

DCSF/HSE Questionnaire

The main content of the meeting was based around the responses to the DCSF questionnaire. At the meeting with HSE in September they confidently informed us that that *“85% of responses from organisations have described very robust management systems and that they are on top of the problem.”* In contrast yesterday the HSE presentation was unable to continue putting a gloss on the responses, and indeed only one attempt was half-heartedly made to do so, for it is patently clear from the responses, and lack of responses, that there are some serious flaws in the manner that schools are managing their asbestos.

We pointed out the questionnaire is mainly designed to assess compliance with flawed guidance that concentrates on just one particular asbestos problem in one type of school – system buildings, almost to the exclusion of all the other problems of asbestos fibre release in system schools and because of its very limited remit it totally ignores every other school in the country. It is therefore a very long way from the comprehensive audit of standards of asbestos management DCSF predicted.

By the very nature of the questionnaire it is inevitable that the replies were going to give a more positive picture than it actually is. Despite that 34 authorities responses (22%) are such that they indicate problems that warrant further investigation by HSE inspectors. 16 authorities (10%) have given partial or no response at all and it would appear that they are in addition to the 34. This failure to respond is unacceptable as it is now over seven months after the original deadline for returns. This means that about a third of all local authorities have either failed to respond or have given a response that shows flaws in their systems of asbestos management. A further 17 local authorities (11%) claimed that they had no system built schools or if they did then they contained no asbestos. We questioned the validity of such responses and asked that a check should be made on the positive and also on the nil returns.

The summary of responses that HSE copied to us the day before the meeting only mentions the 155 local authorities and makes no mention of the 95 replies they expected from diocese and schools outside local authority control. On questioning, DCSF admitted that they had only received a handful of responses from this group and were trying to work out how to obtain responses from the remainder. They acknowledged that the handful is about five. It would therefore appear that nine months after being asked the most basic questions about asbestos in their schools, the vast majority of diocese have no idea which of their schools are system built, which have the particular asbestos problem and which are following, or failing to follow, the guidance.

It would also appear that the questionnaire did not obtain information on the 2,400 independent schools in England. (10%) Despite the fact that HSE have in the past acknowledged that there is a problem in independent schools.

If one accepts the honesty and validity of the positive and nil responses, then the questionnaire indicates that a total 56% of local authorities and diocese in England have failed to show that they are following the guidance on the management of asbestos in their system built schools. If independent schools are included then the total number of schools at risk is even greater.

At the time of issuing the questionnaires it was indicated that a similar exercise would take place in Scotland and Wales. On being questioned HSE stated that the Scottish Parliament did not want to issue a questionnaire and instead have sent a letter to all local authorities about asbestos and radon. In Wales HSE are in direct discussion with the local authorities. It would therefore appear that it is not known how many or what type of system built schools there are in Scotland and Wales, and neither is it known whether or not they are complying with the guidance.

Our request to have sight of the responses was turned down by HSE on “legal grounds,” as investigations are in progress. We will press home our request.

Training

The National College for Leadership of Schools hope to revise their training and guidance for new headteachers by March 2010. The training will not be extended to headteachers in post, although the Minister did not dismiss the idea, neither did she dismiss the suggestion that governors require training. DCSF added that local authority officials also require training and they would be following that up.

Roles and Responsibilities. Health and Safety

A draft paper was issued by DCSF about the roles and responsibilities in schools, and they requested our comments. Another draft paper was issued on the general concepts of health and safety management. We will copy the paper to the relevant members of our group for their comment.

Steering Group

The Minister said that they were looking at a proposed steering group and would welcome our involvement to “capture the campaigning zeal.” The group would include expertise from amongst our members as well as local authorities and other groups. HSE said that they would be happy to support the group. There was discussion about the composition and how DCSF could be the lead Department, and those discussions will continue. The steering group would be established to examine all issues of health and safety but initially it would focus specifically on asbestos.

Risk

We had requested that risk should be on the agenda. However as with the previous meeting there was insufficient time to discuss this crucial topic. The Minister instructed that it will be discussed at the next meeting.

Further input and conversation

The Minister and DCSF officials said they wanted to continue the conversation with our group. In addition a further meeting will take place in February

Michael Lees
12th November 2009