



East Midlands  
Education Trust

# Asbestos Policy

Review Date:	Summer 2024	Reviewed & adopted by:	Trustees
Next Review Due:	Summer 2027	Updated by:	Estates Director
Mid-Reviews ( <i>statutory</i> ):			
Document No:	POL-OPS-001	The information contained on this document is considered proprietary to East Midlands Education Trust in that these items and processes were developed at private expense. This information shall not be released, disclosed, or duplicated.	

## Contents

1	Policy Statement.....	3
2	Statement of intent .....	3
3	Responsibilities for asbestos management.....	3
4	Asbestos register .....	5
5	Asbestos management plan .....	5
6	Building refurbishment and maintenance.....	6
7	Training requirements .....	7
8	Emergency procedures.....	7

## 1 Policy Statement

- 1.1 This policy has been developed to manage the risk from asbestos within the framework of the current legislative requirements of the Health and Safety at Work Act 1974, the Management of Health and Safety at Work Regulations 1999, and the Control of Asbestos Regulations 2012.
- 1.2 The Trustees of East Midlands Education Trust (“the Trust”) acknowledge our duty under legislation to manage asbestos within the workplace.
- 1.3 We recognise the health risks resulting from exposure to asbestos fibres in the air and the need to protect persons from such exposure. It is our duty to manage the risks from asbestos aiming to eliminate or reduce to the lowest level reasonably practicable the health risks to employees, pupils, contractors, visitors and others.
- 1.4 Our policy is that all asbestos containing materials that are damaged, or in poor condition, shall be removed. Any remaining asbestos containing materials that have above a low potential to release fibres if disturbed, shall be encapsulated and managed throughout the Trust’s estate.

## 2 Statement of intent

- 2.1 It is our policy to meet the obligations placed by the Health and Safety at Work Act 1974 and the Control of Asbestos Regulations 2012. To achieve compliance with regulation 4 of the Control of Asbestos Regulations, we will ensure that
  - 2.1.1 the school assigns responsibilities for the management of asbestos to specific people and that these persons have sufficient experience, knowledge and training
  - 2.1.2 sufficient funds are set aside to meet responsibilities
  - 2.1.3 this policy and performance is reviewed regularly
  - 2.1.4 an asbestos management plan is created by each school
  - 2.1.5 an asbestos register of the location and conditions of asbestos and presumed asbestos-containing materials (ACM’s) is held by each School
  - 2.1.6 each school manages the risk to ensure that any material known or presumed to contain asbestos is kept in a good state of repair or removed
  - 2.1.7 information on the location and condition of the material is given to anyone potentially at risk

## 3 Responsibilities for asbestos management

- 3.1 The **Board of Trustees** hold the overall responsibility for managing the risks from asbestos across the EMET estate and act as the main Duty Holder under Regulation 4 of the control of asbestos 2012 *Duty to Manage Asbestos*.

- 3.2 The duty placed on the Trustees to manage asbestos in Trust premises is implemented through the management structure. All EMET governors, school leadership teams, employees, and contractors operating in Trust premises must co-operate to allow the Trustees to comply with their duties set out in legislation.
- 3.3 This policy will be reviewed regularly by the Trust Services Director and will assess that it is implemented, complied with and effective in mitigating any risk of causing serious health issues resulting from the exposure to asbestos fibres.
- 3.4 The **Chief Executive Officer (CEO)** is the senior executive leader of the Trust with overall responsibility for the financial resources under the Trust's control and is therefore the main duty holder named under Regulation 4 of the Control of Asbestos Regulations.
- 3.5 The **Governors** hold the responsibility for the implementation of the Trust health and safety policy including the control of asbestos at school level and provide oversight that the management of asbestos is meeting the requirements of this policy
- 3.6 The **Head Teacher** holds delegated 'responsible person' responsibility for the implementation and compliance of asbestos management at school level and will ensure the effective implementation of this policy by
  - 3.6.1 Assigning a Health and Safety Manager to act as the designated responsible person for the management of asbestos as identified on Appendix 1, EMET Health and Safety Policy 'Delegated responsible person list') This position may be retained by the Head Teacher in Primary Schools
  - 3.6.2 Ensuring a robust asbestos management plan is in place
  - 3.6.3 Ensuring that duties are delegated and that staff with responsibility are trained, competent and aware in relation to their duties.
  - 3.6.4 ensuring all school staff are provided with asbestos awareness training
  - 3.6.5 ensuring all new staff receive an induction and are provided with adequate information regarding asbestos
  - 3.6.6 ensuring this Policy is communicated to all staff and relevant persons
- 3.7 The **Health and Safety manager** as the 'duty holder' will uphold delegated duties to manage asbestos in their schools by
  - 3.7.1 appointing a UKAS accredited asbestos contractor
  - 3.7.2 ensuring staff with delegated responsibility are both trained and competent
  - 3.7.3 ensuring an up to date asbestos register is maintained and available
  - 3.7.4 ensuring an asbestos management plan for the school is maintained
  - 3.7.5 ensuring robust procedures are in place for project management and contractors on site, site team maintenance and for any disturbance to the building fabric
  - 3.7.6 ensuring emergency procedures re up to date

## 4 Asbestos register

- 4.1 The Health and Safety Manager will appoint a UKAS approved asbestos contractor for the provision of information regarding the location and condition of ACM's throughout the school and to provide a suitable and sufficient assessment.
- 4.2 Asbestos registers will be maintained identifying areas of the buildings or plant either as containing asbestos or asbestos free.
- 4.3 The principal requirements for the Asbestos register are:
  - 4.3.1 to keep and maintain an up to date record of the location, condition, maintenance and removal of all ACM's.
  - 4.3.2 to assist in the provision of information to anyone who is likely to disturb ACM's about the location and condition of the material.
- 4.4 The asbestos register will be updated when any changes occur, e.g.) removal and replacement with non-asbestos materials or a major change following refurbishment works.
- 4.5 Where the assessment shows that asbestos is, or is likely to be, present in any part of a property the responsible person shall ensure that:
  - 4.5.1 a determination of the risk from that asbestos is made
  - 4.5.2 a written management plan identifying those parts of the premises concerned is prepared
  - 4.5.3 the measures which are to be taken for managing the risk are specified in the written plan

## 5 Asbestos management plan

- 5.1 Managing the risk and preparing the management plan shall include
  - 5.1.1 Monitoring the condition of any asbestos or any substance containing or suspected of containing asbestos.
  - 5.1.2 Ensuring any asbestos or any such substance is properly maintained or where necessary safely removed.
  - 5.1.3 Ensuring that information about the location and condition of any asbestos or any such substance is available to any staff liable to disturb it, contractors working on the school site and emergency services
  - 5.1.4 Ensuring that the plan and records are updated when ACM's are repaired or removed.
  - 5.1.5 Ensuring the measures specified in the plan are implemented and the measures taken to implement the plan are recorded.

## 6 Building refurbishment and maintenance

- 6.1 It is the policy of the Trust that, prior to any work being carried out which penetrates the fabric of the building or disturbs plant and equipment, a refurbishment survey will be carried out to determine if any hidden asbestos containing materials are present before any intrusive work takes place.
- 6.2 Where work on asbestos is to be carried out whether this is Licenced, non-licenced, or notifiable non-licenced, it is our policy that the work will be undertaken by UKAS Asbestos Contractor holding a current asbestos licence issued by the Health and Safety Executive Licensing Unit.
- 6.3 The site-specific duty holders and responsible/competent persons will ensure that the Asbestos Registers are provided to any contractor or trades person in advance of any work being undertaken that may disturb ACM's. Evidence will be obtained that this information has been read and understood by the trade's person(s).

*NOTE: Labelling is not to be adopted on ACM's to the Trust portfolio. It is felt that labels can fall off and contractors may wholly rely upon their presence to locate asbestos bearing material. The Trust believe that a more effective way of making parties aware of ACM's throughout the portfolio is through proper sharing of information to trained personnel through the individual site asbestos registers.*

- 6.4 A legal requirement to carry out a risk assessment for all work activities exists under the Management of Health and Safety at Work Regulations 1999. The requirement to assess the risk posed by asbestos is further enforced by the Control of Asbestos Regulations 2012. These regulations require that asbestos present in the workplace, must not present a hazard to health.
- 6.5 The risks from asbestos will be assessed and managed for all identified or presumed ACM's. The material assessment will establish the likelihood of the ACM releasing fibre into the air if disturbed.
- 6.6 The written plan will specify any repair work or removal that needs to be carried out on the ACM's identified, and provide the order of priority for ensuring this is implemented. Areas of high risk will receive the earliest attention and strictest management controls.
- 6.7 The asbestos management plan/register will provide details of the location, condition, and extent of all ACM's throughout the site along with actions and target dates for completion. This will identify the requirements for
  - 6.7.1 any restrictions around the ACM's
  - 6.7.2 any further investigations/sampling
  - 6.7.3 future Management/Inspections
  - 6.7.4 any abatement works (encapsulate/removal)
- 6.8 The plan will ensure that any asbestos that is left in place is adequately managed to ensure that its potential danger is tightly controlled, and the risks kept to the minimum level.

## 7 Training requirements

- 7.1 Asbestos management training is a requirement for all duty holders / responsible persons under the EMET Health and Safety Policy minimum core competency requirements for the following people
- a) School Governor for health and safety
  - b) Head Teacher and Deputy Head Teacher ( Responsible person)
  - c) Health and Safety Manager (Duty Holder)
  - d) Site Manager/ caretaker (Delegated responsibility)
- 7.2 Asbestos awareness training will be provided for employees who are likely to come into contact with ACM's and will be designed to provide them with suitable and sufficient level of awareness
- 7.3 Most staff are not directly involved in managing the buildings or in carrying out repair or maintenance work. However, staff still need to be made aware of the potential hazards. All staff should be instructed not to disturb or damage ACMs, for example by pinning work to walls. They should also report damage to school fixtures or fittings that could lead to the release of asbestos fibres, eg damage to ceiling or floor tiles, or to column seals in system-built schools

## 8 Emergency procedures

- 8.1 In the event of damage to ACM's or suspected ACM's, or the accidental release of known asbestos fibres into the air, the following emergency procedure should be instigated immediately:

### Stage 1 – Isolate the area

- a) Immediately clear the area of all persons;
- b) If anyone has been potentially contaminated remove all contaminated clothing and leave within the contaminated area for disposal as contaminated waste
- c) Leave the area. Do not remove any potentially contaminated items including clothing, tools, equipment etc from the area;
- d) Isolate area if possible - (e.g. if in a single room);
- e) Prohibit access to area and secure the area. (Barrier tape off, & signage etc);
- f) Turn off any ventilation systems in the area (e.g. Air Conditioning units, extractors etc. unless to do so, you would need to re-enter area);
- g) Inform the Head Teacher and Health and Safety Manager.

## Stage 2 - make safe

- h) Instruct a licenced removal contractor to clean up the area of contamination and repair / seal the damaged materials;
- i) The asbestos contractor shall take bulk samples of the debris and damaged material analysis of which shall be included in the investigation
- j) The contractor will undertake air testing of the area following the incident and for an inspection by the analyst that the area is free from debris, the underlying materials have been made safe and the area is for re-occupation.

## Stage 3 - Investigate & action plan

- k) The Health and Safety Manager assesses the incident and collates the following information:
  - Type of material disturbed
  - Location and amount of material
  - Details of how the damage occurred
  - Actions taken by who and when
- l) The Asbestos contractor will give specialist guidance / technical support / and assist with the investigation as required;
- m) Initiate appropriate agreed actions to resolve the incident
- n) Compile a report on the conclusion of the incident.
- o) Update the asbestos management plan

## 8.2 Exposure to the release of asbestos fibres

Should any member of staff consider that they have been inadvertently exposed to asbestos fibres they shall immediately notify the Head Teacher. Details of the exposure will be recorded in the employees Personnel File.

## 8.3 Emergency Services

The H&S manager will inform the emergency services, (Fire Service), to provide them with information they may require in relation to retained ACM's, in the way of asbestos register and management plans

## 8.4 Further information

8.4.1 [Managing and working with asbestos. Control of Asbestos Regulations 2012. Approved Code of Practice and guidance L143](#) HSE Books 2013 ISBN 978 0 717 666 188

8.4.2 [Further guidance on asbestos](#)