

Inspection Findings: Asbestos management in Local Authority school system buildings 2009/10

During 2009/10 HSE, in conjunction with the then Department for Children, Schools and Families (DCSF), contacted local authorities with responsibility for system built schools to assess their asbestos management arrangements. Specifically their compliance with the duty to manage asbestos requirements under the Control of Asbestos Regulations 2006 was assessed.

In total 152 local authorities with education responsibilities were contacted by means of an on-line questionnaire. From these responses 45 local authorities were targeted to verify arrangements. The associated table summarises the findings of HSE's contact with all of the local authority duty holders. The table highlights the reasons for inclusion and outcome of HSE interventions.

LOCAL AUTHORITY	HSE RESPONSE TO SURVEY RETURN	OUTCOME	FINDINGS
Barking & Dagenham (London Borough of)	No inspection by HSE considered necessary.		
Barnet (London Borough of)	Verification enquiries made to clarify survey return.	LA removed from HSE visit schedule	Full survey response completed following HSE contact. Seven system buildings identified. Remedial actions detailed on HSE duty holder checklist have been taken. LA reviewing guidance for schools on inspection/ monitoring of seals.
Barnsley Metropolitan Borough Council	No inspection by HSE considered necessary.		
Bath & NE Somerset Council	No inspection by HSE considered necessary.		
Bedford Borough Council	Verification visit as insufficient detail provided	Improvement Notice	LA has identified 11 possible system build premises. HSE written advice given to clarify roles and responsibilities of those in management chain. One improvement notice served on LA in relation to maintenance of asbestos containing materials at one site.
Bexley (London Borough of)	Verification visit as insufficient detail provided	Advice	Duty to manage arrangements reviewed and verbal advice provided.
Birmingham City Council	No inspection by HSE considered necessary		
Blackburn with Darwen Borough Council	Verification visit to determine level of compliance.	Advice	LA has re-surveyed all schools in the last year. Process has identified 2 system built type premises.. LA has provided advice, guidance and additional monitoring. LA continues

LOCAL AUTHORITY	HSE RESPONSE TO SURVEY RETURN	OUTCOME	FINDINGS
			rolling programme of visits to individual schools to meet with 'responsible person'.
Blackpool Council	No inspection by HSE considered necessary		
Bolton Council	No inspection by HSE considered necessary		
Bournemouth Borough Council	No inspection by HSE considered necessary		
Bracknell Forest Council	No inspection by HSE considered necessary		
Bradford Metropolitan District Council	No inspection by HSE considered necessary		
Brent (London Borough of)	No inspection by HSE considered necessary		
Brighton & Hove City Council	Inspection as no response received.	Advice	Following HSE inspection full survey response received in March 2010. HSE intervention triggered LA to review system build type premises - in particular the type and availability of asbestos assessments. Verbal advice given.
Bristol City Council	No inspection by HSE considered necessary		
Bromley (London Borough of)	No inspection by HSE considered necessary		
Buckinghamshire County Council	No inspection by HSE considered necessary		

LOCAL AUTHORITY	HSE RESPONSE TO SURVEY RETURN	OUTCOME	FINDINGS
Bury Metropolitan Borough Council	No inspection by HSE considered necessary		
Calderdale Council	Verification visit to determine level of compliance.	Advice	Questionnaire and HSE duty holder check list had prompted review of system builds. No CLASP buildings but have 8 premises identified as system builds. New surveys of premises being completed. Additional adviser to be recruited.
Cambridgeshire County Council	No inspection by HSE considered necessary		
Camden (London Borough of)	Inspection as no response received.	Advice	LA has asbestos management procedures in place. Small number of system build premises. HSE advice given on provision of information, and need for inspection of columns. Corrective action taken in response to HSE advice.
Central Bedfordshire Council	Inspection as no response received.	Advice	Though asbestos management strategies in place, inspection identified this new unitary authority did not have access to full information on its system built school premises. Eleven possible system build type premises. Update surveys to be undertaken. HSE written advice provided covering training, survey review, and refurbishment surveys.
Cheshire East Council	No inspection by HSE considered necessary		
Cheshire West & Chester Council	No inspection by HSE considered necessary		
City of London Corporation	No inspection by HSE considered necessary		

LOCAL AUTHORITY	HSE RESPONSE TO SURVEY RETURN	OUTCOME	FINDINGS
Cornwall County Council	No inspection by HSE considered necessary		
Council of the Isles of Scilly	No inspection by HSE considered necessary		
Coventry City Council	Verification enquiries made as only partial response received.	LA removed from HSE visit schedule	Following HSE enquiries full survey response received. Response indicated satisfactory asbestos management strategies in place.
Croydon (London Borough of)	No inspection by HSE considered necessary		
Cumbria County Council	No inspection by HSE considered necessary		
Darlington Borough Council	No inspection by HSE considered necessary		
Derby City Council	No inspection by HSE considered necessary		
Derbyshire County Council	No inspection by HSE considered necessary		
Devon County Council	No inspection by HSE considered necessary		
Doncaster Council	Verification visit to determine level of compliance.	Two Improvement Notices	Inspection identified limited number of surveys in place, absence of management plans and training. Improvement Notices served on LA for training of building managers, and for assessment and management plans for LA controlled premises.
Dorset County Council	No inspection by HSE considered necessary		

LOCAL AUTHORITY	HSE RESPONSE TO SURVEY RETURN	OUTCOME	FINDINGS
Dudley Metropolitan Borough Council	Inspection as no response received.	Advice	Asbestos management procedures were reviewed as part of an on-going HSE inspection initiative with the LA. HSE advice given including provision of localised asbestos management plans and development of auditing procedures.
Durham County Council	No inspection by HSE considered necessary		
Ealing (London Borough of)	No inspection by HSE considered necessary		
East Riding of Yorkshire Council	Verification visit to determine level of compliance.	Advice	LA is updating internal guidelines and code of practice on asbestos. Training to key site personnel has been provided. Auditing of sites is by questionnaire and visit. Written advice provided with regard to clarity and updating of asbestos surveys.
East Sussex County Council	No inspection by HSE considered necessary		
Enfield (London Borough of)	No inspection by HSE considered necessary		
Essex County Council	Verification visit to determine level of compliance.	Advice	LA has been undertaking work to raise the profile of asbestos management. HSE written advice given clarifying roles and responsibilities, need for training, provision of management plans and monitoring arrangements.
Gateshead Council	No inspection by HSE considered necessary		
Gloucestershire County Council	No inspection by HSE considered necessary		

LOCAL AUTHORITY	HSE RESPONSE TO SURVEY RETURN	OUTCOME	FINDINGS
Greenwich (London Borough of)	No inspection by HSE considered necessary		
Hackney (London Borough of)	No inspection by HSE considered necessary		
Halton Borough Council	No inspection by HSE considered necessary		
Hammersmith & Fulham (London Borough of)	No inspection by HSE considered necessary		
Hampshire County Council	No inspection by HSE considered necessary		
Haringey (London Borough of)	No inspection by HSE considered necessary		
Harrow (London Borough of)	Inspection as no response received.	Three Improvement Notices	LA in process of reviewing asbestos management procedures. Following HSE site inspections 3 site specific improvement notices served on LA relating to risk assessment of ACM's, training of employees and the need to ensure management plan addresses need for information to those who may disturb asbestos.
Hartlepool Borough Council	No inspection by HSE considered necessary		
Havering (London Borough of)	No inspection by HSE considered necessary		

LOCAL AUTHORITY	HSE RESPONSE TO SURVEY RETURN	OUTCOME	FINDINGS
Herefordshire Council	No inspection by HSE considered necessary		
Hertfordshire County Council	No inspection by HSE considered necessary		
Hillingdon (London Borough of)	Verification visit as insufficient detail provided	Advice	Questionnaire and HSE inspection has led to review of asbestos management arrangements. HSE advice given on training of personnel. HSE to review actions taken by LA following these recommendations.
Hounslow (London Borough of)	No inspection by HSE considered necessary		
Isle of Wight Council	Verification visit to determine level of compliance.	Advice	Inspection confirmed that a review of the LA's property portfolio is underway. Asbestos management arrangements also under review – with emphasis on information provision and monitoring. HSE written advice given on training, monitoring, updating of asbestos surveys and control of contractors.
Islington (London Borough of)	Verification visit to determine level of compliance.	Advice	Following issue of questionnaire LA commissioned programme of survey of all schools. Sample site inspections undertaken by HSE to confirm implementation of management arrangements.
Kensington & Chelsea (The Royal Borough of)	No inspection by HSE considered necessary		
Kent County Council	Verification visit to determine level of compliance.	Two Improvement Notices	Asbestos management strategies in place. LA had identified areas for improvement. HSE written advice given on training, and updating surveys following work. Two site specific

LOCAL AUTHORITY	HSE RESPONSE TO SURVEY RETURN	OUTCOME	FINDINGS
			improvement notices served on LA for training of site personnel.
Kingston Upon Hull City Council	No inspection by HSE considered necessary		
Kingston Upon Thames (Royal Borough of)	Inspection as no response received.	Advice	LA has single system build school premises. LA asbestos management procedures reviewed and verbal advice provided.
Kirklees Council	No inspection by HSE considered necessary		
Knowsley Council	No inspection by HSE considered necessary		
Lambeth (London Borough of)	Verification visit to determine level of compliance.	Two Improvement Notices	Review of asbestos management arrangements undertaken. Written advice given in relation to provision of management plans, training and on-going inspection of asbestos containing materials. Two Improvement Notices served on LA – for the provision of an asbestos management plan and for the training of employees likely to be exposed to asbestos.
Lancashire County Council	No inspection by HSE considered necessary		
Leeds City Council	Verification visit to determine level of compliance.	Advice (On going)	Advice given in relation to implementation of LA policy – in particular relating to roles and responsibilities, training of site personnel, monitoring of contractors, review of management plans. Further HSE visit proposed to review actions taken by LA following these recommendations.
Leicester City Council	Verification visit to determine level of	Advice given on minor issue	Review of asbestos management arrangements undertaken. Remedial actions detailed on HSE duty holder checklist have

LOCAL AUTHORITY	HSE RESPONSE TO SURVEY RETURN	OUTCOME	FINDINGS
	compliance.		been taken. Recent update to surveys undertaken. Corporate asbestos co-ordinator oversees the policy. Mandatory training provided to premises managers.
Leicestershire County Council	No inspection by HSE considered necessary		
Lewisham (London Borough of)	No inspection by HSE considered necessary		
Lincolnshire County Council	No inspection by HSE considered necessary		
Liverpool City Council	No inspection by HSE considered necessary		
Luton Borough Council	No inspection by HSE considered necessary		
Manchester City Council	Inspection as no response received.	Advice	Full response received in February 2010 after HSE inspection. Asbestos management strategies in place. Authority reviewing audit procedures to improve its targeting of site reviews on a risk basis. Advice given on provision of site specific management plans.
Medway Council	Verification visit to determine level of compliance.	Two Improvement Notices	Inspection confirmed LA had completed recent review of asbestos management procedures. Includes new policy, monitoring, surveying and training programme. HSE written advice given on these new management arrangements. Two site specific improvement notices served on LA on training of responsible person.
Merton (London Borough of)	No inspection by HSE considered necessary		

LOCAL AUTHORITY	HSE RESPONSE TO SURVEY RETURN	OUTCOME	FINDINGS
Middlesbrough Council	Verification visit as insufficient detail provided	Advice (on-going)	Following HSE inspection, on line survey completed in April 2010. All schools surveyed in 2007 to identify system buildings. Compliance with duty to manage demonstrated. School sample inspections proposed for 2010 to review on site procedures.
Milton Keynes Council	No inspection by HSE considered necessary		
Newcastle City Council	No inspection by HSE considered necessary		
Newham (London Borough of)	No inspection by HSE considered necessary		
Norfolk County Council	No inspection by HSE considered necessary		
North East Lincolnshire Council	No inspection by HSE considered necessary		
North Lincolnshire Council	No inspection by HSE considered necessary		
North Somerset Council	Inspection as no response received.	Advice (on-going)	HSE prosecuted this LA in August 2009 following a release of asbestos fibres during construction work in a school. Post prosecution visit identified that the LA have reviewed their asbestos management procedures, including policy, surveys and training provisions to site personnel. Further school sample inspections proposed in 2010 to review the new procedures.
North Tyneside Council	No inspection by HSE considered necessary		

LOCAL AUTHORITY	HSE RESPONSE TO SURVEY RETURN	OUTCOME	FINDINGS
North Yorkshire County Council	No inspection by HSE considered necessary		
Northamptonshire County Council	Verification visit to determine level of compliance.	Advice	Since 2007 when asbestos management issues in system build premises were identified improvements in asbestos management arrangements have been made by this LA. Where necessary remedial work has been completed and reviewed. Information on system built schools has been circulated to LA controlled schools.
Northumberland County Council	No inspection by HSE considered necessary		
Nottingham City Council	No inspection by HSE considered necessary		
Nottinghamshire County Council	Verification visit as insufficient detail provided	Advice	LA has large number of system built premises. Extensive remedial action has been completed. Asbestos management arrangements reviewed and HSE written advice provided.
Oldham Council	No inspection by HSE considered necessary		
Oxfordshire County Council	Verification enquiries made to clarify survey return.	LA removed from HSE visit schedule	Telephone enquiries confirmed that surveys complete and no system build premises identified.
Peterborough City Council	No inspection by HSE considered necessary		
Plymouth City Council	Verification visit as insufficient detail provided	Advice	Written advice given on the roles and responsibilities of the LA in relation to health and safety, and specifically asbestos management. LA taking action on roles and responsibilities, monitoring and review of procedures for LA controlled schools.

LOCAL AUTHORITY	HSE RESPONSE TO SURVEY RETURN	OUTCOME	FINDINGS
Poole Council (Borough of)	No inspection by HSE considered necessary		
Portsmouth City Council	Verification visit to determine level of compliance.	Advice	Authority has small number of system build premises. Have asbestos management strategies in place. HSE written advice given on updating of policy, monitoring, training, and provision of management plans.
Reading Borough Council	No inspection by HSE considered necessary		
Redbridge (London Borough of)	Verification visit to determine level of compliance.	Advice (On-going)	Asbestos management arrangements reviewed. Following HSE inspection LA undertaking a programme of inspection. Further site visits to be undertaken by HSE on receipt of information.
Redcar & Cleveland Borough Council	No inspection by HSE considered necessary		
Richmond upon Thames (London Borough of)	Verification visit as only partial response received.	Advice	LA did not have sufficient information on property portfolio to complete questionnaire. Now implementing full programme of review to identify system builds in LA. Inspection and re-surveys underway. HSE written advice related to management plans and provision of system build information to site personnel.
Rochdale Metropolitan Borough Council	No inspection by HSE considered necessary		
Rotherham Metropolitan Borough Council	No inspection by HSE considered necessary		

LOCAL AUTHORITY	HSE RESPONSE TO SURVEY RETURN	OUTCOME	FINDINGS
Rutland County Council	Verification visit as insufficient detail provided	Advice	LA have reviewed property portfolio. No system build type school premises have been identified. LA is reviewing their asbestos management system. HSE advice given on updating of central asbestos registers and training provision.
Salford City Council	Inspection as no response received.	Advice	Following HSE inspection full survey response received in April 2010. Site management arrangements sampled. Advice given relating to monitoring of schools and training of site personnel. LA reviewing procedures.
Sandwell Metropolitan Borough Council	No inspection by HSE considered necessary		
Sefton Council	No inspection by HSE considered necessary		
Sheffield City Council	No inspection by HSE considered necessary		
Shropshire Council	No inspection by HSE considered necessary		
Slough Borough Council	No inspection by HSE considered necessary		
Solihull Metropolitan Borough Council	No inspection by HSE considered necessary		
Somerset County Council	No inspection by HSE considered necessary		
South Gloucestershire	Verification visit to determine level of	Improvement Notice	Survey has identified wide variety of system build premises. 17 premises fit the system build profile. Remedial programme

LOCAL AUTHORITY	HSE RESPONSE TO SURVEY RETURN	OUTCOME	FINDINGS
Council	compliance.		of work in place. Improvement Notice served on LA for completion of remedial work.
South Tyneside Council	No inspection by HSE considered necessary		
Southampton City Council	No inspection by HSE considered necessary		
Southend on Sea Borough Council	No inspection by HSE considered necessary		
Southwark (London Borough of)	No inspection by HSE considered necessary		
St Helens Council	No inspection by HSE considered necessary		
Staffordshire County Council	No inspection by HSE considered necessary		
Stockport Council	No inspection by HSE considered necessary		
Stockton on Tees Borough Council	Inspection as no response received.	Advice (On-going)	LA has asbestos management strategies in place. Further HSE school visits planned to review on site procedures.
Stoke on Trent City Council	No inspection by HSE considered necessary		
Suffolk County Council	No inspection by HSE considered necessary		
Sunderland City Council	No inspection by HSE considered necessary		

LOCAL AUTHORITY	HSE RESPONSE TO SURVEY RETURN	OUTCOME	FINDINGS
Surrey County Council	No inspection by HSE considered necessary		
Sutton (London Borough of)	Verification visit as insufficient detail provided	Advice	Small number of system build premises in LA. HSE advice given, on need to update asbestos registers following work, and training provision.
Swindon Borough Council	No inspection by HSE considered necessary		
Tameside Metropolitan Borough Council	Verification visit as insufficient detail provided	Advice	Inspection revealed LA has identified 24 system built premises. Column analysis has identified no asbestos present. Asbestos management arrangements reviewed and HSE advice provided.
Telford & Wrekin Council	Verification visit to determine level of compliance.	Advice	Questionnaire had prompted review of premises to identify system buildings. Asbestos management arrangements reviewed. HSE advice provided including review of property portfolio, training of school staff, and the provision of information to staff and contractors.
Thurrock Council	Verification visit as insufficient detail provided	Two Improvement Notices One Prohibition Notice	Questionnaire has prompted LA to review property portfolio. Written advice given on information, instruction and training and the need for monitoring, review and implementation of survey findings. Two improvement notices served on LA – training of employees, and need to review and update asbestos surveys. Site specific prohibition notice served on LA for asbestos management in boiler room at school premises.
Torbay Council	No inspection by HSE considered necessary		

LOCAL AUTHORITY	HSE RESPONSE TO SURVEY RETURN	OUTCOME	FINDINGS
Tower Hamlets (London Borough of)	No inspection by HSE considered necessary		
Trafford Council	No inspection by HSE considered necessary		
Wakefield Metropolitan District Council	Verification visit to determine level of compliance.	Advice	LA has details of schools and types of system build premises. Programme of re-surveying nearing completion. HSE written advice given to review the uptake and implementation of management plans, and to ensure site plans are up to date.
Walsall Council	No inspection by HSE considered necessary		
Waltham Forest (London Borough of)	Verification visit as insufficient detail provided	Two Improvement Notices.	LA undertaking further inspections of all schools to identify system built premises. Following HSE site inspections two site specific improvement notices served on LA relating to provision of asbestos management plans and training of site personnel.
Wandsworth (London Borough of)	No inspection by HSE considered necessary		
Warrington Borough Council	No inspection by HSE considered necessary		
Warwickshire County Council	No inspection by HSE considered necessary		
West Berkshire Council	No inspection by HSE considered necessary		
West Sussex County Council	No inspection by HSE considered necessary		
Westminster City Council	No inspection by HSE considered necessary		

LOCAL AUTHORITY	HSE RESPONSE TO SURVEY RETURN	OUTCOME	FINDINGS
Wigan Council	Verification visit as insufficient detail provided	Advice	LA has asbestos management procedures in place. Arrangements reviewed and advice given, including monitoring of schools.
Wiltshire Council	No inspection by HSE considered necessary		
Windsor & Maidenhead (Royal Borough Council)	No inspection by HSE considered necessary		
Wirral Borough Council	No inspection by HSE considered necessary		
Wokingham Borough Council	No inspection by HSE considered necessary		
Wolverhampton City Council	No inspection by HSE considered necessary		
Worcestershire County Council	Verification visit to determine level of compliance.	Improvement Notice	At time of HSE inspection, survey of system build premises still on-going. Improvement Notice served on LA to complete remedial work on column casings by specified date. Written advice also provided including updating of asbestos registers, provision of management plans, training, and monitoring of site arrangements.
York Council (City of)	No inspection by HSE considered necessary.		

Notes/ Key

- ACM: Asbestos containing materials
- Advice: HSE uses a range of methods to ensure duty holders/ employers safeguard their staff and others. Frontline HSE Inspectors work with duty holders in a proportionate and consistent way to improve health and safety performance. This includes providing advice on practical improvements that can be made. Though advice has no legal standing, failure to follow it may result in further enforcement action being taken (see improvement notice).
- CLASP: The 'Consortium of Local Authorities Special Programme'. This was formed in 1957 with the purpose of developing a method of system building to provide fast and efficient permanent buildings.
- 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. Further information on duty holders responsibilities for the management of asbestos are given on HSE website: www.hse.gov.uk/asbestos/managing/index.htm
- HSE duty holder checklist: In 2007 HSE produced specific guidance for owners of system build premises for the management of the risks from asbestos. A checklist was produced to help duty holders confirm they were following this guidance www.hse.gov.uk/services/education/checklist.htm
- Improvement Notice: An Improvement notice 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 are liable to legal proceedings.
- Management plan: A written plan that sets out how the risks from any asbestos in the premises are to be managed. The plan can be a paper copy or a copy accessible from a computer database. Further guidance on management plans are available on the HSE website www.hse.gov.uk/asbestos/managing/index.htm

- Prohibition Notice: A prohibition notice 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.
- Survey: The purpose of an asbestos survey is to help duty holders manage asbestos in their premises. The survey should provide information to enable an asbestos register to be prepared, a suitable risk assessment to be carried out and a written plan to manage the risks to be produced. Further guidance is given in HSE publication – ‘Asbestos: The survey guide’ HSG264
www.hse.gov.uk/pubns/books/hsg264.htm
- System build: Type of construction that provides fast and efficient permanent buildings. In some cases these buildings have structural steel columns fire proofed with asbestos containing materials and enclosed by metal casings.