### Type of school

This is a medium sized secondary school that opened in the 1920’s. The majority of buildings are traditionally built, although there are a number of what appears to be post war non-traditionally constructed buildings.

Because of the type and date of the buildings asbestos has not been extensively used in their construction. However there are asbestos cement ceiling tiles in one block, also asbestos insulating

board has been used in skylights. There are asbestos containing floor tiles in the school, asbestos lagging in under-floor ducting and asbestos insulation in the boiler house. The materials are in good condition and encapsulated with the exception of asbestos containing external roofs.

### Summary

The asbestos materials appear to be well managed. The survey is appropriate for the building and has accessed the less accessible areas. However there are certain aspects that are not satisfactory and need addressing: The person in charge of the asbestos management has not been trained. There is no formal asbestos management plan and the documentation has not been fully updated when asbestos remedial work has been completed. There also is no record that an in depth intrusive survey was carried out before refurbishment work took place.

### Dutyholder

It is noted in the documents that the deputy Bursar is responsible for the practicable aspects of asbestos management in the school. He has had no formal training. Although most aspects of the asbestos management in the school appear to be satisfactory, there are certain matters that run contrary to good practice and indeed the regulations. Therefore he should attend a recognised training course so that he has a better understanding of what is required.

### No asbestos management plan

There is no asbestos management plan. This is despite the fact that a written asbestos management plan is not only required by the regulations, but it is also an essential component for managing asbestos in a school. The deputy bursar might hold all aspects of the management plan in his head, but the problems arise when he is not present, and therefore the measures which are to be taken for managing the asbestos need to be specified in a written plan. The regulation require that the plan should also be subjected to a thorough six monthly review even if no changes have been made. A record should be kept, but no record exists that any such review has taken place.

### Survey

A type 2 asbestos survey was carried out in 2004 throughout the school with samples of suspect materials being taken. The company carrying out the survey was not UKAS accredited, and although this is within the law, it is not good practice as accreditation ensures that the company meets specific standards in surveying and assessing the risks.

All the limitations and caveats in the survey seem appropriate and include access to ceiling voids and maintenance areas. One of the blocks was not accessed but that was due to an unsafe floor.

### No risk assessments

The survey has no record that any attempt has been made to assess the risk from the materials that have been identified, for there are no numerical scorings for either Material or Priority risk assessments. This is contrary to the regulations and also to good practice, for without this assessment priorities cannot be set for remedial work or for the periodic inspection of the materials.

The survey has not been reviewed since it was completed some five years ago, despite the fact that it should have been reviewed and brought up to date every time work was carried out. In this case as there is no asbestos management plan the survey in effect has acted as the plan and therefore should have been reviewed every six months.

### Remedial work

The survey recommended that remedial work should be carried out by removing some insulation residue in the plant room and a cement flu, However although this was noted in the survey there was no supporting paperwork. The work did appear to have been completed to a satisfactory standard.

### Control of contractors

There is a procedure for signing in, however there is no asbestos statement within book. There is a separate asbestos awareness register which has to be signed by all contractors after reading the school's asbestos survey. The survey is kept with the caretaker or site supervisor and is available at all times. No procedure exists for ensuring that contractors have the appropriate asbestos awareness training.

### No evidence of type 3 survey

The canteen was re-furbished in Aug 2005. When refurbishment, maintenance or building work takes place that might disturb the fabric of the building an intrusive, type 3 survey should be undertaken beforehand to identify any asbestos materials that might be hidden in places that a normal survey will not have accessed. There was no evidence that such a survey had taken place before the canteen was refurbished.

### Conclusion

There is no formal Asbestos Management Plan and no evidence that an intrusive survey took place before refurbishment work. However all asbestos containing materials that have been identified are being treated with caution and have been removed or encapsulated as necessary. There is very little evidence of damage throughout and the asbestos containing materials that are visible are clearly well managed.

## Serial 5

### Comment on asbestos management

#### Type of building

This is a medium sized secondary school opened in 1976. It is a flat roofed brick built structure. A significant amount of asbestos has been identified, some of which is in locations potentially vulnerable to damage. Because of the type of building and year of construction it is likely that more asbestos will be present than has been identified in the survey.

#### Summary

The asbestos management in this school is not of an acceptable standard. At times it is likely to have been unsafe. The survey is outdated, inadequate and has failed to assess critical areas. Remedial measures that were recommended in 1996 when the survey was completed have not been actioned. There is no proper written asbestos management plan. The standard of staff training is poor. Because the surveys had failed to investigate the less accessible places it is highly likely that asbestos contamination of the contractors and the school has occurred.

#### Duty holder and training

The asbestos policy document contained no reference to a Duty Holder. The Site agent advised that the Headteacher was the dutyholder and that the responsibility for managing the asbestos had been delegated to the site agent.

The standards of training are poor. The site agent had been trained as part of his general induction 19 years earlier when he initially took on his role. Other caretaking and maintenance staff also had asbestos training as part of their overall induction. However the training was described, as being of two hours duration and from the description did not appear to meet the requirements of the current asbestos regulations.

The latest member of the caretaking staff had been trained 5 years previously and the auditor was informed that all site staff are trained although there was no documentation or records to support this. The regulations require that refresher training appropriate to a person's role should be given at least every year, despite this refresher training was not a requirement of the local authority, and there was no evidence that it had taken place.

#### Asbestos management plan

There is no written asbestos management plan for the site. Instead there is a policy document, and a site "log" instead of a recognised asbestos survey. The policy document was dated 2000 and provides some information but omits critical information such as the name of the duty holder. The site log consists of a list of asbestos materials but does not provide the information that one should expect in an asbestos survey or a management plan.

### Asbestos survey

The asbestos log was present in the site manager's office and could be readily found. It does not comply with the current guidance on asbestos surveys. It was compiled from an asbestos survey completed in 1996 and pre dates the current asbestos regulations, it also predates the current HSE guidance on asbestos surveys which was published in 2001 (MDHS100), there are therefore a number of requirements and standards that have not been met. A proper review has not been carried out in the intervening years so that the deficiencies remain uncorrected.

One of the requirements of the current regulations is that when asbestos is found an assessment is made of the risk it poses, and the guidance advises that should be in the form of a Material risk assessment and a Priority risk assessment. But the log/survey has made no such assessments.

The asbestos file contains plans of the school and areas where asbestos has been identified but there appear to be a number of discrepancies with the log, including some issues concerning referencing, all of which adds to the confusion and lack of clarity.

The survey conducted in 1996 and recommended that certain actions should be taken within six months. Despite that, some 13 years later a number of the actions are still outstanding.

The log/survey is not complete for it has no information on its scope and neither does it contain any caveats of areas that have not been accessed. Consequently as there is no written record it is unclear whether the ceiling void has been accessed. It did however become apparent from comments made by the site agent that the ceiling voids had not in fact been inspected during the original survey, and neither had they been in a later "audit" that had been carried out. He also confirmed that despite the lack of information in the surveys he knows that there is asbestos in the ceiling voids.

The guidance requires that all less accessible places such as ceiling voids and floor ducting are inspected. However if for some reason they have not been then the fact has to be clearly recorded in the survey and the area has to be managed with the same rigour as if it does contain asbestos. In the future if the area has to be entered then a further survey should be carried out to identify any asbestos that may be present.

### Intrusive survey before building work

Recent work was carried out and a Type 3 survey conducted before the work began. However the survey was seriously flawed for it not only failed to investigate whether any hidden asbestos was present, it even failed to look in the ceiling void. This is shown in the report which contains a number of caveats such as "No access gained into ceiling voids" and "Services risers not opened up for inspection." These caveats totally defeat the very purpose of a Type 3 survey. Despite this, according to the Site Agent, he advised the contractors that from his personal knowledge asbestos was present in the ceiling voids.

However on another occasion it is inevitable that asbestos was disturbed when cabling work was carried out in the ceiling void. This would not only have potentially contaminated the contractors with asbestos fibres, it could also have released asbestos fibres into the remainder of the school. This would appear to have been a direct result of the survey failing to access the ceiling void, and failing to record the fact.

#### [Inadequate update of log](#)

The site agent advised that a three day “audit” had been undertaken by the local authority, however the audit did little to correct the deficiencies of the asbestos management plan and surveys. The site agent was unsure about the precise nature of the audit and although the log had been updated to show that it had occurred there was no documentation to show that it had included an asbestos survey, or re-inspection of the asbestos materials. It is possible that the audit considered other facets of the property in addition to asbestos, although it was referred to by the site agent as an asbestos audit. The ‘audit’ was commissioned centrally so it is also possible that the information was passed to the Education Authority, which would defeat the object of having the Site Agent / Head Teacher as the Duty Holder.

Because the 1996 survey/log does not meet the current criteria for surveying asbestos, the audit should have identified this and corrected the deficiencies. However it is not apparent that any attempt was made to do this.

The audit should have identified that the recommendations in the 1996 asbestos survey had not been actioned. However it would appear that they did not notice the fact, for rather than making amends and immediately carrying out the actions, the audit just carried the recommendations over. It can only be concluded that the review failed to examine the system of asbestos management otherwise the issues identified within this report would have been found and corrected.

#### [Control of contractors on site](#)

There is a general signing in book which contractors should sign, they also should sign the site log, however there is no reference to what site controls are in place. The information provided is poor and unclear, and makes the assumption that the contractors know what to do. All instruction for contractors are issued by the site manager, who is a key person and very familiar with the site but the auditor could not confirm the same was true for other caretakers. In the absence of the site manager controls do not appear to be in place and no formal hand over process appears to exist with other members of staff. In addition they do not appear to be adequately trained. This lack of a tight system of signing in and briefing contractors was confirmed when a contractor arrived on site during the assessment, although he signed the “asbestos book” he acknowledged when asked by the auditor, that he had no asbestos training.

The lack of a written plan and the reliance on the site manager is further illustrated as there is no information about what happens if he is not on site if an asbestos incident occurs, in addition no

emergency procedures are laid down for others to follow in his absence. It is recommended that clear written guidance is drafted, and that all the pertinent site personnel are trained and properly equipped to implement procedures in the absence of the site manager.

#### Remedial work on asbestos

Work has been carried out on asbestos materials in the school and some documentation exists on the file, however it is difficult to match the work with the log/survey. The problems of identifying what has been done are further exacerbated by the fact that apparently some documents about asbestos removal work are kept by the school and others by the local authority.

Although some asbestos has been removed from the school, significant amounts remain. The removal does not seem to have been prioritised because of the risk posed by the materials, for no priority seems to have been given the removal of high risk materials in vulnerable locations. Although many of the buildings have undergone extensive re-fits, in some locations the asbestos has been left, and this appears to be because of budget issues.

Amongst the asbestos remaining in the school is asbestos insulating board in some ceiling tiles and risers, many of which are in areas occupied by the staff and pupils, and because of their location are vulnerable to damage and the potential release of asbestos fibres.

#### Conclusion

The system of asbestos management in this school is not of an acceptable standard, and is likely to have failed on a number of occasions.

A proper asbestos management plan does not exist. Staff training is inadequate and too much reliance placed on the site manager. There is not sufficient control of contractors on site. Documentation is unclear and poor, a review failed to identify or correct critical flaws. The asbestos survey is outdated and does not comply with current regulations and guidance. It failed to assess critical areas. Contrary to accepted practice an intrusive survey also failed to investigate the areas. The failure to assess the presence of asbestos in the ceiling voids led to work being carried out that would have contaminated contractors and in all likelihood contaminated the school.

#### Serial 9

##### Comments on asbestos management

##### Type of school

This school is a medium sized secondary school. It consists of many buildings with the main core being traditionally built from the early 1900s, but substantial buildings have been added in the 1950s, 1980, 1990s and in 2007. Little asbestos has been identified in the school, which might be

the case, but it could also be because of the deficiencies of the asbestos survey rather than the lack of asbestos.

Asbestos was used as lagging in 1900 and therefore it is possible that the original building was constructed with asbestos used in the structure, however it was common to use asbestos materials during refurbishments particularly in the period 1950-1980 and therefore if that took place there is a possibility that asbestos would have been introduced. Buildings constructed during the 1950s and 1980s would frequently contain significant amounts of asbestos. The only evidence available is that just a limited amount of asbestos has been removed from the school, consequently the remainder would still remain, perhaps hidden in the less accessible places in the structure.

### Summary

The asbestos survey in this school is superficial, inadequate and outdated, it therefore cannot be relied upon to have produced a true picture of what asbestos is in the school. The records are equally superficial and the asbestos management is inadequate.

A redeeming feature is that the school is kept in good condition and therefore any asbestos is less likely to have deteriorated or been damaged. Perhaps the reason for the lack of resources devoted to asbestos management is that the bulk of the material that has been identified is classified as "low" risk, and therefore not considered as a priority on the school's limited resources.

It is recommended that a thorough asbestos survey should be carried out in the school to determine the actual extent, type and condition of all the asbestos. This particularly includes an assessment of the less accessible places such as lofts and beneath the floors.

### Dutyholder and Training

The asbestos log 'implies' that the Building Manager is the responsible person on site, however, this part of the AMP is generic rather than site specific for this school. In actuality it probably is the Business Manager who is responsible and he is aware of some, but not all, of his responsibilities. He has attended two asbestos awareness courses with the first in 2002 and the latest in 2007 with both of these courses being arranged by the Local Authority. The Business Manager and Maintenance Technician both have a good historical knowledge of previous works on site and have an awareness of asbestos protocol, however it is unlikely that sufficient training has been given to the Business Manager to allow him to effectively manage the asbestos in the school. The site management staff are aware of the asbestos management plan, however this is a relatively small number of people as it only includes the Business Manager, the Maintenance Technician and the Site Technician, all of whom have received awareness training. It is unlikely that other staff such as the teachers and cleaners have any knowledge of the asbestos survey report, asbestos management plan or procedures.

### Signing in

The signing in book was available at reception, but the auditor was not requested to sign in. It appears from the book that contractors are requested to sign in. The signing in book does not contain an asbestos statement or provide any details of how to obtain information or proceed prior to the commencement of work. Reliance is placed on the Business Manager or his team being aware that a contractor is on site.

### Asbestos management plan

There is an asbestos management plan held as a 'hard copy' document. It is a generic document prepared by the local authority with procedures applicable to a number of schools but was not written specifically for this site. It is 'disjointed' at best. It contains management procedures and asbestos policy but needs to be reviewed and the documentation needs to be updated and consolidated. Some Local Authority instigated documents such as management procedures and asbestos policy are relatively new being dated 2007 and are placed in the plan. The procedures outlined in the management plan are not being adhered to as it is not being kept updated by site personnel with the site specific information. No documentation of past asbestos work, incidents or removal exists on site. Therefore any information taken from the plan and survey report may not be correct.

### Asbestos survey. Outdated. Inadequate

The asbestos survey was readily available in the Business Managers office and apparently is always kept there and is made available to personnel and contractors as necessary. The survey data is from 1999 and does not appear to have been audited or revised since its origin. Because it was undertaken more than ten years ago it predates the current HSE guidance on asbestos surveying, MDHS 100 that was published in 2001. There are therefore certain elements that are missing including a weighting system for risk and for setting priorities for remedial work, however it does contain the surveyor's recommendations.

Samples of materials had been taken and analysed and therefore it is probably an early equivalent of a type 2 survey, although there was no recognisable bulk analysis sampling certificate in the file. As well as being prior to the current guidance on surveying it also predates formal accreditation for surveyors organisations, ISO 17020, which ensures they have achieved acceptable standards in carrying out asbestos surveys and assessments.

Not all the buildings are shown in the report and it is not 'user friendly'. In addition, the survey appears to have been carried out by a single surveyor in one day, which is not sufficient to access all the areas and to identify all the asbestos, for in the experience of the auditor considerably more time would have to be taken to carry out a proper survey in a school of this size. The survey should therefore not be relied upon to have identified all the asbestos in the school.

The caveats used in the report are appropriate for a typical 'type 2 survey' of an occupied building. However it is unlikely that full access to ceiling voids and other less accessible areas was obtained during the survey and a 'generic' note implies this was the case. The restrictions were clearly defined in the report and the rooms that were not accessed were clearly defined.

The survey report recommendations are irrelevant as the report is 10 years old. No evidence exists of any re-inspection over the last ten years of the asbestos materials that were identified.

The survey report was appropriate at the time of survey, but now the report is at best 'misleading'. It does not comply with legislation and guidance issued since 1999.

#### [No evidence of intrusive survey before construction work](#)

Construction and refurbishment works have taken place since the original survey report. However, there is no evidence of targeted type 3 surveys or additional inspections or re-inspections within the file. A type 3 survey is an intrusive survey that looks into the places that could not be accessed during the original survey to identify whether any asbestos is hidden in the structure. Such a survey should be carried out prior to any building or maintenance work that might disturb the fabric of a building. The Business Manager was unaware of any requests for additional inspections or the requirement for them to be carried out, which would tend to confirm that Type 3 surveys had not been undertaken.

#### [Documentation of remedial work incomplete](#)

From the documentation, it would appear that only minor works have been undertaken at the site, but the survey report has not been updated to confirm any removal or remedial works. Some remedial works have been carried out but only minimal records exist in the form of an invoice for works completed, therefore there is no 'paper trail' that can be followed. There are no formal records of asbestos remedial works kept at the school, although the auditor was informed that the local authority may have such documentation. However this means that all knowledge of asbestos remedial work that has been carried out comes only from the memory of the site personnel. As proof of this the Business Manager was aware of the recent removal of asbestos cement roofing from the Garage Block, but no documentation of these works exists in the file. There is very little documentation relating to subsequent works therefore it is impossible to assess if the asbestos survey report was adequate for proposed works or additional investigation was needed or implemented.

The auditor inspected the Garage Block externally and there were no obvious signs of asbestos debris remaining in the area. He was informed that the removal was carried out by a local contractor at the instigation of the Local Authority.

#### [Asbestos material](#)

Based on the survey data, there are predominantly non-licensed 'low risk' asbestos materials and no 'High Risk' materials present on site. The asbestos materials that have been identified are textured

coating (Artex), floor tiles, cement panels and cement roofs which is perhaps is to be expected in the traditional construction of the main buildings, but, because of the limitations of the survey must be questioned in the later buildings. The one exception was that pipe work lagging was suspected to be within a service duct in one of the more recent buildings, a low level tower block. However the auditor was unable to confirm or inspect the material without partially dismantling the duct,

#### Control of contractors

The defined site procedures in the asbestos management plan are followed when it is known a contractor will be attending the site. However when a contractor has been appointed by someone other than the Business Manager's Department then procedures are not followed, and there is evidence that contractors have been on site and not followed any asbestos related procedure. Prior to commencing work, all contractors are required to sign the 'Asbestos Log Record Sheet' which is then countersigned by an authorised signatory. This document is held within the asbestos management plan. They are then shown the asbestos survey report to confirm the location of known asbestos materials.

There is no record on site that contractors who work on site have appropriate awareness training. The Business Manager was not aware that this was a requirement. It is possible that the local authority request this information during tender procedures, or has an 'approved' list of contractors, but this information is not filtered down to the school.

#### School well maintained. No priority for asbestos

The school is very well maintained and appears to have sufficient funding and procedures to prevent deterioration of buildings. There were no signs of vandalism or decay to any of the structures on site. Because the buildings are maintained to a high standard it is unlikely that deterioration of any building elements will occur.

Despite the obvious expenditure on the upkeep of the building it would appear that very little if any, financial resource has been allocated for asbestos management.

#### Conclusion

Very little priority is given to asbestos management in this school. Perhaps the survey is correct and there is very little asbestos, and because the buildings are well maintained the risks are low. However the survey is superficial and does not comply with present standards, it therefore cannot be relied upon to have detected all the asbestos in the school. A thorough asbestos survey should be carried out to identify all the asbestos, for only then will it be known whether the present minimal resources devoted to asbestos management are on a scale proportionate to the risk, or whether in fact a rigorous system of asbestos management is required.

## Serial 10

### Comments on asbestos management

#### Type of school

This is a medium sized secondary school with a large complex of System built buildings. They are CLASP buildings which are known to contain significant amounts of asbestos. A rigorous system of asbestos management is therefore essential to ensure the safety of the occupants. Despite this the system of asbestos management in the school was inadequate, unsafe and to all intents and purposes non-existent.

#### Asbestos management plan

By law there should be a written asbestos management plan detailing what actions have to be taken to ensure that the occupants of the building, any visitors or visiting contractors are safe. But no such plan exists.

#### Dutyholder

A duty holder should be clearly identified as responsible for asbestos in the school, and they should be trained so that they can safely and effectively implement the asbestos management plan. Despite this no duty holder had been identified.

#### Training

The duty holder and staff should be trained in asbestos awareness and where applicable in asbestos management. There was no evidence that the duty holder or any members of the staff had been trained in asbestos awareness or management.

#### Survey

A thorough asbestos survey is an essential part of any system of asbestos management as it identifies the extent, type and condition of asbestos in the building so that systems can be put in place to manage it. If this information is not available then the asbestos cannot be managed. No such survey had been carried out.

The only surveys that exist are type 3 surveys that have been undertaken before maintenance and construction work has been carried out. That is certainly necessary to prevent inadvertent damage being done to asbestos materials, but as it only concentrates on the particular area where the work will take place it does not identify the asbestos in the remainder of the school. Therefore the vast bulk of the asbestos has never been identified. The surveys are not suitable as a basis for a system of asbestos management for the whole school, which has meant that there has been no workable

procedure for managing the asbestos on a day to day basis to ensure the safety of the staff and pupils.

#### Large amount of asbestos. Virtually nothing identified

This failure to identify the vast bulk of asbestos in the school is confirmed as the asbestos register viewed on line only records the location of ACMs in two places within the kitchen. Nothing else is recorded in the whole school although it is known that the CLASP buildings on site contain significant amounts of AIB.

#### Accreditation of surveying organisation

Although the three earlier type 3 surveys had been carried out by a UKAS accredited organisation, the latest survey had not.

#### Reviews

No reviews of the asbestos survey or management plan could be found. This is because there is no management plan and no asbestos survey for the whole site.

#### Signing in procedure

Although there was a signing in procedure there was no asbestos statement, although the auditor was informed that one was being drafted.

#### Air monitoring

Air monitoring should take place in this school, because of the type of buildings there is a significant amount of asbestos, a site survey has never been carried out and the asbestos is not being managed, therefore it is unknown whether the asbestos is potentially releasing asbestos fibres. Comprehensive air monitoring would determine whether asbestos fibres were being released and whether or not the rooms are safe for the occupants.

#### Conclusion

There is a significant amount of asbestos in this school, however no attempt has ever been taken to identify it. To compound the problem no one has been trained and the areas of responsibility have not been defined so it is unclear who the dutyholder is. There is no asbestos management plan. The system of asbestos management in this school is virtually non-existent. It is unsafe.

#### Serial 11

##### Comments on asbestos management

### Type of school

This is a large secondary school. It has pitched roofs and brick walls on many of the buildings. A main block appears to be of a similar construction however the roof is mainly flat with a pitched roof around the edge.

The school was opened in 1974 and is known to contain asbestos including asbestos insulation boards and sprayed asbestos. It is likely to contain more asbestos than has been identified in the survey.

### Summary

In a school of this size and complexity a rigorous and effective system of asbestos management is essential. The survey is not a sound basis for an effective system of asbestos management, and the asbestos management plan is superficial. A new team has recently taken over and it would appear that they are now taking measures to correct these faults. Having said that it appears that the asbestos that has been identified has been managed to a satisfactory standard as it appears to be in good condition.

### Dutyholder

The joint chair of governors are the duty holders. They have received no training in asbestos awareness or management. However the health and safety governor has had training. It was not clear what the training had involved. The caretakers all have an awareness of asbestos matters and have attended several training courses.

### Asbestos survey

The asbestos survey is 10 years old. This means that it took place before the present HSE guidance on asbestos surveys came into force, and therefore there are certain aspects that are not compliant with standards that have been in force since 2001.

The survey is superficial as it is a type 1 presumptive survey. This does not include sampling of suspect materials to definitively determine whether or not they contain asbestos, or what type of asbestos it is. Because of its limitations a type 1 survey is not suitable for a school.

No documentation existed at all of any caveats or exclusions in the survey. This is bad practice and contrary to the current guidance. There is no record that shows whether or not the less accessible places such as the ceiling voids have been accessed. It is therefore unclear whether the survey did look in the voids and no asbestos was found, or whether it did not, and it is therefore unknown what asbestos is there. This is not acceptable as it should be clearly documented if an area has not been accessed.

Having apparently made no attempt to assess the potentially more dangerous asbestos materials in the ceiling void, the survey has comprehensively identified the less dangerous asbestos materials such as floor tiles, Artex coating and asbestos cement, all of which are in readily accessible places and easy to identify.

The survey also failed to take any samples of any materials to determine whether or not they are asbestos. It is therefore probable that there is more asbestos in the school than has been identified in the survey. It is possible that there is considerably more.

A redeeming feature is that air monitoring is undertaken regularly and records kept. If the testing is comprehensive and carried out correctly then one would hope that if hidden asbestos is releasing fibres then this would be identified.

The survey includes plans but no photographs. A proper survey will include photographs so that the person managing the asbestos, workmen, and anyone who occupies the room are clear which particular area the survey is referring to.

An in depth review is needed as some of the data is over 10 years old. The asbestos management team is new to the role and are moving the system of asbestos management forward by undertaking a Type 2 surveys which will sample materials and will hopefully be a thorough assessment of what asbestos materials actually are present in the school.

#### [New management team](#)

Much of the data has not been well managed in the past but the new team intend to manage it better in the future. They must be commended for getting a grasp of an unsatisfactory situation and what appears to have been an inadequate approach to managing the asbestos before they took over.

#### [Asbestos management plan](#)

The asbestos management plan is a very generic format and therefore is of a general nature that applies to any school with no specific reference to this particular school. It is also just 5 pages long which in a very large complex with many buildings and known high risk materials, means that it can only be of a superficial nature. A proper asbestos management plan looks at each area of asbestos materials that are known, and presumed to be present, then sets out practicable procedures to be taken to manage them. In this case because of the generic nature of the document, none of that information was included. It is recommended that the asbestos management plan is rewritten and expanded so that it is a workable document and specific for the site.

#### [No regular reviews](#)

The survey and asbestos management plan are not regularly reviewed as this has only taken place as and when the asbestos legislation has changed. This is contrary to the current guidance and is bad practice. Procedures to review the plan and survey are implemented through the caretakers, but this is not comprehensive. It is intended that the reviews will in future take place annually.

The senior caretaker is now reviewing the documentation to ensure that where remedial work has been recommended in the survey that the work has been completed as per the recommendations.

#### Control of contractors

When contractors work in the school there is a signing in system but there is no asbestos statement. It is in their terms and conditions that they are briefed on the asbestos management plan and any relevant asbestos information. They are asked whether they have received asbestos awareness training. They are escorted on the site.

#### Survey before construction work

When work has been carried out in the school a type 3 intrusive survey has always been undertaken to determine whether there is any hidden asbestos within the structure of the building. These surveys have always been carried out by a UKAS Accredited Organisation. However there is no consistency as several companies have been used.

In some cases where asbestos removal has taken place the company undertaking the removal has also carried out the survey, although this is not good practice. It is now recognised by the school authorities that there is a conflict in using the same contractor for the asbestos removal and for the survey.

In the past where asbestos materials have been removed it is not evident that the necessary documents have been retained on the file. It is necessary to retain all the documents so that that there is a clear paper trail of what work has been done, what asbestos has been removed and what still remains.

#### High risk asbestos material

There is sprayed asbestos coating to steel components in the school which is of high risk. There is also a significant amount of asbestos insulating board (AIB) which, depending on its location, can also potentially be high risk. Half the school is covered in textured coating (Artex), there are also asbestos floor tiles and various items of asbestos cement.

The sprayed coating in the leisure centre has been encapsulated and labelled and is scheduled for removal. It is generally well maintained, fully encapsulated and boxed in to a high standard, consequently the condition of the material could not be observed. Visually the asbestos that has been identified in the school appeared to be in good condition and well managed with regular re-inspections.

## Conclusion

There are some high risk asbestos materials in the school. Overall the asbestos materials that have been identified appear to be appropriately managed. However there are some serious concerns over the effectiveness of the survey. It is superficial and has not been updated in ten years since it was completed. There is no evidence that it has attempted to assess whether asbestos exists in the ceiling voids and other less accessible places. As sprayed asbestos and AIB have been identified elsewhere in the school it is probable that more asbestos exists than has been identified. If any identified asbestos is present it has not been managed.

The asbestos management plan is superficial and is not a practicable, working document. It also relies on an inadequate asbestos survey. And until recently the data has not been regularly reviewed nor adequately updated. A new team have now taken over and they are aware of these failings and are taking measures to rectify them. It is long overdue but must be welcomed that a proper survey is now taking place, once that has been completed a comprehensive and site specific asbestos management plan must then be drafted.

## Serial 12

### Comments on asbestos management

#### Type of buildings

This is a medium sized secondary school. It is a CLASP System built building constructed in the 1960s. Because of its type and year of construction it will contain large amounts of asbestos. It is known that it contains both amosite and crocidolite. Because of the nature of the building a rigorous system of asbestos management is essential to ensure the safety of the occupants.

#### Summary

The system of asbestos management in this school is disorganised, and the documentation is incomplete. The asbestos is not being adequately managed.

#### Dutyholder. Training

There is a procedure that requires receptionist to ask contractors to sign in but this did not occur during the audit visit.

The documents do not record the name of the dutyholder. However the maintenance manager was aware that he was the dutyholder. He had attended a one day asbestos course and had received a certificate. He had not undertaken any refresher training.

#### Asbestos management plan

There was not a proper asbestos management plan, but instead a register that was incomplete and kept in a disorganised fashion with poor scale plans. The documentation supplied was primarily a site specific asbestos register but not a proper asbestos management plan. It consisted of an incomplete file that did not contain all the necessary information. This made the task of the dutyholder very difficult to carry out effectively.

It was evident that not all staff would be aware of an asbestos management plan.

#### [Asbestos survey](#)

A type 2 asbestos survey had been carried out and was available. The survey was not suitable for the site and the site activities. It was not complete for only the analysis certificates and the drawing were present. The survey plans were of a minute scale and not easy to interpret and the duty holder was not familiar with them. There were no material or priority risk assessments in the survey or register, although it is possible that they had been removed and were kept elsewhere. The lack of the assessments means that there are no clear priorities for managing the asbestos, for remedial work or for re-inspections. To compound the problem there was no record in the register of any survey recommendations. It is unknown whether there are any, and if there are, whether or not they have been actioned.

There are many caveats in the survey but it is unclear whether they are appropriate as some documentation appears to be missing from the file. It is unclear whether the voids, including the ceiling voids and floor ducting, have been inspected and whether any areas have been unnecessarily excluded from the survey.

The survey was carried out by a UKAS accredited organization.

According to the dutyholder the review of the survey and asbestos management plan documentation was not done by the school but instead by the local authority, however there was no evidence of this in the paperwork on the site. Any re-inspections were also done by an external body but there was no evidence of feed back to the duty holder. It was apparent that this remote system of asbestos management added to the shortcomings rather than helped them.

#### [Asbestos Removal. Construction work](#)

Some asbestos removal has taken place and the documentation was available. However the file was cluttered and the paperwork was somewhat mixed up, as it was all kept in the same file as the original laboratory certificates and drawings. Construction work was ongoing, and a Type 3 survey had been carried out beforehand.

#### [Asbestos contains crocidolite and amosite.](#)

Because of the type of building and the date of construction it will contain significant quantities of asbestos materials. The survey had identified some high-risk materials present in the school, but it is

likely that because of the deficiencies of the survey that there is significantly more asbestos present in the buildings than had been identified. Asbestos insulation board, AIB, panels had been identified above the classroom doors, and on analysis were found to contain crocidolite and amosite. One had been damaged at some point and had duck tape applied over the damage. One must question how the damage had occurred and who was present when it did. When AIB panels are hit they readily release asbestos fibres, clearly the front face was damaged but fibres will also be released from the reverse face as it will be unpainted. AIB packers had also been identified.

Five AIB panels were inspected and had been encapsulated. They are labelled but have some damage. The auditor's recommendation would be to remove the panels as they are readily accessible to the pupils. He also considers that the labelling, which is prominent, may even encourage pupils to investigate or damage the material. At the time of the visit the auditor considered that the identified asbestos materials were not releasing fibres but could do as they are in a potentially vulnerable position.

#### [Asbestos management plan inadequate and unclear.](#)

It was difficult to assess whether or not the requirements of the asbestos management had been fulfilled. That was because the plans were not only inadequate and unclear but the duty holder was also not familiar with them. In addition because there were no material or priority risk assessments in the documentation it was not possible to assess whether the periodic checks were being carried out correctly.

During the audit there were major works underway on site. The auditor talked to the site foreman who could not find any asbestos reports though he thought they did exist. He said he would get copies and consult them next day

#### [Conclusion](#)

It was clear that asbestos management in this school is not given the priority that it should be, for the system of asbestos management was disorganised, and because of the obvious damage to high risk asbestos materials, at times dangerous. It was difficult to conduct an audit because of the lack of a proper management plan and because of an incomplete and difficult to interpret asbestos survey. But for the very same reasons it would have been difficult for the school authorities to manage the asbestos effectively. The local authority has a remote system of asbestos management and has not delegated sufficient powers to the people on the ground. The school staff have not been adequately trained in asbestos awareness or management and therefore appeared unaware of the deficiencies in their system of management.

The standard of asbestos management in this school is not acceptable.

## Serial 13

### Comments on asbestos management

#### Type of school

This is a medium sized secondary school, the original building is a traditionally constructed Victorian building, however there is a large three storey block built in the 1960's, which appears to be System built. A more recent building was completed in 1988.

#### Summary

There is asbestos material in the 1960s block. Some of the ceilings are asbestos insulating board. There is a very real potential for asbestos fibre release from such a large area of AIB. It is therefore essential that a rigorous system of asbestos management is in force.

The standard of asbestos management in this school was generally satisfactory although there were certain aspects that were not, and need addressing. The school is well maintained and the asbestos appears to be in good condition.

#### Signing in

The auditor was not asked to sign in, but the school's Service Building Manager assured him that all contractors are made aware of the asbestos management plan.

#### Dutyholder. Training

It is not clear who the dutyholder is and the report does not identify him. The school's landlord is the local authority however there is some confusion and the issue is unclear who the dutyholder actually is.

There was no evidence that the dutyholder was trained. The headteacher is not and other than the school's service personnel, the staff are not either. The service personnel's training has been provided in health and safety lectures by UNISON. It is considered that asbestos awareness training should take place.

There were no staff present, but the auditor was assured that the staff are made aware of the management plan and the presence of asbestos materials. Also the staff are aware that all the asbestos information is available on the site.

#### Survey

The survey was readily available. It is a Type 2 survey where samples are taken of suspect materials to confirm whether or not they contain asbestos. The survey is suitable for the site and had been carried out by a UKAS accredited company. The plans are available and the caveats used were specific and appropriate for the report and building. There had been problems of accessing certain

areas in the survey but these were clearly recorded. A second visit remedied the situation by accessing all the areas, and the record noted the fact. A review of the survey has been carried out in the last twelve months.

#### Asbestos management plan

The asbestos management plan does appear appropriate but because it is a generic document it applies to any school and not this one in particular. The document was also not a formal asbestos management plan, rather it had generic management recommendations as part of the Type 2 survey report.

#### Recommendations

The recommendations in the survey are acceptable. However it is not apparent that they have been carried out. There is no labelling and the recommendations for managing the materials that were highlighted have not been implemented.

#### Removal. Remedial work

Some asbestos remedial/removal work has been performed, however there are no consignment notes in the school records, only a plan of work and clearance certificates. A clear record and paper trail is necessary so that it is known what asbestos has been removed and what remains. An asbestos survey was undertaken before the work took place and was appropriate for the building and the work, with the applicable areas being accessed. The works were performed to a satisfactory standard.

#### Control of contractors

Only minor construction works have taken place as part of routine maintenance. All the contractors have to report to the school at specified times and must see the site service personnel first before commencing work. This is not recorded however. There is also no evidence that a procedures exist for ensuring contractors have appropriate asbestos awareness training.

#### AIB ceiling tiles

AIB ceiling tiles are present sporadically throughout the building. This potentially poses a significant risk if the tiles are disturbed or damaged. Rigorous control measures therefore have to taken when any work is carried out in the ceiling void and ceiling tiles have to fit snugly in the ceiling grid to prevent the release of any asbestos fibres. The ceiling tiles were in good condition and sealed by emulsion paint.

#### Conclusion

The Building is very well maintained and in good condition. There is sufficient budget allocated for asbestos management.

There is a significant amount of potentially dangerous asbestos in this school but the school is well maintained and the asbestos appears to be in good condition. It is not clear who the dutyholder is and there is a need for asbestos awareness training for the headteacher, governors and other staff. The service personnel have been trained by union staff. The survey is appropriate and a suitable basis for the asbestos management plan. However it is not apparent that recommendations have been carried out. Other than these caveats the asbestos in the school is managed to a reasonable standard.

## Serial 15.

### Comments on asbestos management

#### Type of school

This is a large secondary school complex with mainly post war system built buildings. It is therefore likely to contain significant amounts of asbestos that require a rigorous and effective system of asbestos management. It is considered that the standard of the asbestos survey, management and training are not of an acceptable standard.

#### Summary

The asbestos is not being effectively or safely managed in this school. The survey has a large number of exclusions including the ceiling voids, and the asbestos management plan is not written specifically for the school. This is coupled with the fact that the standard of training is inadequate. During the assessment light fittings were being replaced despite the fact that it would appear the area had not been surveyed for asbestos and no risk assessment had been carried out. There was also damaged asbestos in the school that had been left unsealed.

#### Asbestos management plan

There is an asbestos management plan that was issued to the school by the council in June 2009, a few weeks before this assessment. It is not site specific but is a generic document, consequently the management procedures are generalised and do not specifically detail the procedures that should be taken to manage the asbestos that actually is in the school. In addition to this parts of the plan are missing including the local risk assessments and the permit to work proforma, there is also no management check list for the duty holder. Although there is a signing in procedure there is no asbestos statement.

#### Dutyholder . Training

The asbestos management plan lists the headteacher as the duty holder. There is no evidence that the duty holder has received any up to date asbestos management training, although the asbestos management plan states that it should take place. Several years ago staff received general health and safety training with a limited element on asbestos awareness, however there has been no refresher training since then.

The staff were unaware of the existence of the asbestos management plan, although they were aware of the register

### Survey

The asbestos survey was carried out in 2006 and updated in June 2009 when items in the existing register and some of the areas were examined that previously had not been accessed.

The survey has excluded elements that are required as the basis for a management survey. The guidance instructs that less accessible areas should be inspected, however a large number of the voids had not been accessed including in particular the ceiling voids. Therefore any asbestos that is present has not been identified and cannot be managed. Because of the limitations of the survey it does not give true picture of the asbestos materials in the building.

### Contractors at risk of contamination

During this assessment contractors were renewing some light fittings. However there is no evidence that a Type 3 asbestos survey has taken place to assess whether any asbestos materials are likely to be disturbed. This is of particular concern because of the limitations of the type 2 survey it is not known what asbestos exists in many of the ceiling voids. This is contrary to the regulations that require such a survey to be carried out before any work is started. In addition the contractors had not carried out a valid risk assessment before starting the work. Because of this the contractors were at risk of inadvertently disturbing asbestos materials.

### Records not updated

The original survey had identified debris and insulation in the boiler room with a recommendation that it should be removed by Aug 2005, however there was no record that this had been done despite the documentation having been reviewed within the last 12 months. Although some of the remedial work recommended in the survey had been carried out no audit trail or paperwork could be found, although it is possible that it is stored centrally with the Council. Asbestos materials had also been removed however once again there was no audit trail or paperwork retained by the school.

### Likely more asbestos than identified in survey

According to the asbestos survey the asbestos material in the areas occupied by the pupils are predominantly floor tiles, cisterns and textured coating. However because of the limitations of the survey it is likely that there are asbestos materials that have not been identified. Some survey recommendations are not acceptable, for instance “manage damaged cistern”

#### Damaged asbestos

There is high-risk asbestos insulation board in the Caretakers door that is in poor condition and will be releasing asbestos fibres. This should have been identified long before, and would have been if there had been an effective system of monitoring the condition of asbestos materials. Because there was not, contamination will have taken place over perhaps a prolonged period of time.

#### Conclusion

The asbestos is not being effectively or safely managed in this school.

#### Serial 16

##### Comments on asbestos management

#### Type of school

This is a medium sized System built secondary school opened in 1981. Because of the type of building and the date of construction it contained a significant amount of asbestos. A lot of the asbestos has been removed, but a fair amount remains.

#### Summary

Despite the lack of a written asbestos management plan and poor re-inspections, the auditor considered that the school authorities are managing their asbestos to a reasonable standard, and that the faults in the system are caused by the inadequate re-inspections which are the responsibility of the local authority.

#### Control of contractors

The asbestos register is kept at reception who ensure that it is signed and dated by all contractors going onto the site. All contractors receive guidance on asbestos materials within their work area and local procedures state that must adhere to prior to work beginning.

### Dutyholder . Training

The asbestos report states that the dutyholder is responsible for asbestos management but doesn't say who the dutyholder is, but the School Business Manager knew that she was the dutyholder. She had attended an asbestos awareness training course, within the last year, reported as being very informative, but the provider was not known. Those staff that don't attend the asbestos awareness course have the information cascaded to them by the School Business Manager and understand the local procedure.

### Asbestos management plan

The asbestos management plan is more like an asbestos register with priority risk assessment added on with highlighted scores, rather than an asbestos management plan .

Despite the lack of a formal asbestos management plan it appears the school has a good handle on what they need to do, how to manage, understanding the dangers and risks and controlling building works, but it appears the system falls down with the inadequate re-inspections, which are not the responsibility of the school, but are the responsibility of the local authority.

### Register not updated

The auditor was left with a mixed impression of the register. There were lots of asbestos materials recorded but it seems that the re-inspections are not being carried out thoroughly enough. For instance not picking up on items removed years ago, and the registers are not being updated fully. The re-inspections are done by a local authority building surveyor and not an asbestos surveyor.

The re-inspections need to be more thorough, the recommendations themselves aren't updated and it doesn't appear that all the recorded asbestos materials have had a visual inspection.

### Asbestos survey

The survey was found straight away, and is kept at the front reception desk. The information is comprehensive and is based on the original survey carried out by a UKAS accredited company in 2000, then a "re-inspection survey" was done in-house in 2008 by a local authority building surveyor, and then they have done their own subsequent re-inspections in 2009.

### Unclear caveats and exclusions

The current information came from the local authority re-inspection survey, it is only a register of asbestos materials and their priority risk scores. There are photos and plans indicating locations. However surprisingly there are no exclusions or caveats and the areas that have not been accessed are not listed in the report. This omission could potentially lead

to the false impression that an area has been assessed as being clear of asbestos when in reality it has not been accessed and therefore it is unknown whether or not asbestos is present. The auditor had a gut feeling that voids and ducts have been excluded from the survey. There was a similar situation with another school in the same local authority where their own in house surveyors had also carried out a survey and had failed to record whether or not they had inspected the ceiling voids.

#### Asbestos removal

Quite extensive refurbishment had been carried out in the last 5 years and UKAS accredited laboratories had carried out intrusive type 3 surveys and the reports for these are available on site.

Lots of asbestos removal work has been carried out all over the site and in all cases licensed contractors have been used. "REMOVED" appears in the asbestos register and all copies of air testing certificates are kept on site. The updates refer to reviews by the local authority.

UKAS accredited companies carried out the clearance analysis but only clearance certificates are in the file, there are no method statements, waste notes or site logs. It is assumed that the documents are retained by the local authority.

The area where asbestos lagging in the cellar store has been removed was inspected and the work was found to be satisfactory.

It appears there has been an attempt to label some ACM, however evidence of removal of stickers by pupils.

#### AIB ceilings. High risk materials

The register indicates that there are AIB ceilings, lagging to pipes, rope seal to safe, AIB to incinerators and various asbestos cement items, although there is no evidence of AIB cladding around the structural columns. There are both high and medium risk asbestos materials in the school, with AIB ceilings in various corridors and stores. There is asbestos in the pupil toilets in incinerators and lavatory cisterns. The rope seal to the safe in the manager's office is encapsulated and marked, however this was carried out several years ago and the encapsulation has deteriorated and some fraying has occurred, but this isn't noted on the re-inspection report.

AIB is noted in the lofts and marked on the plans however there is no loft present, however the skylights may have AIB surrounds. This is an indication that the survey data is possibly incorrect but it has not been picked up on re-inspection. Pipe Lagging has its location marked on the plans however this has been removed and the paper trail is present, but the re-

inspection has not picked up the fact it has been removed, therefore the data on the asbestos register is not correct.

Other than the safe seal, there is no evidence that there is deteriorating asbestos material in the school.

### Conclusion

There are flaws in the asbestos management in this school as there is not a formal asbestos management plan and there are serious questions over the viability of the local authority re-inspections. However the school authorities are well trained and motivated and they have a good understanding of asbestos management and the risks.

### Annex 3. Copies of improvement and Prohibition Notices

| Notice 302245021 served against <a href="#">Swakeleys School</a> on 20/10/2009 |  |                                |                              |
|--|--|--------------------------------|------------------------------|
| <b>Notice Type</b>   | Improvement Notice   |                                |                              |
| <b>Summary</b>   | IN - To effectively manage the risk of asbestos to employees - 18/3/10 compliance  |                                |                              |
| <b>Compliance Date</b>   | 18/03/2010   | <b>Revised Compliance Date</b> |                              |
| <b>Result</b>  | Ongoing  |                                |                              |
| <a href="#">Breaches involved in this Notice</a>                               |  |                                |                              |
| Location of Offence  |  |                                |                              |
| <b>Address</b>   | Swakeleys<br>School/Clifton Garde<br>Swakeleys School<br>Clifton Gardens<br>UXBRIDGE<br>Middlesex<br>UB10 0EJ<br>England | <b>Region</b>                  | London                       |
|  |  | <b>Local Authority</b>         | Hillingdon                   |
|  |  | <b>Industry</b>                | Total service industries     |
|  |  | <b>Main Activity</b>           | 80210 - SEC EDUCATION        |
|  |  | <b>Type of Location</b>        | Fixed                        |
| HSE Details  |  |                                |                              |
| <b>HSE Group</b>   | LOP1FMU2   | <b>HSE Directorate</b>         | Field Operations Directorate |
| <b>HSE Area</b>  |  | <b>HSE Division</b>            | London                       |

| Notice 302245303 served against <a href="#">Abbotsfield School</a> on 20/10/2009 |   |                                |                              |
|--|---|--------------------------------|------------------------------|
| <b>Notice Type</b>   | Improvement Notice  |                                |                              |
| <b>Summary</b>   | IN - To effectively manage the risk of asbestos to employees - 18/03/10 comp  |                                |                              |
| <b>Compliance Date</b>   | 18/03/2010  | <b>Revised Compliance Date</b> |                              |
| <b>Result</b>  | Ongoing   |                                |                              |
| <a href="#">Breaches involved in this Notice</a>                                 |   |                                |                              |
| Location of Offence  |   |                                |                              |
| <b>Address</b>   | Abbotsfield School/UB10<br>0EX<br>Abbotsfield School<br>Abbotsfield School<br>Clifton Gardens<br>UXBRIDGE<br>Middlesex<br>UB10 0EX<br>England | <b>Region</b>                  | London                       |
|  |   | <b>Local Authority</b>         | Hillingdon                   |
|  |   | <b>Industry</b>                | Total service industries     |
|  |   | <b>Main Activity</b>           | 80210 - SEC EDUCATION        |
|  |   | <b>Type of Location</b>        | Fixed                        |
| HSE Details  |   |                                |                              |
| <b>HSE Group</b>   | LOP1FMU2  | <b>HSE Directorate</b>         | Field Operations Directorate |
| <b>HSE Area</b>  |   | <b>HSE Division</b>            | London                       |

| Notice 301958002 served against <a href="#">Healing School A Specialist Science &amp; Foundation C</a> on 13/05/2009 |  |                                |                              |
|--|--|--------------------------------|------------------------------|
| <b>Notice Type</b>   | Improvement Notice   |                                |                              |
| <b>Summary</b>   | 301958002 - It was found that the school had not compiled a written plan in relation to asbestos outlining how the school would manage the asbestos. |                                |                              |
| <b>Compliance Date</b>   | 17/07/2009   | <b>Revised Compliance Date</b> |                              |
| <b>Result</b>  | Complied with  |                                |                              |
| <a href="#">Breaches involved in this Notice</a>   |  |                                |                              |
| Location of Offence  |  |                                |                              |
| <b>Address</b>   | Low Road/Healing<br>School<br>Healing School<br>Low Road<br>Healing<br>GRIMSBY<br>DN41 7QD<br>England  | <b>Region</b>                  | York + Humberside            |
|  |  | <b>Local Authority</b>         | North East Lincolnshire      |
|  |  | <b>Industry</b>                | Total service industries     |
|  |  | <b>Main Activity</b>           | 80210 - SEC EDUCATION        |
|  |  | <b>Type of Location</b>        | Fixed                        |
| HSE Details  |  |                                |                              |
| <b>HSE Group</b>   | YNEOPSGP4  | <b>HSE Directorate</b>         | Field Operations Directorate |
| <b>HSE Area</b>  |  | <b>HSE Division</b>            | North East                   |

**Notice 301846895 served against [Chaucer Technology School](#) on 12/01/2009**

**Notice Type** Improvement Notice

**Summary** 1 x IN requiring a system to be put in place to ensure that information on asbestos present on site is passed to others (e.g. contractors) who could be affected whilst working on site.

**Compliance Date** 27/02/2009 **Revised Compliance Date**

**Result** Complied with

[Breaches involved in this Notice](#)

**Location of Offence**

|                |  |                         |                          |
|----------------|--|-------------------------|--------------------------|
| <b>Address</b> | Chaucer Technology School/Chau Chaucer Technology School Spring Lane CANTERBURY Kent CT1 1SU England | <b>Region</b>           | South East               |
|                |  | <b>Local Authority</b>  | Canterbury               |
|                |  | <b>Industry</b>         | Total service industries |
|                |  | <b>Main Activity</b>    | 80210 - SEC EDUCATION    |
|                |  | <b>Type of Location</b> | Fixed                    |

**HSE Details**

|                  |            |                        |                              |
|------------------|------------|------------------------|------------------------------|
| <b>HSE Group</b> | ESEOP2FMU9 | <b>HSE Directorate</b> | Field Operations Directorate |
| <b>HSE Area</b>  |            | <b>HSE Division</b>    | East & South East            |

**Notice 302087792 served against [Unity College Limited](#) on 29/06/2009**

**Notice Type** Immediate Prohibition Notice

**Summary** Unity College Limited - Prohibition Notice PN/MLR/290609/UC (COIN 302087792) served 29/6/09 following asbestos contamination on 25/6/09. Notices requires no access to contaminated areas of college building except by licensed asbestos contractor employees under controlled conditions to contaminated areas of the college namely the entire 2nd floor, rear fire exit stairwell and the area around the store cupboard on 1st floor.

[Breaches involved in this Notice](#)

**Location of Offence**

|                |   |                         |                          |
|----------------|---|-------------------------|--------------------------|
| <b>Address</b> | Unity College Limited/HQ/Wood Unity College 81-89 Fortess Road LONDON NW5 1AG England | <b>Region</b>           | London                   |
|                |   | <b>Local Authority</b>  | Haringey                 |
|                |   | <b>Industry</b>         | Total service industries |
|                |   | <b>Main Activity</b>    | 80301 - SUB-DEGREE HIGH  |
|                |   | <b>Type of Location</b> | Fixed                    |

**HSE Details**

|                  |          |                        |                              |
|------------------|----------|------------------------|------------------------------|
| <b>HSE Group</b> | LOP1FMU2 | <b>HSE Directorate</b> | Field Operations Directorate |
| <b>HSE Area</b>  |          | <b>HSE Division</b>    | London                       |

| Notice 301831153 served against <a href="#">Guildford College of Further and Higher Education</a> on 26/02/2009 |   |                                |                              |
|---|---|--------------------------------|------------------------------|
| <b>Notice Type</b>  | Improvement Notice  |                                |                              |
| <b>Summary</b>  | Improvement Notice I/26/02/09/KS1 (I/301831153) issued following dangerous occurrence involving asbestos release requiring the college to use the information obtained in their asbestos survey to draw up an asbestos management plan. |                                |                              |
| <b>Compliance Date</b>  | 16/04/2009  | <b>Revised Compliance Date</b> |                              |
| <b>Result</b>   | Complied with   |                                |                              |
| <a href="#">Breaches involved in this Notice</a>  |   |                                |                              |
| Location of Offence   |   |                                |                              |
| <b>Address</b>  | Farnham College<br>Campus/Guildfo<br>Farnham College<br>Morley Road<br>FARNHAM<br>Surrey<br>GU9 8LU<br>England  | <b>Region</b>                  | South East                   |
|   |   | <b>Local Authority</b>         | Waverley                     |
|   |   | <b>Industry</b>                | Total service industries     |
|   |   | <b>Main Activity</b>           | 80300 - HIGHER EDUCATION     |
|   |   | <b>Type of Location</b>        | Fixed                        |
| HSE Details   |   |                                |                              |
| <b>HSE Group</b>  | ESEOP1FMU4  | <b>HSE Directorate</b>         | Field Operations Directorate |

| Notice 301202250 served against <a href="#">Oldham College Corporation</a> on 18/03/2008 |   |                                |                              |
|--|---|--------------------------------|------------------------------|
| <b>Notice Type</b>   | Improvement Notice  |                                |                              |
| <b>Summary</b>   | The Oldham College- 1 IN - Asbestos , 1 IN - COSHH re legionella Control IN served - 301202250 - for management of Asbestos - Survey and plan IN served - 301202350- for COSHH - Legionella control |                                |                              |
| <b>Compliance Date</b>   | 01/05/2008  | <b>Revised Compliance Date</b> |                              |
| <b>Result</b>  | Complied with   |                                |                              |
| <a href="#">Breaches involved in this Notice</a>   |   |                                |                              |
| Location of Offence  |   |                                |                              |
| <b>Address</b>   | Rochdale Road/Oldham<br>College C<br>Rochdale Road<br>OLDHAM<br>Lancashire<br>OL9 6AA<br>England  | <b>Region</b>                  | North West                   |
|  |   | <b>Local Authority</b>         | Oldham                       |
|  |   | <b>Industry</b>                | Total service industries     |
|  |   | <b>Main Activity</b>           | 80429 - OTH ADULT/OTH ED     |
|  |   | <b>Type of Location</b>        | Fixed                        |
| HSE Details  |   |                                |                              |
| <b>HSE Group</b>   | NWOP2FMU1   | <b>HSE Directorate</b>         | Field Operations Directorate |
| <b>HSE Area</b>  |   | <b>HSE Division</b>            | North West                   |

**Notice 300396451 served against [Bluecoat School & Technology College](#) on 18/10/2006**

**Notice Type** Improvement Notice  
**Summary** IN served on Chair of Governors under CAW Regs 2002 to produce asbestos management plan  
**Compliance Date** 12/01/2007 **Revised Compliance Date**  
**Result** Complied with

[Breaches involved in this Notice](#)

**Location of Offence**

|                |  |                         |                          |
|----------------|--|-------------------------|--------------------------|
| <b>Address</b> | Aspley Lane/Bluecoat School & Nottingham Bluecoat School<br>Aspley Lane NOTTINGHAM NG8 5GY England | <b>Region</b>           | East Midlands            |
|                |  | <b>Local Authority</b>  | Nottingham UA            |
|                |  | <b>Industry</b>         | Total service industries |
|                |  | <b>Main Activity</b>    | 80300 - HIGHER EDUCATION |
|                |  | <b>Type of Location</b> | Fixed                    |

**HSE Details**

|                  |           |                        |                              |
|------------------|-----------|------------------------|------------------------------|
| <b>HSE Group</b> | MOP1FMU18 | <b>HSE Directorate</b> | Field Operations Directorate |
| <b>HSE Area</b>  |           | <b>HSE Division</b>    | Midlands                     |

**Notice 301890025 served against [Sheffield Hallam University](#) on 09/03/2009**

**Notice Type** Immediate Prohibition Notice  
**Summary** Case No.4158163. PN/DRB/9309/01. HSWA Section 2 and 3. Prohibits access into areas contaminated with asbestos

[Breaches involved in this Notice](#)

**Location of Offence**

|                |  |                         |                          |
|----------------|--|-------------------------|--------------------------|
| <b>Address</b> | City Campus/Sheffield Hallam U Sheffield Hallam University SHEFFIELD England | <b>Region</b>           | York + Humberside        |
|                |  | <b>Local Authority</b>  | Sheffield                |
|                |  | <b>Industry</b>         | Total service industries |
|                |  | <b>Main Activity</b>    | 80300 - HIGHER EDUCATION |
|                |  | <b>Type of Location</b> | Fixed                    |

**HSE Details**

|                  |            |                        |                              |
|------------------|------------|------------------------|------------------------------|
| <b>HSE Group</b> | CDOP1FMU78 | <b>HSE Directorate</b> | Field Operations Directorate |
| <b>HSE Area</b>  |            | <b>HSE Division</b>    | North East                   |

|  |   |                                |                              |
|--|---|--------------------------------|------------------------------|
| <b>Notice 301446503 served against <a href="#">University of Wales - Lampeter</a> on 30/07/2008</b>                                    |   |                                |                              |
| <b>Notice Type</b>   | Improvement Notice  |                                |                              |
| <b>Summary</b>   | DTM asbestos one IN served - IN 301446503   |                                |                              |
| <b>Compliance Date</b>   | 30/10/2008  | <b>Revised Compliance Date</b> | 01/12/2008                   |
| <b>Result</b>  | Complied with   |                                |                              |
| <a href="#">Breaches involved in this Notice</a><br><a href="#">Prosecution resulting from non-compliance of an Improvement Notice</a> |   |                                |                              |
| <b>Location of Offence</b>   |   |                                |                              |
| <b>Address</b>   | HO/College Street/University o<br>University of Wales<br>Lampeter<br>College Street<br>LAMPETER<br>Dyfed<br>SA48 7ED<br>Wales | <b>Region</b>                  | Wales                        |
|  |   | <b>Local Authority</b>         | Cardiganshire UA             |
|  |   | <b>Industry</b>                | Total service industries     |
|  |   | <b>Main Activity</b>           | 80302 - FIRST DEGREE         |
|  |   | <b>Type of Location</b>        | Fixed                        |
| <b>HSE Details</b>   |   |                                |                              |
| <b>HSE Group</b>   | WSW FMU2  | <b>HSE Directorate</b>         | Field Operations Directorate |
| <b>HSE Area</b>  |   | <b>HSE Division</b>            | Wales & South West           |

## Annex 4. VOICE Survey Findings

## **ASBESTOS:**

### **Findings from Membership Annual Survey**

#### **The Background**

1. Asbestos is present in around 75% of schools in Britain. Thousands of schools were built between the 1940s and 1980s when asbestos was routinely used in ceilings, wall linings and pipe lagging.
2. In the last 25 years, at least 178 teachers have died from mesothelioma, which is one of the most aggressive forms of cancer and linked to asbestos exposure. There are no statistics for pupil fatalities because of the long latency period of the disease.
3. The Control of Asbestos Regulation 2006 places duties on those responsible for the maintenance and repair of schools to take reasonable steps to identify the location and condition of Asbestos Containing Materials. The duty holder must then use this information to make a written record and management plan to ensure that the risks of exposure to asbestos are properly managed.

#### **The Concerns**

4. The deep concern of all the school staff unions is that there is a continuing risk to staff and pupils in schools where little is known about where asbestos is and what condition it is in. In these circumstances it follows that asbestos cannot be safely managed.
5. The unions are calling for an informed risk assessment of asbestos in schools and proportionate control measures. At school level, head teachers, staff and governing bodies must be adequately informed and adequately trained.

#### **The Survey Questions**

We have surveyed our members about asbestos management in their schools. The questions were:

1. Has there been an asbestos survey in your workplace in the last three years?

If yes:

- a. were staff consulted about the results?
- b. was any asbestos removed?

If no:

- a. have you been told whether there is asbestos in the building?
  - b. have you been told what condition it is in?
2. Does your employer provide information about asbestos management?
  3. Has anyone at your workplace received asbestos training?

### The Survey Results

A total of 790 questionnaires were returned from our members in England, in the following categories:

- teachers
- early years and child care (e.g. nursery nurse, teaching assistant, school secretary, midday supervisor)
- wider workforce (e.g. caretaker, bursar, cook, technician)

1. Has there been an asbestos survey in your workplace in the last three years?

|                           | <u>Yes</u> | <u>No</u> | <u>Don't Know</u> |           |
|---------------------------|------------|-----------|-------------------|-----------|
| Teachers                  | 176        | 134       | 87                |           |
| Early Years and Childcare | 46         | 50        | 14                |           |
| Wider Workforce           | <u>54</u>  | <u>46</u> | <u>32</u>         |           |
|                           | 276        | 230       | 133               | Total 639 |

Of the 639 people who answered:

43% said yes

36% said no

21% did not know

If yes:

a. were staff consulted about the results?

|                           | <u>Yes</u> | <u>No</u> | <u>Don't Know</u> |           |
|---------------------------|------------|-----------|-------------------|-----------|
| Teachers                  | 80         | 79        | 13                |           |
| Early Years and Childcare | 15         | 24        | 2                 |           |
| Wider Workforce           | <u>24</u>  | <u>29</u> | <u>4</u>          |           |
|                           | 119        | 132       | 19                | Total 270 |

Of the 270 people who answered:

44% said yes

49% said no

7% did not know

b. was any asbestos removed?

|                           | <u>Yes</u> | <u>No</u> | <u>Don't Know</u> |           |
|---------------------------|------------|-----------|-------------------|-----------|
| Teachers                  | 78         | 65        | 22                |           |
| Early Years and Childcare | 10         | 23        | 8                 |           |
| Wider Workforce           | <u>19</u>  | <u>32</u> | <u>5</u>          |           |
|                           | 107        | 120       | 35                | Total 262 |

Of the 262 people who answered:

41% said yes

46% said no

13% did not know

If no:

a. have you been told whether there is asbestos in the building?

|                           | <u>Yes</u> | <u>No</u> | <u>Don't Know</u> |           |
|---------------------------|------------|-----------|-------------------|-----------|
| Teachers                  | 56         | 137       | 13                |           |
| Early Years and Childcare | 21         | 47        | 1                 |           |
| Wider Workforce           | <u>23</u>  | <u>58</u> | <u>6</u>          |           |
|                           | 100        | 242       | 20                | Total 362 |

Of the 362 people who answered:

28% said yes

67% said no

5% did not know

b. have you been told what condition it is in?

|                           | <u>Yes</u> | <u>No</u> | <u>Don't Know</u> |           |
|---------------------------|------------|-----------|-------------------|-----------|
| Teachers                  | 32         | 119       | 30                |           |
| Early Years and Childcare | 12         | 46        | 1                 |           |
| Wider Workforce           | <u>15</u>  | <u>52</u> | <u>5</u>          |           |
|                           | 59         | 217       | 36                | Total 312 |

Of the 312 people who answered:

19% said yes

70% said no

11% did not know

Does your employer provide information about asbestos management?

|                           | <u>Yes</u> | <u>No</u> | <u>Don't Know</u> |           |
|---------------------------|------------|-----------|-------------------|-----------|
| Teachers                  | 88         | 258       | 16                |           |
| Early Years and Childcare | 21         | 79        | 5                 |           |
| Wider Workforce           | <u>27</u>  | <u>82</u> | <u>10</u>         |           |
|                           | 136        | 419       | 31                | Total 586 |

Of the 586 people who answered:

23% said yes

72% said no

5% did not know

2. Has anyone at your workplace received asbestos training?

|                           | <u>Yes</u> | <u>No</u> | <u>Don't Know</u> |           |
|---------------------------|------------|-----------|-------------------|-----------|
| Teachers                  | 83         | 176       | 95                |           |
| Early Years and Childcare | 16         | 69        | 15                |           |
| Wider Workforce           | <u>28</u>  | <u>50</u> | <u>33</u>         |           |
|                           | 127        | 295       | 143               | Total 565 |

Of the 565 people who answered:

23% said yes

52% said no

25% did not know

The response from our members in Scotland and Wales is smaller than in England, however the trends are similar:

Q. Does your employer provide information about asbestos management?

|          | Yes | No  | Don't Know |
|----------|-----|-----|------------|
| England  | 23% | 72% | 5%         |
| Scotland | 14% | 40% | 46%        |
| Wales    | 13% | 26% | 61%        |

Q. Has anyone at your workplace received asbestos training?

|          | Yes | No  | Don't Know |
|----------|-----|-----|------------|
| England  | 23% | 52% | 25%        |
| Scotland | 5%  | 24% | 71%        |
| Wales    | 3%  | 19% | 78%        |

## Conclusions

There are a significant number of schools where staff are not aware of the dangers of asbestos, they do not know where it is and are not involved in its management. How can they be expected not to damage it and to ensure that pupils do not damage it?

This survey provides substantial evidence that urgent action is required to improve standards of asbestos management, particularly training for staff and authorities. The results of this survey add weight to the Voice election manifesto, which calls for:

*The creation of an action plan for asbestos in schools, including: an audit of the extent, type and condition of asbestos in educational institutions and the standard of management; an assessment of the risk to those who work and learn in educational institutions; the provision of relevant training and guidance and the raising of awareness of the dangers of asbestos in these institutions so they can manage asbestos risks appropriately; and for all the asbestos to be identified and removed in a phased programme when schools are refurbished under BSF and PCP.*

January 2010

[www.voicetheunion.org.uk/asbestos](http://www.voicetheunion.org.uk/asbestos)

