

Asbestos Policy for Schools

Summary

This policy outlines Hertfordshire County Council's (HCC) arrangements for managing the risks associated with asbestos containing materials within County Council school premises.

Scope

The policy covers all activities under the control of the County Council and is relevant to school premises for which the Council holds direct maintenance responsibility.

Where HCC is not responsible for maintenance, financially or otherwise; or where premises do not come under the direct responsibility of the County Council (such as Foundation, VA, Free or Academy Schools) this Policy will be commended to them.

Introduction

HCC recognise their responsibilities under The Health and Safety at Work etc. Act 1974 and The Control of Asbestos Regulations 2012 to control the risks from asbestos to staff, contractors and building users and to reduce so far as is reasonably practicable the risks posed by exposure to asbestos.

This policy must be read in conjunction with the [Asbestos Guidance for Schools](#) accessible via the Grid.

Information on how to apply this policy is available from the HCC Design and Capital Delivery Team or via asbestos@hertfordshire.gov.uk and healthandsafety@hertfordshire.gov.uk.

Monitoring & Review

This policy will be reviewed at intervals as appropriate, and at least annually. Revisions will be made to reflect organisation, technical or legislative changes.

Definition of Terms

Duty Holder	means every person who has, by virtue of a contract or tenancy, an obligation of any extent in relation to the maintenance or repair of non-domestic premises or any means of access or egress to or from those premises. (Control of Asbestos Regulations 2012)
Head Teachers	Those who are responsible for the day-to-day operation of schools and the health and safety of those who work or receive service at that location
Contract Officers	Those accountable for any projects which may affect the fabric of the buildings, including planned, cyclical, reactive and emergency maintenance

Prevention / Reduction of Exposure

The County Council has a duty to prevent, or reduce to the lowest level reasonably practical, the spread of asbestos fibres from the workplace and thus minimise exposure to employees and all other building users.

The maximum level of airborne fibres considered to be permissible by the County Council is less than 0.01 fibres/ml of air. Where levels exceed this, the County Council will, by undertaking appropriate methods, ensure that the clearance level of less than 0.01 fibres /ml of air is always achieved, this is the lowest measurable level using the standard test procedure set out in the approved Health and Safety Executive Guidance.

Due care and consideration will be given to planned asbestos removal/remedial works being carried out in occupied school buildings and will only be done where an area can be segregated from occupied areas. Unplanned removal/remedial action will be undertaken immediately following an asbestos incident.

Roles & Responsibilities

Chief Executive	The Chief Executive's responsibilities are defined in the County Council's Health and Safety Policy statement. This includes the ultimate responsibility for the Council's asbestos risk management procedures
Director for Resources	The Director of Resources is responsible for health and safety issues relating to the Council's property stock. The Director of Resources has delegated the formulation and implementation of policies for management of the building stock to the Director for Property.
Director for Property	The Director for Property is the responsible person for ensuring adequate systems are in place to control the risks from asbestos in Council premises and where HCC services are delivered from specific locations
Head of Design and Capital Delivery	The Head of Design and Capital Delivery is the nominated deputy to the Director for Property, responsible for ensuring adequate systems are in place to control the risks from asbestos in Council premises.
Directors of Council Services	The directors of Council services must ensure that sufficient time and resources are provided to implement asbestos risk management procedures within their directorates through their services' management systems. They are responsible for ensuring compliance with the procedures through their managers and staff.
The Health and Safety Service	The Health and Safety service are responsible for providing advice to the Council on how to deal with issues relating to the control of asbestos and monitoring compliance with this policy.
Head teachers & Governing Bodies	Head teachers and Governing Bodies are duty holders under Health and Safety legislation (see definition of terms above) and are responsible for ensuring adherence to this policy in their premises. Specific responsibilities of Head teachers are outlined below. Contract officers appointed by them must be made aware of their responsibilities as outlined below.
Contract Officers	Contract officers are responsible for: <ul style="list-style-type: none"> • Designing projects to prevent damaging asbestos containing materials, and/or to remove areas of risk where reasonably practicable as part of projects under their control.

	<ul style="list-style-type: none"> • Programming remedial works where required via specialist contractors and managing projects in a safe manner engaging with asbestos specialists where required. • Informing HCC Design and Capital Delivery Team of any planned or known changes to the building which may affect the condition of known asbestos containing materials e.g., removal or repair of asbestos containing materials.
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<p>Head teachers must</p>	<ul style="list-style-type: none"> • Familiarise themselves with the location and condition of asbestos containing materials in the buildings they manage by using asbestos surveys provided by HCC, and any surveys obtained during any project works managed by the school or others. • Communicate information about known asbestos in the building to staff and those who in the course of their activity may affect its condition via the permission to work system, and other means at their disposal. • Carry out regular inspections of the condition of known asbestos as identified in the site asbestos management surveys to monitor any deterioration in the condition of asbestos containing materials. Regular inspections must be conducted at least annually and a record kept of these inspections. • Programme remedial works where required via specialist contractors. • Manage projects in a safe manner engaging with asbestos specialists where required. • Inform HCC of any asbestos related works planned and/or arranged by the school e.g., removal or repair of asbestos containing materials. • Ensure appropriate staff have undertaken the HCC asbestos management training. • Ensure adequate numbers of staff have attended asbestos management training to be able to operate the permission to work system and conduct the regular inspection of asbestos containing materials on site. NB. Whilst overall responsibility for health and safety cannot be delegated, the Head teacher may choose to delegate certain tasks to other members of
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	staff. Guidance for Head Teachers and governors can be found on the Grid.
All Employees	<p>Have a duty not only for their own health and safety but also to co-operate with HCC in the implementation and maintenance of its arrangements to satisfy statutory duties for health and safety.</p> <p>Employees therefore have a responsibility to:</p> <ul style="list-style-type: none"> • Familiarise themselves and comply with this policy and asbestos guidance available via the Grid. • Understand the health risks associated with exposure to asbestos containing materials. • Co-operate with and support managers in meeting their health and safety responsibilities.

Asbestos Surveys

Where HCC buildings are freehold and maintained by HCC, or where services are delivered from buildings where HCC has a full maintenance and repair lease, asbestos surveys will be carried out and made available to head teachers via the corporate property database.

Prior to any works being carried out that will affect the fabric of the building in properties constructed before the year 2000, risk assessments, and/or asbestos refurbishment & demolition surveys will be undertaken by appropriately accredited asbestos consultants in accordance with Health and Safety Executive Guidance, HSG264.

Note: HCC Asbestos management surveys (where HCC is directly responsible for the building) do not detail the extent of the asbestos containing materials on the floor plans and floor plans are not updated to reflect removal.

Prior to all projects that will interfere with fabric of the building, a project specific refurbishment or demolition survey will be carried out and the extent of the asbestos containing materials detailed at that time as part of planned works.

Buildings constructed after the year 2000 are unlikely to contain asbestos; every effort must be made to establish the year of construction to establish if an asbestos management survey and site-specific asbestos management plan needs to be put in place.

The information contained in asbestos surveys forms the basis for the secure management of asbestos containing materials in buildings during normal occupation and maintenance activity.

Asbestos Works in Schools

HCC has a scheme of delegation of 100% of revenue funding to schools for repairs and maintenance to their buildings and associated building services. HCC retains no revenue funding for this provision.

As a result of delegation and the scheme of Fair Funding, schools have responsibility for all those elements of building maintenance covered by statute including funding the repair or removal of asbestos which falls under maintenance.

HCC do carry out programmes of planned works funded by the Capital Repairs and Maintenance budget. Schools submit bids for works to be funded via this budget e.g., roof replacement, heating replacement etc. Asbestos removal works are undertaken as part of these projects as required following project specific asbestos refurbishment and demolition surveys.

HCC are not the duty holder for VA, Foundation, Free or Academy status schools, these are free to follow an independent process for asbestos management.

Further guidance for Head Teachers and governors can be found on the Grid.

Permission to Work

Where it is the duty holder, HCC operate an asbestos related 'permission to work' regime at school sites, this process applies to both contractors and school staff alike. The permission to work system for asbestos is a basic check of available information and provides a record of communication with those people carrying out maintenance to ensure asbestos is not damaged during the course of the work.

There must be an adequate number of trained staff on site to ensure that the permission to work process is completed.

Authorised signatories are not permitted to authorise their own work, hence in most cases a minimum of 2 trained staff will be required.

Prior to any work going ahead, the individual carrying out the work **must** be presented with the asbestos survey and both the site, and the contractor must satisfy themselves beyond any reasonable doubt that asbestos will not be disturbed during the course of the works before signing the permission to work form and proceeding.

Planning in advance of a contractor visit will help to avoid unnecessary expenditure and delay should asbestos be involved. Where HCC are directly managing projects, HCC will ensure that prior risk assessments are carried out.

Premises managers should still ensure that the permission to work process is followed regardless.

See [Asbestos Guidance for Schools](#) for further information.

Regular Inspections of Asbestos containing Materials

All known asbestos containing materials must be inspected to check their condition at least once in a 12-month period. This activity will be coordinated and recorded by head teachers or a delegated person at the site.

If there is a noted deterioration in the condition of an asbestos containing material, a licensed asbestos contractor should be engaged to conduct remedial works and a UKAS accredited consultant should be engaged to carry out any required site inspections and air testing.

See [Asbestos Guidance for Schools](#) for further information.

Maintaining Information and Asbestos Management Plans

Changes to asbestos survey data such as removals, repairs or additional materials that have been identified must be reported to the HCC Design and Capital Delivery Team via viaasbestos@hertfordshire.gov.uk to enable these changes to be captured and recorded. The school must ensure that the site asbestos management plan is kept up to date reflecting any changes to survey data such as asbestos removal.

Training

Asbestos management training is available via face-to-face sessions booked via HfL

Refresher training must be completed every 3 years this can be done via classroom, webinar sessions or via e-learning on iLearn+; records of all asbestos training will be maintained by the school.

Management of Asbestos in Buildings outside of HCC control

Where premises do not come under the direct responsibility of the County Council for example Foundation Schools, Voluntary Aided Schools, Academies and Free Schools, this policy will be commended to them. However, it is for the Governing Body / Trust as the employer and responsible body for the management of school premises to ensure its statutory duties arising under health and safety legislation are met. This includes the safe and secure management of asbestos containing materials.

Asbestos Records

HCC will maintain and keep asbestos related property records for a period of at least 40 years after disposal or transfer of the site to another Duty Holder.

Compliance Monitoring & Breaches

You must not act in any way that breaches this policy.

Any policy breach is grounds for disciplinary action in accordance with the HCC Disciplinary Procedure or, where appropriate, the HCC Probationary Service Policy.

Policy breaches may also lead to criminal or civil proceedings.