

The Mercian Trust

Asbestos Policy

Policy Owner	The Mercian Trust
Date Ratified by Trust Board	January 2021
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INTRODUCTION

As the employer of staff, The Mercian Trust has the overall responsibility for the health, safety and welfare of all staff and pupils in the academies. The Mercian Trust recognises that decisions about workplace health and safety should take into account the views/ priorities of the workforce and management.

The Mercian Trust will support its academies in putting in place clear policies that focus on the key risks and in checking that control measures have been implemented and remain appropriate and effective.

Although overall accountability for health and safety lies with The Mercian Trust, the Principal/Head Teacher is responsible for the day-to-day health and safety of staff and pupils in individual academies. The Principal/Head Teacher will then delegate some functions to other staff, in particular the School Business Managers, School Site Managers, Supervisors, Caretakers, etc.

The Local Governing Bodies of academies within The Mercian Trust are not the employers of staff but play an important role in ensuring strategic direction and will work in close partnership with the Principal/Head Teacher and Senior Management Team of the academy and other staff of the Trust to support and promote good health and safety management.

The following Asbestos Policy, Procedures and Guidance is required for adoption by all The Mercian Trust Academies.

ASBESTOS POLICY

1. STATEMENT

The Mercian Trust acknowledges the health hazards associated from exposure to asbestos and their duty and commitment to manage asbestos and to protect employees, pupils, contractors, visitors and any other persons with the potential to be exposed to Asbestos Containing Materials (ACM's). To reduce to the lowest level '**reasonably practicable**' the spread of asbestos from any place where work under the Principal's/Head Teacher's control is carried out.

2. What is asbestos?

Asbestos is a term used for various forms of naturally occurring fibrous silicate minerals, which were extensively added to building materials used in the UK from the 1950's to 1980's. Any building built before 2000 can contain asbestos. The most hazardous Asbestos Containing Materials (ACM's) were used to insulate or fire protect.

The three most common asbestos types used were CROCIDOLITE (blue), AMOSITE (brown) and CHRYSOTILE (white).

All ACM's should be controlled regardless of type. ACM's can be found in under floor services, floor, ceiling tiles, pipe covering, artex ceiling and heat deflection materials as well as many other forms.

3. Legal Duty

When asbestos fibres are inhaled, they can cause serious diseases and the increased risk of lung cancer for asbestos workers who smoke. To ensure that risks from asbestos in places of work are managed, the Control of Asbestos Regulations 2012 place duties on those responsible duty holders for the maintenance or repair of work premises.

4. Responsibilities

Governors/Principals/Head teacher are the duty holders for asbestos management at each academy and an overall legal responsibility for the safe management, maintenance and repair of the academy buildings under their control.

- Business Managers/Site Staff are responsible for ensuring the day-to-day requirements for health and safety in the workplace under their control.
- The Governors/Principal/Head Teacher/Business Managers are responsible for identifying an **Appointed Person** (AP's) responsible for the management of asbestos.

5. Training

Principals/Head teacher, Business Managers and Site Managers/ Supervisors from every academy must complete mandatory Asbestos Awareness and Management Training, whether or not the building is pre 2000. The training will include:

- **identifying asbestos**
- **asbestos health risks**
- **legislation**

- **dealing with asbestos**
- **emergency procedures**
- **risk assessments**

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.

6. Management of Asbestos

All academies, that were built before 2000 **must** have a current Management Survey (which complies with up to date asbestos regulations).

- If the academy is planning either a demolition or refurbishment, then a Refurbishment and Demolition (R&D) survey must be carried out before work commences.
- R&D surveys must be carried out by Licensed Contractors with 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.
- Each academy must prepare a written plan before any work on asbestos is carried out, including details of the work and the appropriate actions to control risk and prevent harm. (Refer to HSA27Asbestos Management Action Plan)
- 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

The environment around the ACM's is a significant risk factor. ACM's can deteriorate due to age, damage, fire, flood, wear and tear; therefore, the register should be reviewed every 12 months.

A copy of the register must be provided to any person who will be planning to undertake work on the building(s) or any groundworks, which may be contaminated.

It should always be assumed that there are ACM's present when undertaking any work on the fabric and structure of the building, even if/ where it has not been identified and included on the register.

- 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 ACM's 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.

a) Managing asbestos left in place

If the material is in good condition, well protected or encapsulated, and unlikely to be disturbed, it is usually safer to leave it in place and manage it. This information should be entered onto the record/ register including locations and the information kept up to date.

Emergency Procedures in the event of any person dealing with uncontrolled release of asbestos and spread of contamination need to be in place.

b) Removal of Asbestos Containing Materials (ACM's)

Any contractor used for the removal of ACM's must have a current HSE Licence. The current

'Asbestos Licence Holders List' can be found on the www.hse.gov.uk.

<http://webcommunities.hse.gov.uk/connect.ti/asbestos.licensing/view?objectId=8516>

Great care must be taken to ensure that ACM's are not brought onto the academy site, e.g., in the form of industrial or residential products, vinyl floor tiles, partition wall panels, loose fill insulation, pipe lagging, roofing felt, etc.

7. Communication

All information regarding ACM's must be recorded and easily accessible. It is recommended that the AP maintains an asbestos file, which can be provided to any relevant persons who could potentially release asbestos, such as:

- In house staff - who may undertake maintenance work. The Asbestos Awareness and Management training is not sufficient for any staff to carry out any work on ACM's.
- Licensed Contractors used (refer to No. 8 below) – should provide the academy (on request), information relating to the work to be completed, e.g., risk assessments, methods statements, safety systems of work including barriers, signage, Incident Management Procedure.

ACM's should not be worked on unless all of the requirements of the current up to date Asbestos Regulations are complied with.

8. Contractor H&S Policy and Pre-contract checks to be made

All Contractors completing surveys must be UKAS Accredited and contractors undertaking the removal of ACM's must hold a current HSE License, these must be checked by the AP to ensure that they are in date.

A contractor H&S Policy and pre-contract checks must be completed by the contractor and evidence provided by the contractor should include: Health and Safety Policy, Risk Assessments, Method Statement, and Emergency Procedures.

9. Causes of Damage to ACM's

Potential causes of damage to ACM's include:

- Accidental or malicious damage to the building fabric, fixtures or fittings caused by building contractors or maintenance personnel where 'hidden' ACM's may be present e.g., behind sealed ducts and within voids.
- Damage caused by fire, flood, or severe weather, people accidentally damaging e.g., by moving furniture and hitting walls, pipework etc., or by a person(s) deliberately causing damage e.g., vandalism, or an act of violence.

10. Emergency Procedures for dealing with uncontrolled release of asbestos and spread of contamination.

a) Planning for emergency procedures:

- Name of Appointed Person (AP). Each incident should have only one single point of contact from the list of AP(s). A list of more than one AP is recommended to allow for annual leave, sickness of the main AP, so that they can be called upon to take control if/when required.
- Appointed person(s) contact number(s).
- Contact details of AP's to be recorded and distributed to all relevant persons e.g., Contractors, Governor, Head Teacher, Business Manager, H&S Coordinator.
- Contact details must be distributed amongst all relevant personnel and updated when required.

b) Appointed Person (AP) Management of Emergency Procedures.

The AP is responsible for managing the incident. Management must include:

- A 'call-off' contract with an Asbestos Removal Contractor for every case of suspected, (if in doubt, presume it is ACM) uncontrolled release of asbestos and spread of contamination.
- If in doubt, it must be presumed to be an ACM and follow Safety Steps Procedure.

Release of Asbestos Containing Materials:

- In the event of accidental release of known or suspected asbestos fibres, the area must be evacuated immediately.
- Sealed to prevent unauthorised access.
- A sign should be displayed to inform persons to stay out of the area.
- The Principal/Head Teacher must be contacted immediately who will contact the relevant agencies (asbestos registered contractors) to arrange for a sample to be taken and relevant remedial works carried out.
- An investigation on how the release of ACMs occurred.

11. Action Plan

A procedure to review the plan every 12 months, or earlier if there has been any incident involving ACM's. All items, which require action should be noted and listed within a timetable with target dates set. These should include dates when inspection programmes will be complete, dates when contractor consultation will be complete, dates for training, etc.

12. Audit and Review

The system should be regularly audited i.e., every 12 months to ensure that it remains compliant with current regulations. Audits will also identify whether the process is effective and appropriate actions can to be taken.

13. The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)

Under RIDDOR any of the following diseases occurring from an activity involving asbestos or any admixture of asbestos is reportable:

- Mesothelioma
- Lung Cancer
- Asbestosis

Concerns about possible exposure to asbestos from work activities, should be reported to medical services and noted on personal medical records, including date(s), duration, type of asbestos and likely exposure levels (if known).

HSE does not advocate routine X-rays for people who have had an inadvertent exposure to asbestos. Asbestos-related damage to the lungs takes years to develop and become visible on chest X-rays. X-ray examinations cannot indicate whether asbestos fibres have been inhaled.

Any exposure to ACM's must be reported to The Mercian Trust as soon as possible.