



# School Premises Management Handbook

## Annex H

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## Managing asbestos in schools



### What is asbestos?

Asbestos is a group of six naturally occurring fibrous minerals composed of thin, needle-like fibres. Asbestos fibres are soft and flexible yet resistant to heat, electricity and corrosion which makes it a very effective insulator. It can be used in cloth, paper, cement, plastic, and other materials to make them stronger. The microscopic asbestos fibres cannot be seen, smelled, or tasted.

Large amounts of asbestos-containing materials (ACMs) were used for a wide range of construction purposes in new and refurbished buildings until 1999, when all use of asbestos was banned. This extensive use means there are still many buildings in the UK which contain asbestos.

### What is the problem with asbestos and is there any immediate danger if the site has asbestos?

It is important to remember that although asbestos is a hazardous material, it can only pose a risk to health if the asbestos fibres become airborne and are inhaled. Where asbestos materials are in good condition and unlikely to be disturbed, they do not present a risk. However, where the materials are in poor condition or are disturbed or damaged, asbestos fibres are released into the air, which, if breathed in, can cause serious lung diseases, including cancers.

Most council premises built before 1985 will contain some asbestos, but if the material is in good condition and is unlikely to be disturbed or damaged, it is much safer to leave it in place and monitor. This is true even in parts of the building where people work regularly. It

is important, therefore, not to exaggerate the risks of asbestos, particularly when communicating with staff. Where it is properly managed, asbestos should not be feared.

### What is the legal duty?

The duty to manage asbestos is contained in Regulation 4 of the Control of Asbestos Regulations (CAR) 2012. This Regulation covers the duty to manage asbestos in non-domestic premises (i.e. schools, office blocks, communal parts of a residential block, etc).

The regulation requires Duty Holders to:

- ➔ Identify the location and condition of asbestos in non-domestic premises built prior to 1999
- ➔ To prevent and manage risk or harm to anyone who works on the building or to building occupants

It also explains what is required of the Duty Holder to enable them to comply with the Regulation. The Duty Holder can be one of a number of individuals – school Head Teacher, Business Manager, Site Manager, or the Local Authority. The assigned Duty Holder, the individual who takes responsibility for managing the asbestos in the property, is agreed in writing between all the duty holding parties.

Duty Holders are also referred to as the 'Responsible Person'.

There is also an obligation to ensure training is undertaken. Regulation 10 of the Control of Asbestos Regulations 2012 places requirements on employers (Head Teachers) to ensure employees (relevant site



staff), are given adequate information, instruction, and training in relation to asbestos.

This includes:

- ➔ Ensuring no employee is permitted to work on asbestos containing material
- ➔ Any person employed in a role where they carry out maintenance to the building i.e. the Site Manager, must be trained in asbestos (asbestos awareness)
- ➔ Ensuring there is a person who has attended Asbestos Management within the previous 3 years. This is normally the Site Manager and/or a member of the senior management team.

Information on how to go about ensuring staff required are properly trained can be obtained from the Haringey Council Health and Safety team.

### **What does the Duty Holder/Responsible Person have to do?**

The Duty Holder/Responsible Person is obliged to ensure the required information is maintained and up to date, and available to issue and review upon request.

### **How the Duty Holder/Responsible Person fulfils their responsibilities**

The site may already have a Duty Holder/Responsible Person in place who maintains and holds the information required. However, if the information is not

readily available, inadequate, out of date or incomplete, the Duty Holder/Responsible Person will need to undertake the asbestos planning and management process for the site. To achieve this, an appropriately qualified and accredited consultant will need to be engaged.

This process will require the consultant to identify the areas of asbestos present, take any samples required for confirmation, and produce a plan for the Responsible Person to be able to manage, or recommend removal of the asbestos where necessary. The plan should include responsibility for the Asbestos Register. The process is usually as follows:

### **Identification**

- ➔ The consultant may request any previous asbestos information held to undertake a desktop review
- ➔ It is a requirement that an Asbestos Management Survey has been undertaken for the premises during or after 2012. It is recommended a new Asbestos Management Survey is carried out every 5 years. If not, or if any significant structural or builder's works have been undertaken post the Asbestos Management Survey without it being updated, it will need to be undertaken. This will identify the location, type, and condition of all the asbestos present within the premises.



## Assessment

- ➔ The consultants will have taken samples for testing to confirm the presence of asbestos within materials they suspect to contain it
- ➔ If previously done as part of the Survey, these are unlikely to be required again unless access to a certain space in the premises is now available to sample, where it was not before
- ➔ Once the results are confirmed, Consultants can then assess the risk from any asbestos present in the premises and make recommendations for management/removal as required
- ➔ When works in the premises will significantly disturb the fabric of the building, a Refurbishment and Demolition (R&D) Survey must be carried out. The R&D Survey is intrusive and will identify any asbestos containing materials contained in the fabric of the building subject to the works.

## Management

Once the surveys and testing have been completed the Asbestos Management Plan should be provided. This should clearly state the actions required in terms of how to manage any asbestos that is to be left on site and labelled. This should also include the issue of the Asbestos Register for the premises. This is an important document which identifies the location, type, and condition of the asbestos to be managed.

### **The asbestos report needs to be re-inspected every year if the circumstances have not changed within the premises.**

The changes in circumstances are as laid out below with regard to the Asbestos Register. The re-inspection is a visual exercise which can be carried out by the premises manager if they have attended asbestos awareness training.

The importance of the Register cannot be underestimated and will need to be kept up to date (along with the Asbestos Management Plan) following any works that change the premises layout structurally or remove asbestos. Please see the next section for information about the Asbestos Register, what it is for and the obligation to maintain it.

## The Asbestos Register and its use

- ➔ The purpose of the Asbestos Register is to provide information to site staff to allow compliance with Regulation 4 and 5 of CAR 2012, and to help guide the Duty Holder/Responsible Person under these Regulations
- ➔ The information contained in the Asbestos Register is based on surveys, bulk analysis results, removal records and reinspection records
- ➔ The Asbestos Register should be held on a system easily accessible in advance to any parties who will be required to review it
- ➔ The Duty Holder/Responsible Person is obliged to provide this information to other employers (i.e. building contractors) who may be undertaking works which could disturb any asbestos present. This is so they can put in place appropriate controls while the work is being done
- ➔ It is the duty of the Duty Holder/Responsible Person to ensure that the Asbestos Register is up to date and ensure that only the most current version of the Register is used.

Further information regarding any of the information contained within this section can be obtained from the following sources:



**[www.hse.gov.uk/asbestos/duty.htm](http://www.hse.gov.uk/asbestos/duty.htm)**

- ➔ HSE Approved Code of Practice L143 'Managing and working with asbestos' and associated documents
- ➔ London Borough of Haringey Health and Safety team.

# Additional Resources

## Traded Services for Schools



[www.tradedservices.haringey.gov.uk/contacts](http://www.tradedservices.haringey.gov.uk/contacts)

## Haringey Governors Online

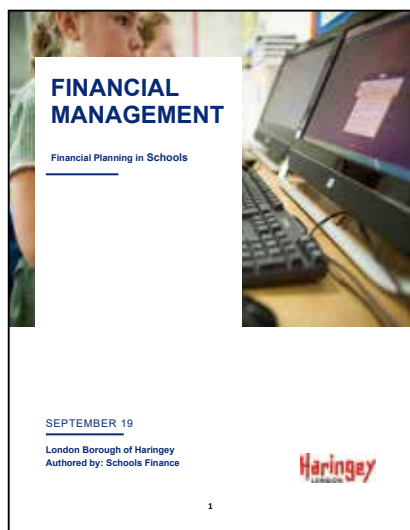


[www.governors.haringey.gov.uk](http://www.governors.haringey.gov.uk)

## School Financial Procedure Manual

This Manual contains operational guidance for schools' finance and related subjects.

Visit the school finance pages and download your copy at [www.haringey.gov.uk](http://www.haringey.gov.uk)



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Every effort has been made to ensure the accuracy of the content of this Handbook at time of publication.