

Managing Asbestos in Schools

NAHT
The Association for all School Leaders

A GUIDANCE DOCUMENT FROM THE NATIONAL ASSOCIATION OF HEAD TEACHERS

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Update on current position

The NAHT is a member of both the Joint Union Asbestos Committee and the Asbestos in Schools Steering Group.

The membership of the JUAC consists of the ten recognised staff unions that recruit members in the education sector.

The membership of the Asbestos in Schools Steering Group is much wider, including DfE, Health and Safety Executive, Unions, employers and experts in asbestos.

Both of these groups are working to raise the awareness and promote effective management of asbestos in schools and other children's settings.

The JUAC recently conducted a survey of Trade Union appointed Health and Safety Representatives working in schools to ascertain their knowledge and understanding of issues related to the management and awareness of asbestos in schools. Using the result of the survey the JUAC has released the following statement to the press.

The purpose of the release is to highlight asbestos issues and the difficulties that some schools are facing in the management of the material as a result of the lack of training for all staff.

The NAHT will continue to work with interested parties to ensure that we represent members concerns regarding asbestos and its management in the school setting.

JUAC press release:-

Union asbestos survey shows many schools remain at risk from asbestos

A nationwide survey of more than 600 school teacher and support staff safety representatives has flatly contradicted Health and Safety Executive claims that the government is meeting its legal obligations to address the issue of asbestos in schools.

Julie Winn, Chairman of the Joint Union Asbestos Campaign (JUAC), a coalition of ten main unions within the education sector, said "JUAC was unable to accept HSE's summary findings as these did not align with the experience of our members on the ground. JUAC decided to carry out a grassroots survey and the results confirm the disparity between the information received from our members and what local authorities (LAs) are reporting back to the HSE."

"JUAC's experience is that support for some schools and some LAs is of a good standard but others, where support is woefully inadequate, pose an unacceptable risk as a result of poor management of asbestos. JUAC's grassroots survey shows the importance of supporting the Asbestos in Schools campaign's aims to improve the management of asbestos in all UK schools, and its ultimate removal," said Winn.

The findings are released less than three weeks after pupils were evacuated from a school in Berkshire when a chemical test with a hydrogen balloon caused a “sonic reaction” and dust that fell from the ceiling tested positive for small levels of asbestos.

JUAC’s survey found that 80 percent of safety representatives had either not had asbestos awareness training, or did not know if they had, and that only 28 percent of respondents said the presence of asbestos containing materials (ACM) was clearly marked in the workplace. Despite the awareness of the health risks associated with asbestos, many so-called ‘system built’ schools in England have structural frames that are fire-proofed with asbestos.

Says Winn, “It is worrying that such a large gap exists when it comes to marking the presence of asbestos. The recognisable symbol can be discreetly placed on the ACM, alerting a contractor to the presence of asbestos and helping to protect staff and the student body. The teaching profession routinely has a fluid turnover of staff, and without clearly marking ACMs, new staff will be unaware of the presence of asbestos.”

When it comes to keeping an accurate asbestos register, only one third of respondents were aware that the register was kept, and only 20 percent of the total sample confirmed that the register was shown to contractors before they commenced work. JUAC said “the remarkable lack of knowledge of a register’s existence shows where comprehensive asbestos awareness training in schools is needed for ALL staff. This is especially important for those dealing with contractors.”

The survey found that 70 percent of the respondent safety representatives had not been consulted on the issue of asbestos management, even though this is part of the safety representatives’ rights under the Safety Representatives and Safety Committees regulations. Only half the respondents had ever asked to see the school’s asbestos management plan, with around 20 percent saying they had confidence that the plan was being acted on.

JUAC’s findings contradict the HSE’s 2010 survey, comprising an online questionnaire and follow-up inspections, which assessed how well 152 LAs with responsibility for schools in England were meeting their legal obligations for asbestos management in system built schools. The HSE said 70 percent of the LAs provided satisfactory responses to the questionnaire with no further action needed while enforcement notices were issued against 10 authorities.

JUAC’s Winn says the survey shows the worrying gap between what LAs claim to the HSE is happening, and the reality at ground level. “In the schools themselves, there is a completely different picture which shows that awareness training is needed for ALL staff working with materials or in buildings containing asbestos,” said Winn.

The JUAC has the objective of ensuring the risks from asbestos in school buildings are effectively managed and encourages openness in the UK Government’s policy towards asbestos in schools, with the ultimate aim of seeking the safe removal of asbestos from all schools.

Training budget “less than £1 for each school”

The Asbestos in Schools group welcomed the findings, with Chairman Annette Brooke MP commenting “Despite the dilapidated state of the school stock and an estimated £8.5bn backlog of repairs, the Government has recently confirmed that its policy for schools is to leave the asbestos in place and manage it for the remaining life of the buildings. If people are expected to manage the asbestos they have to be trained, and yet the results of the JUAC survey add to all the other evidence, including recent HSE enforcement action, that there is a woeful lack of training and asbestos awareness amongst school staff.

“More than forty years ago the Department for Education were warned of the particular vulnerability of children to the dangers of asbestos and told to put measures in place to prevent their exposure at school. But it is only now that, under considerable pressure, they are finally taking action and introducing asbestos awareness training. However the training is not mandatory and is grossly under-funded at less than a pound for each of the 27,000 schools. If the Government are to tackle the appalling legacy of asbestos in schools then they must assess the scale of the problem and the risks, adopt a policy of openness and allocate proper resources so that staff and pupils really are made safe from the dangers of asbestos.

“I continue to be concerned at the lack of knowledge about the degree of risk for children from asbestos in schools. It is vital that a study is commissioned by the Department of Health,” said Ms Brooke.

Ends

Notes:

1. Joint Union Asbestos Campaign: comprises of the six main education unions: Association of School and College Leaders; Association of Teachers and Lecturers; National Association of Head Teachers; NASWUT; National Union of Teachers; Voice; plus the education sections of UNISON, Unite, UCATT and the GMB.

2. Full results of the JUAC survey are attached.

3. HSE Managing asbestos in system built schools

<http://www.hse.gov.uk/services/education/summary-report.pdf>

4. Voice’s annual survey 2010 had 790 questionnaires returned. Only 43% were aware of an asbestos survey in their workplace in the past 3 years; Over 72% did not have any information on an asbestos management plan; only 22% had received any asbestos awareness training.

<http://www.voicetheunion.org.uk/index.cfm/page/sections.contentdetail.cfm/cid/1752/navid/570/parentid/330>

5. NASUWT “Safe to Teach” survey 2008 had 1,923 responses. 33% of safety reps who raised concerns on asbestos management had not received a satisfactory response. 13% said that the asbestos present was in a bad condition. 57% did not know if asbestos was in their school or not. Only 215 who knew that asbestos was present were aware of plans to remove it.

<http://www.nasuwt.org.uk/TrainingEventsandPublications/NASUWTPublications/AccessiblePublications/SalariesPensionsandConditions/Safetoteach/index.htm>

6. Terms:

System build: Many schools have so-called ‘system buildings’ – some of these have a structural frame that is fire-proofed with asbestos materials.

Duty to Manage: The Control of Asbestos Regulations 2006, regulation 4, requires duty holders with a legal responsibility for non-domestic premises to manage the risk from any asbestos that may be present.

Enforcement notice: There are two kinds of enforcement notice which the HSE can issue: improvement notice and a prohibition notice.

Improvement Notice: this sets a legal timeframe for a particular situation to be resolved. There is not considered to be an immediate danger. Employers failing to meet the terms of a notice by the expiry date may be subject to legal proceedings.

Prohibition Notice: This is served where an employer / duty holder is failing to protect employees and the public and there is a risk of serious personal injury. A prohibition notice deals with immediate danger and the work / activity must stop immediately, while the issue is resolved.

7. Clean-up at Berkshire school over science blast asbestos scare

<http://www.bbc.co.uk/news/uk-england-berkshire-12932139>

Specialist cleaners will spend the weekend removing asbestos dust from a school after about 70 pupils were exposed to it following an explosion. Pupils were evacuated from St Mary's in Kintbury, Berkshire, when a chemical test involving a hydrogen balloon caused a "sonic reaction" on Thursday (31 March 2011). Dust that fell from the ceiling tested positive for a small level of asbestos.

8. Asbestos In Schools campaign

<http://www.asbestosexposureschools.co.uk/default.htm>

9. The review into the procurement of refurbished and rebuilt schools has just been released, which shows the government lacks information on the condition of schools.

<http://www.education.gov.uk/inthenews/inthenews/a0076572/independent-review-on-the-school-capital-system-is-published>

http://www.publicservice.co.uk/news_story.asp?id=16031

<http://www.bbc.co.uk/news/education-13012596>