



# Asbestos Management Policy and Procedures

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<b>Approved By</b>	Finance and Operations Committee

<b>Policy Category</b> (Please Indicate)	1 Academy to implement without amendment
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## Summary of Changes from Previous Version

Version	Date	Author	Summary of Updates
V1	August 2019	D Ashmore	New Policy
V5	January 2023	L Burton	<b>Throughout-</b> changed Principal to Duty Holder <b>Page 3</b> – added in reference to risk of exposure <b>Page 4</b> - reworded 1 <sup>st</sup> paragraph <b>Page 5</b> -reworded paragraph 2.1 Added in responsibility to ensure staff are trained <b>Page 11</b> – amended policy review dates
V6	September 2023	A Hibbitt	No Changes

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## 1. Statement of Intent

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 (CAR)

To achieve compliance with regulation 4 of the Control of Asbestos Regulations, we will:

- Take reasonable steps to find materials within our property portfolio likely to contain asbestos and check their condition;
- Presume that materials contain asbestos unless there is strong evidence to support that they do not;
- Make a written record of the locations and conditions of asbestos and presumed asbestos-containing materials (ACM's) and keep the record up to date;
- Assess the risk of the likelihood of anyone being exposed to these materials;

Prepare a plan and manage the risk to ensure that:

- Any material known or presumed to contain asbestos is kept in a good state of repair or removed;
- Information on the location and condition of the material is given to anyone potentially at risk
- We implement appropriate control measures to reduce the risk of exposure of people to asbestos containing materials (ACM's)

The Trusts preferred supplier/contractor will carry out an annual asbestos inspection and produce an accurate Asbestos Register for each Academy. Following annual inspection, Exceed Learning Partnership will work their preferred supplier to identify works required to enable the Trust to complete buildings work and developments identified in our Buildings Strategy.

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. The preferred supplier/contractor will undertake this update, and record all works on their on-line portals. Exceed Learning Partnership will be responsible for informing the asbestos inspectors of any works undertaken by the preferred supplier/contractor so that the Asbestos Register can be updated accordingly.

- Prior to the commencement of any work within the fabric of a building we will carry out a Refurbishment and Demolition survey as an integral part of the planning process for any refurbishment or demolition works carried out in Exceed Learning Partnership owned, managed or occupied premises.

Where work on Asbestos is to be carried out, whether this is licensed or non-licensed or notifiable, non-notifiable, it is our policy that the work will be undertaken by contractors holding a current asbestos license issued by the Health and Safety Executive Licensing Unit.

An annual review will be carried out to ensure that the requirements of this **Asbestos Management Policy and Procedures** are updated as necessary. We will:

- Provide adequate resources for the management of asbestos materials and products require by these procedures;
- Seek to provide adequate training to those members of staff who require greater awareness of the effects and uses of asbestos on an annual basis;
- Review the policy Document on an annual basis, to take account of changes to legislation or current practice



## 2. Legal Framework

2.1. This policy has due regard to legislation and statutory guidance including, but not limited to, the following:

- HSE.GOV. (2014). Managing and working with asbestos
- Control of Asbestos Regulations 2012.
- Health and Safety Work Act 1974
- The Hazardous Waste (England and Wales) Regulations 2005
- The Control of Substances Hazardous to Health Regulations 2002
- Environmental Protection Act 1990
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
- HSE.GOV. (2014). Construction Design and Management (CDM) 2015.
- Legislation .GOV. (2014).
- Management of Health and Safety at Work Regulations 1999

2.2. This policy has due regard to non-statutory guidance, including the following:

- ESFA 'Managing asbestos in your school' 2017

2.3. This policy operates in conjunction with the following school policies:

- Health and Safety Policy
- Premises Management Policy

## 3. Roles and Responsibility

The CEO of the Trust is ultimately responsible for the Health and Safety of all employees. The CEO delegates responsibility for undertaking aspects of these duties through line management and identified roles.

3.1. For the purposes of this policy, the Duty Holder is the person responsible for the overall up-keep of the building. In Academies this responsibility is delegated to the Principal of the academy. In the Trust office this responsibility is delegated to the Chief Operations Officer.

### **The Duty Holder has ultimate responsibility for:**

The maintenance and repair of the academy and safe management of asbestos, this includes ensuring that all contractors working in the Academy are made aware of the presence of asbestos in the areas they are working in.

Providing suitable and sufficient information, instruction, training and supervision to employees and contractors to reduce the risk of uncontrolled release of asbestos fibres as low as is reasonably practicable.

Consulting with employees on matters that affect their health and safety and that all employees are aware of their expectations.

Liaising with the trusts preferred supplier/contractor to ensure all regulations regarding the management of asbestos are met.

Providing information on the Asbestos Management Policy and Procedures to the Trust Central Team.



**The Site Manager/Supervisor and Business Manager are responsible for:**

The maintenance and repair of the academy and safe management of asbestos, this includes ensuring that all contractors working in the Academy are made aware of the presence of asbestos in the areas they are working in.

Consulting with employees on matters that affect their health and safety and that all employees are aware of their expectations.

Ensure that employees, volunteers are provided with adequate information, instruction or training for anyone involved in asbestos management.

Liaising with the trusts preferred supplier/contractor to ensure all regulations regarding the management of asbestos are met.

Providing information on the Asbestos Management Policy and Procedures to the Principal and Trust Central Team.

Ensure all contractors are aware of areas within the academy where asbestos is located and that contracts follow the asbestos management plan

**All staff and volunteers:**

Have a responsibility to play their part in the safe management of asbestos.

**All Contractors:**

Must ensure that prior to project development work, the risk of disturbing asbestos is fully explored and where required further Asbestos Surveys are undertaken to ensure works can be undertaken in a safe and controlled manner.

Must ensure they read the academy asbestos management plan prior to accessing any areas where asbestos has been located into.

Do not work in any areas where asbestos is located or suspected to be located without a full asbestos management plan in place.

3.2. The Duty holder is not legally required to inform parents about the presence of asbestos in the academy; however, should parents request such information, the academy will be responsive to this.

3.3. If management arrangements at the academy fail to prevent the disturbance of asbestos containing materials, and there is an accidental release of asbestos fibres, those affected will be informed.

## 4. Daily Management of Asbestos

**Step 1: Management survey of asbestos-containing materials (ACMs)**

4.1. The appropriate body will carry out an asbestos management survey which records the location and condition of the asbestos in all school buildings constructed before 2000.



4.2. The survey will be conducted in accordance with HSE guidance, and will be undertaken by a United Kingdom Accreditation Service (UKAS) accredited surveying organisation.

4.3. The survey will cover all accessible places, including above the ceilings and floor ducting.

4.4. Records will be stored within each academy and accessible to the Trust at all times.

4.5. Exceed Learning Partnership will work with their preferred supplier/contractor who will provide ongoing support, advice and guidance to the Trust in all aspects of managing asbestos in its portfolio of buildings.

4.6. The preferred supplier will work with the trust and academy to ensure that employees, volunteers are provided with adequate information, instruction or training for anyone involved in asbestos management.

### **Step 2: Assessing the risks associated with ACMs**

4.7. The risks associated with each occurrence of asbestos in the academy will be assessed. The assessment will be carried out by the preferred supplier:

4.8. The assessment will include three parts:

**‘Material’ assessment** – this is provided within the survey and is an assessment of each item of asbestos material identified based upon the type of material, the type of asbestos it contains, its surface treatment and the extent of damage.

**‘Priority’ assessment** – this is the assessment of the likelihood of someone disturbing the material based upon factors such as the number and type (e.g. pupils) of people using the room, the time they spend in the room, the location, accessibility and extent of the asbestos and the frequency and type of activity that might disturb it.

**‘Total’ assessment** – the ‘material’ and ‘priority’ assessments will be combined to give a total risk assessment.

The risks form part of the management plan and will be listed in 3 categories – high, medium, low. These will be reported to the academy and the Trust.

### **Step 3: Devising a plan for managing ACMs**

4.9. At this stage, the academy will create an Asbestos Management Plan (AMP). The AMP will include details of:

- A plan to manage the risks from ACMs on a day-to-day basis.
- Arrangements to inform all staff and contractors about the location of ACMs.
- Measures put in place to prevent disturbing the ACMs.
- A plan to check for less easily accessible ACMs where intrusive work has been planned.
- The schedule for monitoring the condition of ACMs.

4.10. The academy will ensure where possible its management arrangements are effective during school closure periods, such as after school hours and during community use when school staff presence is minimal.

4.11. The AMP will be reviewed and updated annually or where new asbestos is identified through work specific surveys.

The Duty Holder, alongside the Site Manager and Business Manager will work with the Trust's preferred supplier and the Trust Central Team to produce an Academy Asbestos Management Plan. Ongoing support will be available from the preferred supplier/contractor to provide the expert guidance and support required.

#### **Step 4: Ensuring staff and visitors know the risks and precautions that need to be taken**

4.12. The academy will inform staff, volunteers and other stakeholders of all locations of ACMs. The academy will ensure that all these people receive the correct information, instructions and training where required, and will be clear in what precautions to take.

4.13. The academy has plans in place to ensure that, if emergency services request information about the asbestos that is present in the building, information will be provided to help keep emergency service workers safe.

#### **Step 5: Keeping the management of ACMs under review**

4.14. The academy will update its plan if:

- New information is received, e.g. from 'refurbishment and demolition' surveys.
- Work is undertaken on ACMs.
- Damage to asbestos areas occurs.
- ACMs are removed.

4.15. The asbestos register which is the record book of known and suspected locations of asbestos in the building and will be kept in the main office and be made available for inspection and reference when required. The asbestos register will be reviewed annually and any changes will be communicated to all relevant staff.

4.16. All contractors are to be directed to read and sign the Asbestos Register before starting any work in the academy. The contractor should be made aware of all areas containing asbestos and sign and date the register as proof of reading prior to proceeding.

## **5. Building and Maintenance work.**

5.1. The academy's management survey only covers readily accessible areas; therefore, it may not have covered all ACMs that are present. If concerns arise that work may disturb hidden ACMs, arrangements will be made for a 'refurbishment and demolition' survey to be carried out the trusts preferred supplier/contractor, in the area where the work is set to take place. Due to the intrusive nature of this survey, it will be carried out under controlled conditions. These surveys will be passed on to those who will eventually be contracted to complete the work. All works, even small, short duration tasks must be carried out by contractors holding a current asbestos license issued by the Health and Safety Executive Licensing unit.

Higher risk work, such as the removal of asbestos, may need to be notified to the HSE

Any waste materials containing asbestos will be disposed of in line with the schools Health and Safety Policy and will at all times comply with the guidance issued by the trusts preferred supplier/contractor



## 6. Asbestos related incidents

6.1. If the academy finds that there has been, or may have been, an unplanned disturbance of asbestos, the Duty holder will ensure that following action is taken:

All activities will stop and everyone will be evacuated from the affected area

Staff, pupils and visitors will not be allowed to re-enter the affected areas until any necessary remedial action has been taken

Items, including equipment, books, or personal belongings, will not be moved from the area

Expert advice will be sought from the trusts preferred supplier/contractor regarding remedial action

The affected area will be closed/cordoned off

Attendance by a UKAS analyst/appointed asbestos analyst

Checking the existing register for details of what may have been disturbed

Air sampling

Occupational health support for staff who may have been exposed

6.2. All incidents related to asbestos must be notified to the Trusts Chief Operations Officer who will consequently seek advice and where required, and notify the HSE, as this is a legal requirement under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.

6.3. All Contractors should have procedures in place to deal with the unintended or unexpected release of asbestos.

6.4. Anyone who has come into contact with asbestos, and is concerned about their exposure, will be advised to contact their GP.

6.5. The academy's AMP will detail the procedures for staff to follow in the event of an incident, and this will be communicated to all staff.

6.6. If anyone in the academy discovers or accidentally disturb asbestos during their work, then the academy will follow the HSE Guidelines detailed on the following link: <https://www.hse.gov.uk/pubns/guidance/em1.pdf>

6.7. The academy will also follow the HSE's Asbestos Incident, Initial Response Decision Chart (identified on the next page) and the guidance on the HSE website for Dealing with Asbestos Contamination Incidents/Events ([hse.gov.uk](https://www.hse.gov.uk))

### **Acronyms are as follows:**

6.8. MIRP - Major Incident Response Plan

6.9. ERP - Emergency Response Plan

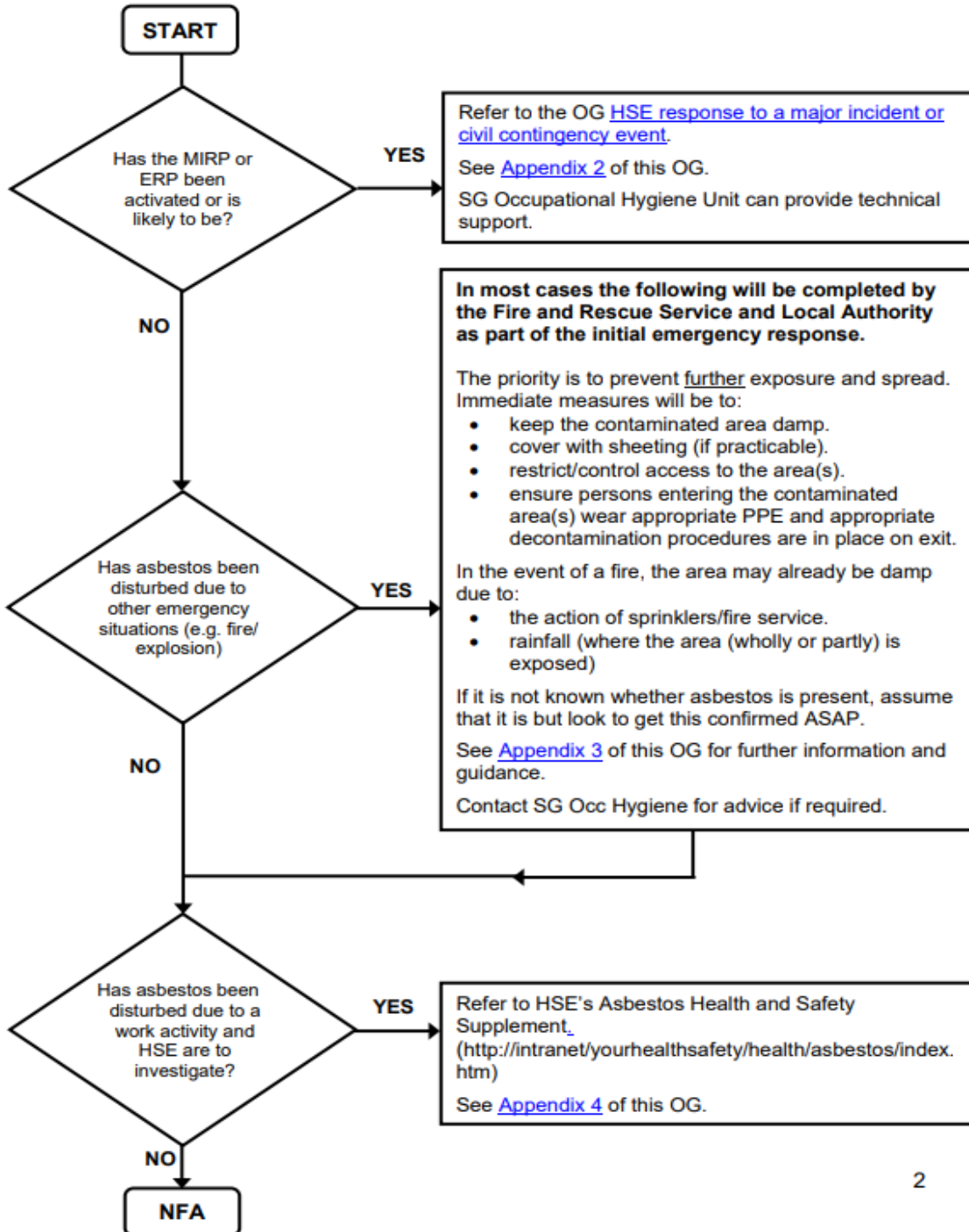
6.10. NFA – No further action

6.11. OG –Operational Guidance





**Appendix 1: Asbestos Incident: Initial Response Decision Chart**





## 7. Monitoring and Review

7.1. This policy will be reviewed annually

7.2. Advice and support for the updating of the policy will be sourced from the Trust's preferred supplier/contractor

7.3. Where Asbestos is present within an academy, support will be sourced from the trusts preferred supplier/contractor to ensure that the academy has management plans, detailing a clear current position and objective. Details regarding how prevention of exposure and spread is achieved, levels of monitoring that have been put in place and the level of training that is specified for academy personnel. This will be detailed for each site where there is the requirement to have an Asbestos Management Plan in place.

7.4. All documentation listed above will be held with this policy at the academy.

7.5. Any changes to this policy will be communicated to all members of staff, visitors and stakeholders.

7.6. The next review date for this policy is September 2024

**Policy Agreed: September 2018 and reviewed September 2023**

**Signed CEO:**

**Signed: Chair of Directors:**

**Policy to be reviewed in September 2024**