

## Almost a Third of Independent Schools are Not Managing their Asbestos.

*HSE says results are encouraging.*

HSE guidance states *"If you don't manage the asbestos-containing materials in your premises, you could be putting your employees' and other people's health at risk."*<sup>1</sup> In a series of inspections recently published by HSE<sup>2</sup> almost a third of the sixty two independent schools that were inspected had potentially put staff and pupils' health at risk by failing to manage their asbestos. By doing so they had broken the law and had enforcement action taken against them.

Almost a fifth of the 168 schools outside local authority control that were inspected had enforcement action taken against them for failing to manage their asbestos. A further 110 had "Advice" given to improve their asbestos management. More than half of the eighty schools that carried out their own maintenance and building work had failed to train their staff so that they could safely undertake maintenance without potentially damaging asbestos and harming themselves and the other occupants. Three of the five Academies inspected had enforcement action taken against them, another school has now become an Academy and that also had enforcement action taken against it. By law schools have to have a written asbestos management plan, but 51 did not. 49 schools did not have a proper system in place to tell their staff where the asbestos is in the buildings, and twenty of them there was no system at all. HSE warn that *"Not having a system in place, or operating a system with major gaps or flaws, is a major source of risk as potentially anyone in a school can disturb asbestos containing materials"* There were forty breaches of the Health and Safety at Work Act for failing to ensure the health and safety of the staff, and a further twenty eight breaches for failing to ensure that the pupils were not exposed to risks to their health and safety.

More than twenty five years ago schools were told to identify their asbestos and manage it, and yet a significant proportion of these schools have failed to do so, and have potentially put teachers, support staff and pupils' lives at risk. Almost a third of the independent schools had broken the law. It is therefore extraordinary that the HSE should herald these dreadful results as *"encouraging."*

In their press release HSE make conflicting statements, on one hand they warn of the very real risks from bad management, and on the other hand they imply, incorrectly, that the errors were minor administrative ones and that staff and pupils were not at risk. That is despite the fact that every single regulation for managing asbestos was breached. Because of HSE's mixed message the thousands of schools that contain asbestos could be left with the wrong impression that people's health is not at risk even when staff are not trained, do not know where the asbestos is in their school, and the school has no plan to manage its asbestos. Valuable lessons have to be learnt from these inspections, and that will only be achieved if every school in the country is given a clear, unambiguous, message that if you fail to manage your asbestos you are putting your staff and pupils at risk.

See also:

[Analysis of the enforcement action](#)<sup>3</sup>

[Summary of the Enforcement Action taken](#)<sup>4</sup>

[Press Release Joint Union Asbestos Campaign.](#)<sup>5</sup>

---

<sup>1</sup> HSE a comprehensive guide to managing asbestos in premises."

<sup>2</sup> Asbestos checks reveal compliance picture at non-LA schools <http://www.hse.gov.uk/press/2011/hse-asbestosinschools.htm> List of schools inspected and results. [www.hse.gov.uk/services/education/asbestos-management-1011.htm](http://www.hse.gov.uk/services/education/asbestos-management-1011.htm)

<sup>3</sup> Analysis of enforcement action

<http://www.asbestosexposureschools.co.uk/pdfnewslinks/HSE%20ENFORCEMENT%20ACTION%20%202011%20Oct%202011.pdf>

<sup>4</sup> Summary of enforcement action taken (15<sup>th</sup> Oct 11)

<http://www.asbestosexposureschools.co.uk/pdfnewslinks/HSE%20ENFORCEMENT%20SUMMARY%20%20NOV%2010%20to%2011%2011.pdf>

<sup>5</sup> JUAC press release <http://www.asbestosexposureschools.co.uk/npaper%20links/JUAC%20HSE%20survey.htm>