



Extend Learning
Academies Network

Asbestos Management Policy

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1. Statement of Intent

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. (CAR 2012). The Trustees of the Extend Learning Academies Network (ELAN) acknowledge our duty under legislation to manage asbestos within the workplace.

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 our school staff, pupils, contractors, visitors and others.

This policy sets out the procedures we have put in place to protect our staff and pupils who occupy our premises for their normal day-to-day activities; our contractors engaged in maintenance, repair or refurbishment work; and our visitors or others from unnecessary exposure to airborne asbestos fibres.

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 portfolio.

An annual management inspection programme has been implemented in accordance with Regulation 4 CAR 2012.

The Trustees have overall responsibility for managing the risks from asbestos across the ELAN property portfolio and are the main Duty Holder under Regulation 4 CAR 2012 ***Duty to Manage Asbestos.***

The duty placed on the Trustees to manage asbestos in trust premises is implemented through the management structure of the central estates team. All school leadership teams, employees, and contractors operating in trust premises must co-operate with the central estates team to allow the Trustees to comply with their duties set out in legislation.

2. Policy Statement

The ELAN Trust recognises its duty to comply with the CAR 2012 and other relevant legislation and guidance. It is our objective to ensure that Asbestos Containing Materials are managed effectively, and employees understand their duty to contribute to the robust management of such materials. The key objectives of this policy are to establish:

- Asbestos Management Principles
- Inspection Testing Regime
- Record Keeping
- Competent Person
- Training

Note: ELAN will only remove Asbestos Containing Materials where the risk of fibre release is identified as High and cannot be safely managed. Additionally, the ELAN

will endeavour to remove ACMs in conjunction with any relevant building work in the vicinity if practical. There is no requirement to remove in situ Asbestos where it is safely managed, and this approach is supported by The Health and Safety Executive.

3. What is asbestos, and why do we need to manage it?

Asbestos is a term used for various forms of naturally occurring fibrous silicate minerals, which were extensively imported and added to building materials used in the UK from the 1950's up until its ban in 1999. Any building built before 2000 has the potential to contain asbestos.

When asbestos fibres are inhaled, they can cause serious diseases and the increased risk of lung cancer for asbestos workers who smoke. A key part of this policy, and the schools associated management plans, is to ensure that works are managed as to prevent any exposure to our staff and building occupants.

Due to the archetype of many system-built schools, we must always take a cautious and pro-active approach to the management of asbestos and should always assume a product to contain asbestos until we have had assurances that it is safe to disturb.

All asbestos containing materials (ACM's) should be controlled regardless of type. ACM's can be found in under floor services, floor, ceiling tiles, pipe covering, textured coated ceiling, heat deflection materials and in many other forms.

4. Our Legal Duty

To ensure that risks from asbestos in places of work are managed, the Control of Asbestos Regulations 2012 places responsibility on those duty holders for the maintenance or repair of work premises. For the purpose of this policy, ELAN are the duty holder and will work with schools to ensure that key tasks are appropriately delegated.

The Control of Asbestos Regulations 2012 requires the person who has the duty (i.e., the 'Duty Holder') to:

- take reasonable steps to discover if there are materials containing asbestos in non-domestic premises and if so, to determine its amount, where it is and what condition it is in
- presume materials contain asbestos unless there is strong evidence that they do not
- make, and keep up to date, a record of the location and condition of the asbestos- containing materials - or materials which are presumed to contain asbestos
- assess the risk of anyone being exposed to fibres from the materials identified
- prepare a plan that sets out in detail how the risks from these materials will be managed
- take the necessary steps to put the plan into action
- periodically review and monitor the plan and the arrangements to act on it so that the plan remains relevant and up to date
- provide information on the location and condition of the materials to anyone who is liable to work on or disturb them

5. Responsibilities for Asbestos Management

5.1 Duty Holder

The Chief Executive Officer (CEO) is the senior executive leader of the trust with personal responsibility for the financial resources under the trust's control and is therefore the main named duty holder named under **Regulation 4 CAR Duty to Manage Asbestos**.

The CEO will ensure that the trust leadership teams co-operate with the Estates Management Team with regards the provision of information to enable risk assessment for presumed or known ACM's to be undertaken.

5.2 Professional Support and Advice – Cassa Environmental

The Trustees acknowledge that the Duty Holder's legal responsibilities cannot be delegated, however, they also recognise that professional support and advice is required. The Estates Management Team engage with Cassa Environmental to support the Trust and in supporting Trustees in complying with their duties as duty holders under **Regulation 4 CAR Duty to Manage Asbestos**.

Cassa Environmental are contracted for the provision of information regarding the location and condition of ACM's throughout the property portfolio by annual inspection.

5.3 Estates Management Team

The central Estates Management Team comprises the Estates Manager (Lead), Compliance & Facilities Manager, and the Senior Site Manager.

The Estates Management Team are responsible for ensuring that the identification and management of asbestos containing materials is carried out to enable the Trust to meet their requirements under this asbestos Management Plan, and Control of Asbestos Regulations 2012 CAR Regulation 4 including the following:

- enabling suitable and sufficient assessment as to whether asbestos is, or is liable to be, present in the premises **Regulation 4 (3)**
- To review the assessment forthwith if there is reason to suspect that the assessment is no longer valid **Regulation 4 (6) (a)** and there has been a significant change in the premises to which the assessment relates **Regulation 4 (6) (b)**
- To ensure that the conclusions of the assessment and every review are recorded: **Regulation 4 (7)**.

Where the assessment shows that asbestos is, or is liable to be, present in any part of a property the Estates Manager shall ensure that:

- a determination of the risk from that asbestos is made
- a written plan identifying those parts of the premises concerned is prepared
- the measures which are to be taken for managing the risk are specified in the written plan. **Regulation 4 (8)**

Managing the risk and preparing the management plan shall include adequate measures for:

- monitoring the condition of any asbestos or any substance containing or suspected of containing asbestos
- ensuring any asbestos or any such substance is properly maintained or where necessary safely removed
- ensuring that information about the location and condition of any asbestos or any such substance is:
 - provided to every person liable to disturb it made available to the emergency services
 - ensuring that the plan and records are updated when ACM's are repaired or removed. **Regulation 4 (9)**

To ensure that the Plan is reviewed and revised at regular intervals and forthwith if:

- there is reason to believe the plan is no longer valid
- there has been a significant change in the premises to which the plan relates. **Regulation 4 (10) (a) (i) (ii)**

To ensure the measures specified in the plan are implemented and the measures taken to implement the plan are recorded **Regulation 4 (10) (b) (c)**

To ensure that information instruction and training is given to all employees who are likely to work with and/or disturb asbestos materials **Regulation 10 CAR.**

With the school headteacher, be responsible for the safe management of asbestos and presumed asbestos in ELAN premises.

5.4 Headteacher

The Headteacher of each school is responsible for the implementation of this policy and ensuring that all school staff are aware of their roles and responsibilities, as well as the necessary control measures they might need to undertake. The Headteacher will:

- ensure that the Management Plan is effectively communicated to all school staff via annual local asbestos awareness induction/training
- report any ACM building fabric damage immediately to the Estates Management Team
- review the Asbestos Management Plan for their school on an annual basis with a member of the Estates management Team
- school's instructing contractors outside of the scope of the ELAN central estates service, for example data cabling by IT service providers engaged directly by the school, must ensure that the contractor has consulted the Asbestos Management Plan and register, in advance of their planned works start date, liaised with Estates Management Team and satisfied the requirements of this policy document.

5.5 All Staff

All staff must:

- Ensure they attend any health and safety asbestos training, or briefings as directed by the headteacher

- immediately report any defect or damage to the building that may have the potential to release asbestos debris or otherwise present a safety risk
- follow any guidance and instruction provided by the Estates Management Team
- never interfere or disable any safety precaution provided to safeguard occupants i.e., guarding, safety signage or workplace instruction
- report immediately any contractor, staff member or visitor working in a way that may put others at risk or present a risk of damaging asbestos materials.

5.6 Contractors

Within the scope of this policy, once the contractor has received the asbestos register, they are responsible for:

- ensuring that suitable risk assessments and safe working procedures are in place and adhered to when working in areas where there are known or assumed ACMs present
- when work cannot be completed without disturbing asbestos, notifying the Estates Management Team and ensuring that the appropriate measures are taken, and the school asbestos management plan is adhered to
- if suspected asbestos material is discovered during works, halting work immediately and notifying the Estates Management Team
- reporting immediately to the Estates Management Team any materials suspected to contain asbestos where the materials have been disturbed or damaged, or where works are likely to be undertaken that may affect such materials
- ensuring that employees under their control are trained in asbestos awareness and familiar with the trust's emergency procedures for asbestos related incidents.

6. Training

All members of staff including those with managerial responsibilities for Asbestos will receive training commensurate with their duties as identified in the table below:

Role	Training Requirement	Period
Appointed Person (Estates Manager and Estates Management Team)	Accredited Appointed Person (Asbestos)	Every 3 years
Responsible Person (Headteacher's and any nominated Responsible Person)	Accredited Asbestos Awareness	Annual
Site Operatives	Smartlog Asbestos Awareness	Annual

The attendance of the Asbestos Awareness and Management Training face-to-face delivery or on-line training Asbestos Awareness does not mean that the person completing the course is deemed competent to review the asbestos register or make an assessment of ACM's.

7. Management of Asbestos

- All schools, that were built before 2000, **must** have a current Management Survey (which complies with up-to-date asbestos regulations)
- For schools built between 2000 and 2010, a design statement to confirm that asbestos was not used in the construction is sufficient. This includes items transferred from old buildings such as plant and equipment that may contain asbestos.
- If planning either a demolition or refurbishment, then a Demolition and Refurbishment survey must be carried out before work commences.
- The above surveys must be carried out by ELAN approved licensed contractors with relevant UKAS Accreditation.
- The survey must include locations of any potential ACM's e.g., storerooms, yards, outbuildings, under floor services, pipes, ceiling voids, corridors etc.
- Estates will have in place at each school location an Asbestos Management Plan using the Estates template document
- A **register** of location(s) of any ACM's must be recorded and include:
 - Date of inspection
 - Date of next review
 - Should be supported by a marked floor plan and photographs
 - Type of asbestos
 - What products it is contained in
 - The condition
 - Any remedial actions required

The environment around the ACM's is a significant risk factor. ACM's can deteriorate due to age, fire, flood, wear and tear, damage, therefore the register should be reviewed every 12 months by a Licensed Contractor with UKAS Accreditation, unless otherwise stipulated in the Management Survey report or School Asbestos Management Plan.

A copy of the register must be provided to **any person** who will be planning to undertake any intrusive building related works or any groundwork's which may either be near to or have the potential to disturb asbestos material.

It should always be assumed that there may be asbestos material present when undertaking any work which may disturb the fabric and structure of the building, even if/where it has not been identified and included on the register.

Summary:

- An **assessment** of potential risk from the ACM's must be completed by a Licensed Contractor who is UKAS Accredited
- Consideration should be given to the condition of the asbestos materials, whether they are likely to be disturbed and what action is necessary to manage the risks
- From the outcome of the assessment, prioritise and rationalise an Asbestos Management Action Plan
- It must be ensured that all contractors sign the asbestos logbook where any intrusive works are to be undertaken.

7.1 Managing asbestos left in place

If the material is in good condition, well protected either by its position or physical protection e.g., encapsulated, reducing the likelihood of damage, and is unlikely to be worked on regularly or otherwise disturbed, it is usually safer to leave it in place and manage it.

The below guidance must be observed if any asbestos material is to be left in situ, removed, labelled, or encapsulated.

7.2 Labelling of Asbestos Materials

ACM's can be identified easily by the use of a sticker, placed on the location in a prominent position. The use of stickers must be carefully considered, they can become dislodged, moved and assumptions can be made over the limited extent of their use. The use or placement of stickers in communal areas, where they may cause unnecessary alarm is to ideally be avoided.

Where used, asbestos warning labels must contain the survey reference number and form part of the annual inspection program. Stickers must be affixed to clean, dry surfaces and placed in a prominent position.

Stickers are not an alternative to the review and signing of the logbook, but as a second line of defence only.



7.3 Removal of Asbestos Containing Materials (ACM's)

The removal of any asbestos material introduces a risk, as it will be disturbed as part of its removal. Therefore, all removal of asbestos is managed by central estates.

Any contractor used for the removal of ACM's must have a current HSE License. The Estates Management Team will undertake relevant due diligence of all approved contractors to ensure that all relevant RAMS and clearances are in place.

For removal works, requiring a 4-stage clearance certificate, the Trust's Estates Manager will instruct an independent analytical company, to ensure there is sufficient critical review of any works undertaken. All clearance certificates will be provided to the school in addition to being held on the central database. Under no circumstance can the removal and analytical company be the same, nor have any shared interest.

On removal, it must be ensured that the asbestos register is updated, and relevant staff informed.

7.4 Encapsulation

The process to encapsulate must be based on the fact that removal is not viable. Where encapsulation is to be undertaken, it must be ensured that the asbestos register is updated to reflect this, detailing the type of encapsulation used and monitoring requirements. Encapsulation works must be undertaken by a competent person. For low-risk tasks, such as small areas of painting and boarding, it may be possible for the

school to undertake such activities, however consent to do so must be provided by the Trust's Estates Manager. This guidance will only apply to non-licensed work.

7.5 Monitoring

Where stipulated in the Management Survey report, monitoring is to be undertaken on known asbestos materials. Monitoring is undertaken to ensure that:

- its condition is checked to identify any deterioration in its condition
- the room has not had changes in risk profile, such as a low use store becoming a workshop
- to identify changes in the environment, such as damage to the building fabric
- to identify damage to the asbestos material

Monitoring will generally involve the checking of the asbestos register, usually the associated photograph, against the actual conditions on the day. **Any changes or issues that may affect the original risk score must be notified to the Estates Manager immediately.**

All persons undertaking condition monitoring must have Asbestos Awareness training and be provided suitable time to undertake their duties.

All monitoring must be recorded in the on-site asbestos logbook and made available on request for inspection.

7.6 Continued Monitoring of ACMs

All known ACMs will as part of the school's Planned Preventative Maintenance (PPM), monitored by periodic visual inspections undertaken by a competent person. The period between inspections will vary depending on the risk assessment findings, but as a rule this will be at 3 monthly intervals. Each site maintenance operative will visually inspect ACM's within a designated establishment each three months. The Estates Management Team will undertake an annual visual inspection, together with the headteacher. All such inspections are to be recorded, and any deterioration logged.

All ELAN premises with known or presumed ACMs will be re-surveyed by appointed external competent persons annually. A record of this will be kept in the Asbestos Management Plan and Asbestos Register with accompanying photographs and CAD plan.

8. Communication

8.1 ELAN Central Team

Asbestos management will be communicated via the Trust's Estates Manager, including the overall performance of the remedial works program.

8.2 ELAN Schools

All schools will ensure that where the school is of pre 2000 construction, that all staff have been briefed in the content of the site-specific Asbestos Management Plan and the key risk associated with asbestos. A slide presentation template for asbestos

awareness is available on the staff portal to assist the headteacher in delivery of local asbestos awareness for school staff annually.

As a minimum, school staff should be informed of:

- The name of the site Responsible Person
- The content of the Asbestos Management Plan
- The location of asbestos
- Any controls to be observed (i.e., no affixing to listed surfaces)
- Actions to be taken if they see damage or suspect release

9. Emergency Procedures

All schools must ensure that they are aware of the emergency response plan is contained within each site-specific Asbestos Management Plan, however as a minimum all staff are to observe the below actions.

If you discover material that you believe may contain asbestos:

1. Stop any work in the area immediately
2. Clear the area of people who may be there
3. Stop others from entering by either locking or appropriate signage
4. Call the Trust's Estates Manager immediately
5. Samples will be taken to determine if asbestos is present

If you believe you have disturbed asbestos:

1. Stop work immediately
2. Try to prevent any further spread of asbestos without endangering yourself or others
3. Clear people from the affected area
4. Stop others from entering, either by locking off or securing the area
5. Close windows and air handling units, if possible, to avoid further spread
6. Inform the Trust's Estates Manager immediately and await further instruction
7. Do not try to clean area until a sample has been taken and instructed it is safe to do so

Note: If you believe that others may have been exposed, ensure you collect names of those effected, this may include staff, pupils, and visitors.

10. Monitoring and Review

This policy will be reviewed at least every three years by the Trustees in conjunction with the Estates Manager, who will make any necessary changes and communicate this to all staff.