

Inspection of asbestos management in schools and trusts, 2022-23

The Health and Safety Executive (HSE) will be carrying out a schedule of inspections of schools and trusts across England, Scotland, and Wales from September 2022 onwards. These will be single issue inspections carried out by HSE inspectors and focused on management of asbestos. ASCL expects the visits will be made by appointment.

The inspections will assess how schools manage the risks from asbestos within the school estate and meeting the duty to manage (DTM) requirements under Regulation 4 of the **Control of Asbestos Regulations 2012** (CAR), with the aim of assessing the effectiveness of the management arrangements and the control measures in place across a range of school types. The regulations place duties on those with responsibility for the maintenance of work premises, including schools, to manage the risk from asbestos. For most schools, this will be the employer.

ASCL understands that schools will be selected on the basis that they have asbestos-containing material on the premises and to achieve a spread geographically across England, Scotland, and Wales.

ASCL anticipates that visits will require schools to provide evidence that they have management arrangements and procedures in place to ensure risks are controlled. These include:

- clearly defined and understood roles and responsibilities linked to the asbestos management plan
- dynamic arrangements to manage and monitor the condition of asbestos-containing materials within affected blocks and buildings
- systems and processes that are robust to control the risks associated with (foreseeable) disturbance of all asbestos-containing materials.

The inspectors will need to speak to someone with knowledge of how asbestos is managed by the school or trust. They may request to see documentation in advance of the visit; this will likely include the asbestos register and management plan.

In anticipation of an asbestos management inspection, schools and trusts may wish to review current arrangements and check they are meeting the duties set out in the **Control of Asbestos Regulations 2012**.

The regulations include the following:

- Take reasonable steps to find out if there are asbestos-containing materials in the school premises, and if so, the 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 any 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 an asbestos management 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, and act on the findings, so the plan and arrangements remain 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.

After the inspector has completed their inspection, they may utilise the following enforcement actions:

- Take no further action (NFA).
- Offer advice verbally or in writing about improvements that could be made.
- Impose a Notice of Contravention (NoC): this would set out which health and safety laws have been broken.
- Impose an Enforcement Notice (Improvement/Prohibition): this would indicate there is a serious risk of personal injury now or in the future. A prohibition notice orders you to stop doing something until it has been made safe. Non-compliance would be a criminal offence.
- Consider prosecution for breaching health and safety laws.

Further information

Useful acronyms

ACM: asbestos containing material

AMP: asbestos management plan

CAR: Control of Asbestos Regulations

DTM: duty to manage

HSE: Health and Safety Executive

The links below provide further information about managing asbestos:

Asbestos in schools

[Managing asbestos in schools - Frequently asked questions](#)

[Managing asbestos in buildings: A brief guide](#)

[Department for Education - Managing asbestos in your school or college \(gov.uk\)](#)

[Welsh Government – Asbestos management in schools \(gov.wales\)](#)

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