



Management of asbestos in school buildings 2022/23

Contents

Executive summary	2
Key findings	2
Background	4
Methodology	5
Demographics	6
Enforcement actions	7
Asbestos management measures	9
Asbestos management survey	9
Asbestos registers	10
Asbestos management plans	11
Roles and responsibilities	13
Training and support for in-house staff	13
Management of contractors	15
Areas of non-compliance	16
Conclusions	17
Useful links	18
Appendix 1 – requirements of the Control of Asbestos Regulations 2012	19
Further guidance	19

Executive summary

This report summarises the findings of a programme of 421 inspections in schools across Great Britain carried out by HSE in 2022/23. It looks at how schools are meeting their legal duties to manage asbestos effectively.

These inspections identified some common areas for improvement, which schools should consider when reviewing their own arrangements.

The Control of Asbestos Regulations 2012 place duties on people or organisations who have the main responsibility for maintenance and repair of non-domestic premises to manage asbestos effectively. Please refer to Appendix 1 at the end of this report for a summary of the main requirements.

Where asbestos-containing materials are undamaged and properly maintained, with regular checks and effective monitoring to assess their condition, they can remain safely in place.

Key findings

The inspections showed that most schools were complying with their legal duties and had effective systems in place to manage and monitor the condition of asbestos-containing materials.

A small number of schools (7%) had significant enough failings in their systems, meaning enforcement notices were required to address them. Most of these failings related to improvements being needed in their management plans or surveys.

Only one visit identified a risk of exposure to asbestos requiring prohibition notices to be served which prevented access until the asbestos was safely removed from the area. These were in boiler rooms to which pupils and teaching staff do not have access.

Where letters were sent by inspectors to address areas of non-compliance, these mostly required improvements to management systems. Common areas for improvement included:

- schools not having an up-to-date survey on site that clearly shows the location of asbestos throughout the estate and highlights any areas not surveyed (which should be presumed to contain asbestos);
- registers not clearly indicating if remedial action identified during a survey has been completed and records updated;
- schools not having a clear and easily understandable asbestos management plan in place that is specific to their site;

- schools not regularly monitoring the condition of asbestos-containing materials;
- asbestos management plans not having incident procedures for dealing with an unplanned disturbance of asbestos-containing materials, or how to provide information to emergency services who attend sites;
- school staff not having clear roles and responsibilities for managing asbestos and not having deputies or contingency plans in place to cover for staff absences;
- schools not ensuring that contractors tendering for work provide risk assessments, method statements, and evidence of asbestos awareness training.

It is important to note that while failures were found in the management systems in some schools, this did not mean there was an actual risk of exposure to asbestos.

These findings will be used to inform future intervention approaches within the education sector and to help identify areas for improvement in schools.

Background

Between September 2022 and March 2023, HSE carried out a series of inspections of schools across England, Scotland and Wales to complete a detailed assessment of the effectiveness of asbestos management arrangements.

The aim of these visits was to determine compliance with their legal duties under the Control of Asbestos Regulations to manage asbestos across the sector and identify any commonly occurring issues.

Asbestos-containing materials (ACMs) were used extensively in the construction of schools and other public buildings from the 1950s until the use of asbestos in Great Britain was completely banned in 1999.

Many school buildings constructed or refurbished during this period still contain a significant amount of ACMs. These include a range of 'system-built' structures which due to their construction method contain large quantities of ACMs.

System-built structures are lightweight, standardised modular buildings constructed using steel frames with panel in-fill.

Where ACMs are in good condition, well protected and unlikely to be damaged or disturbed, they can be left in place and managed safely – provided they are regularly monitored and reassessed if conditions change. However, failing to manage ACMs in this way may result in them becoming disturbed or damaged, leading to potential exposure to respirable asbestos fibres.

The people most at risk are those carrying out uncontrolled construction, installation, and maintenance activities likely to disturb ACMs.

Methodology

The Department for Education (DfE) and the Scottish and Welsh governments provided HSE with lists of schools which were known to have buildings containing ACMs. HSE visited a total of 421 primary and secondary schools across the inspection campaign.

The sample was designed to provide a general indication of conditions across a variety of schools. This allowed HSE to better understand the broad issues being faced by different schools when managing risks from asbestos.

In order to achieve this, a 'stratified' random sampling approach was employed. This ensures a sufficiently high number of cases are selected from pre-defined sub-groups of interest, while otherwise ensuring that selection is random. The aim was to ensure that a sufficient number of both primary and secondary schools were included, along with a smaller number of special educational needs (SEN) schools, which often cover both primary and secondary educational phases.

The approach also ensured broad coverage across geographical regions, in line with the number of inspectors available to undertake visits in each area. Schools with a wide range of governance arrangements were visited, including local authority-maintained schools, academies, free schools and others. Independent schools were not included in the inspection programme.

It should be noted that any attempt to extrapolate these findings more widely may be affected by the difference in the distribution of school types and geographies between this sample and the wider population of all schools.

The primary purpose of the inspections was to help schools identify any gaps in their management systems and ensure that steps were put in place to achieve compliance with the duty to manage risks from asbestos.

Demographics

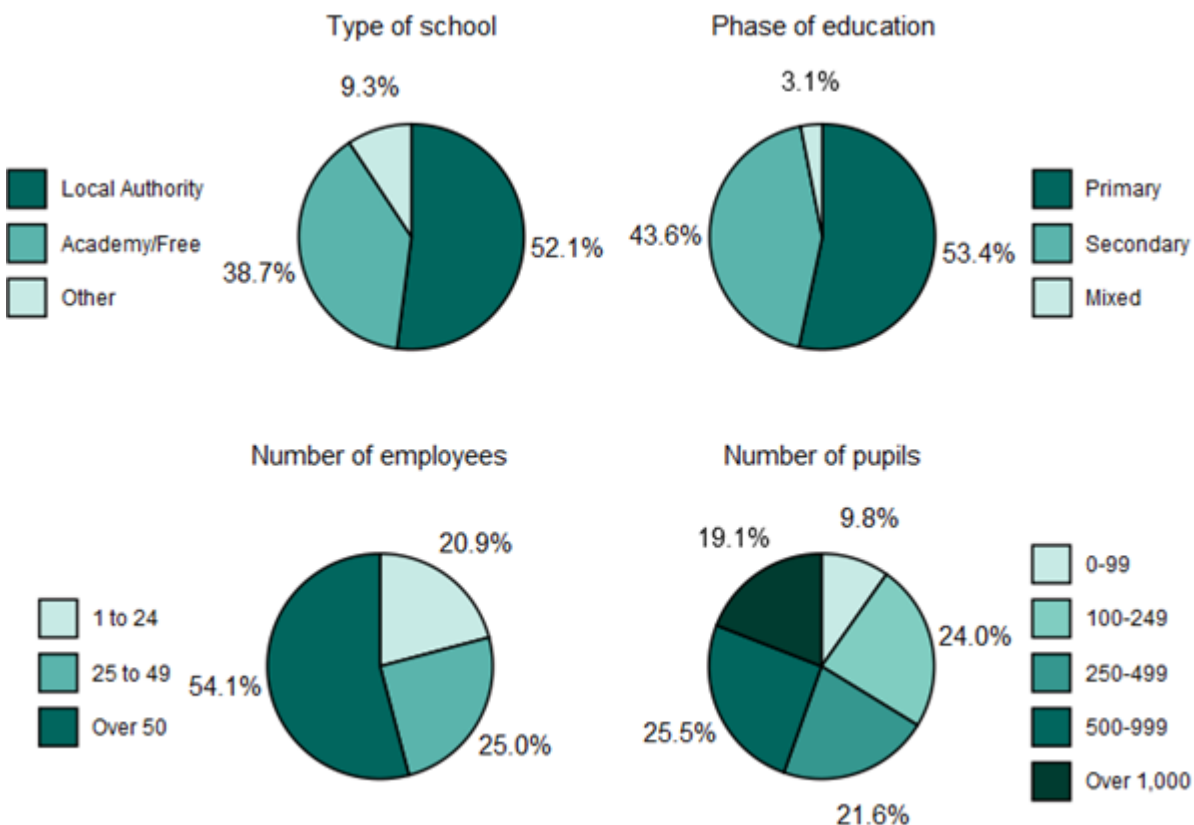
Demographic information about the schools is available for 388 of the 421 visits and is summarised below.

The inspections covered a range of types of school including 202 which were local authority maintained, 150 academies or free schools and a smaller number of other types including various types of foundation or trust school. Of the schools visited, 62 had system-built buildings known or presumed to contain ACMs.

Primary and secondary education were almost equally represented (207 and 169 schools, respectively). A small number of schools (usually those providing for children with special educational needs) covered both phases. The sample also included a good spread in terms of the size of school, as represented by number of employees and number of pupils. Full details are provided in Figure 1.

Comparisons between different subsets of the data (such as school types, sizes or educational phases) are possible but smaller sample sizes for individual groups mean that results may be unreliable. This report therefore does not present full results for subsets of the data but highlights where there are statistically significant differences between groups in relation to specific management elements.

Figure 1 Demographics of schools visited during the campaign



Enforcement actions

If, during an inspection visit, an inspector identifies non-compliance with health and safety laws, they will take appropriate enforcement action in accordance with HSE’s Enforcement Management Model (EMM).¹

In a more serious case of non-compliance, prosecution may be considered. There are two types of enforcement notice available to inspectors:

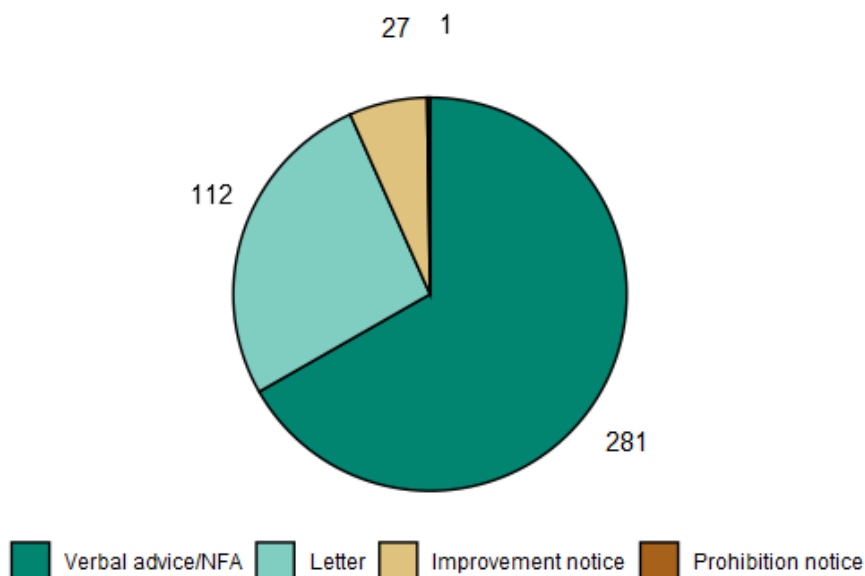
- an improvement notice (IN) requires the dutyholder to make any necessary changes within a specified time period;
- a prohibition notice (PN) orders dutyholders to stop an activity until they have made it safe to continue. It is a criminal offence to not comply with a prohibition notice.

Where the inspector decides a notice is not required to achieve compliance, they may still consider they have identified a material breach² of health and safety law. They will inform the dutyholder of this with a letter detailing the action required to achieve compliance.

Where there is no material breach of health and safety law, inspectors may still provide verbal advice but otherwise take no further action (NFA).

Enforcement actions resulting from the school visits are shown in Figure 2.

Figure 2 Count of highest enforcement actions taken per school



¹ [HSE - The Enforcement Management Model](#)

² [HSE: Fee for Intervention - What is FFI? - What is a material breach?](#)

Across the 421 inspection visits, the total number of notices served was 30, which included 2 prohibition notices and 28 improvement notices. These were across a total of 28 schools, as 1 school was served with 2 prohibition notices and another was served with 2 improvement notices.

The 28 schools served with a notice also received a letter detailing the action required to achieve compliance. A further 112 schools, among those which were not served a notice, also received a letter, making 140 in total. Just over 66% of the schools visited were found to be effectively managing asbestos and required either no further action or verbal advice.

Regarding the improvement notices, it is important to note that staff and pupils were not at risk of exposure and the general conditions on site were reasonable. Although multiple factors led to notices being served, the most common failings included:

- inadequate or missing asbestos management plans (13 and 8 cases respectively);
- inadequate or missing asbestos surveys (5 cases and 1 case respectively).

Action was taken to ensure plans and surveys specifically identified ACMs currently on site and areas presumed to contain them.

One school received 2 prohibition notices, both relating to the presence of ACMs in boiler rooms because they were likely to be disturbed by people working on the heating system. The notices prevented access to the areas until the ACMs had been safely removed.

Asbestos management measures

The measures schools should have in place are based on the requirements of HSE guidance which help responsible bodies comply with their legal duties under the Control of Asbestos Regulations 2012. See Appendix 1 for further details.

We captured information relating to how schools were implementing a number of key risk management measures in relation to 388 of the inspection visits. The sub-sections below provide a summary of the inspection findings in relation to the following key areas:

- asbestos management surveys;
- registers and management plans;
- roles and responsibilities of school staff members;
- training and support for in-house staff;
- management of contractors.

Asbestos management survey

Dutyholders are required to identify the location, condition and type of ACMs in all areas of school buildings that are reasonably accessible. This will usually be through an asbestos management survey by a competent surveyor in line with HSE guidance.³

While there is no legal requirement for asbestos surveyors to be accredited, HSE strongly recommends using surveyors with an accreditation as provided by the United Kingdom Accreditation Service (UKAS). In any case, reasonable enquiries should be made to ensure that the surveyor used is competent, for example by checking details of their qualifications or references to evidence of similar work undertaken recently.⁴

Of the schools visited:

- 305 (78.6%) had a survey carried out by a UKAS accredited surveyor;
- a further 61 schools (15.7%) had a survey carried out by a non-accredited surveyor whose credentials had been verified either via their qualifications or other checks (most commonly involving assurances of competence received from the local authority);
- 16 schools had a survey but had not made the relevant checks;
- 6 schools did not provide any evidence that a survey had been conducted at all.

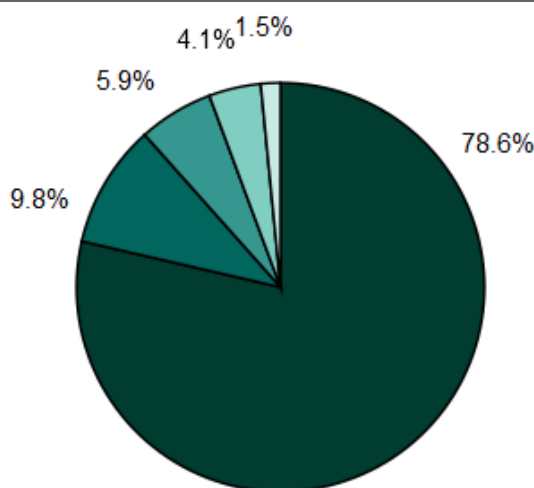
³ [Managing my asbestos - Asbestos management survey](#)

⁴ [Managing and working with asbestos. Control of Asbestos Regulations 2012](#)

Full details are shown in Figure 3.

Figure 3 Checks made to ensure competence of asbestos surveyor

Legend	Accreditation	Count	Percentage
	Survey carried out by UKAS accredited surveyor	305	78.6%
	Survey carried out by non-accredited surveyor but one with appropriate surveying qualifications	38	9.8%
	Survey carried out by non-accredited surveyor: other checks made to ensure the surveyor was competent	23	5.9%
	Asbestos survey carried out but no checks made to ensure the individual/organisation undertaking the survey was competent	16	4.1%
	No asbestos survey carried out	6	1.5%



Asbestos registers

Information from the asbestos survey and any relevant risk assessments should be used to produce a concise, user-focused asbestos register, suitable for the occupier and building/maintenance contractors.

Inspections included checking that:

- schools had a readily accessible register including a number of key elements as shown in Figure 4;
- this register had been reviewed within the last 12 months.⁵

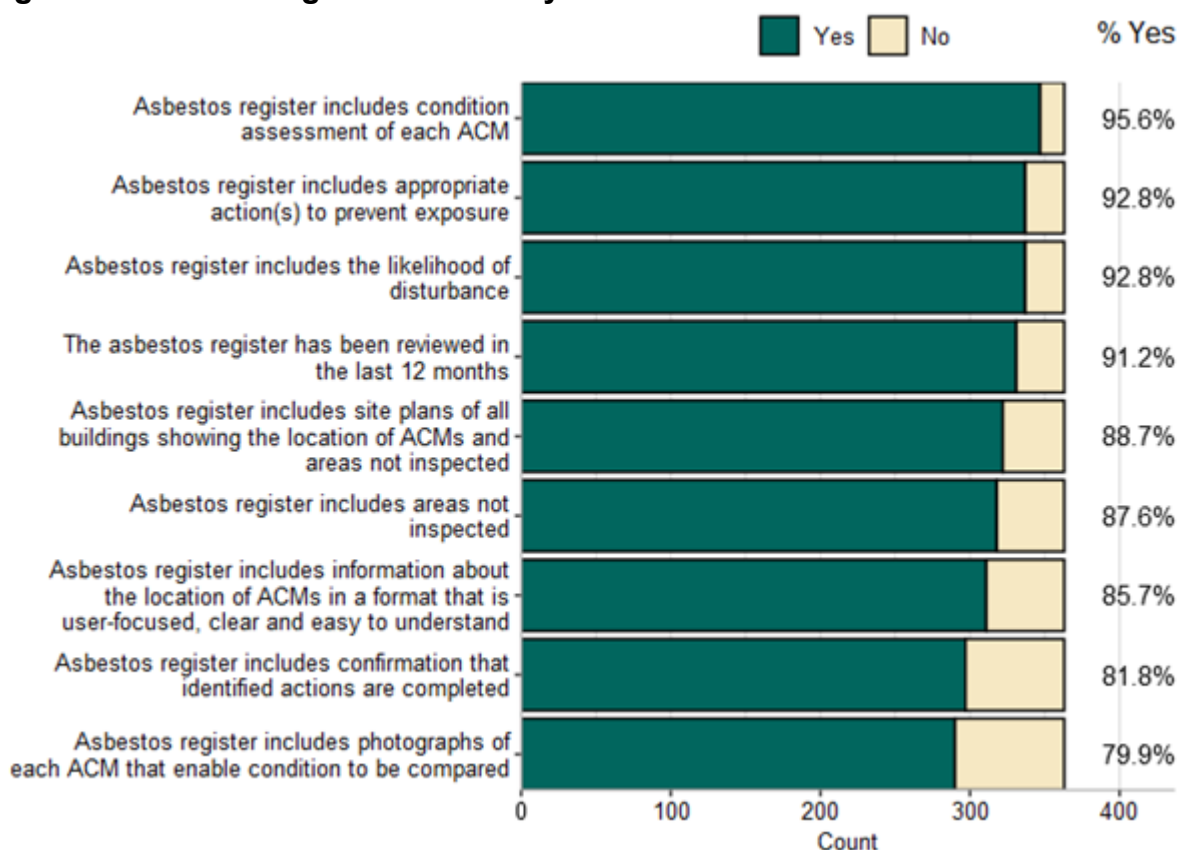
Of the schools visited, 95% did have an asbestos register which could be accessed either physically or electronically and, in 91.2% of cases, the register had been reviewed within the last 12 months.

⁵ [Managing and working with asbestos. Control of Asbestos Regulations 2012 \(hse.gov.uk\)](https://www.hse.gov.uk/asbestos/management/2012/)

Inclusion of key elements of an asbestos register varied between 79.9% and 95.6% as shown in Figure 4, with the most commonly missing element being photographs of each ACM to enable condition to be compared over time. Inspectors noted that even when such photographs did exist, they were not always of sufficient quality. Although photographs are not a legal requirement, they are recommended as an effective means of regularly recording and monitoring the condition of ACMs over time.⁶

Anecdotal evidence from inspectors also suggests that, in some cases, the asbestos register was maintained by local authorities but staff at the school were not maintaining a copy on site and were often largely unaware of its content. In some cases, it was also clear that a review had only been carried out very recently and most likely in direct response to the school becoming aware of an upcoming HSE inspection.

Figure 4 Asbestos register availability and content



Asbestos management plans

Dutyholders are required to prepare a written plan, specific to their school, which is referred to as an asbestos management plan. This document sets out the measures for actively managing the risk from ACMs. It should draw on information set out in the asbestos register and take into account a plan of all the buildings on the site.

⁶ [Asbestos: The survey guide \(hse.gov.uk\)](https://www.hse.gov.uk/asbestos/surveyguide/)

The plan should make it clear who is responsible for the various tasks involved in managing risk and detail processes, which should be followed in the event of a potential disturbance of ACMs. It should be reviewed or updated at least every 12 months.

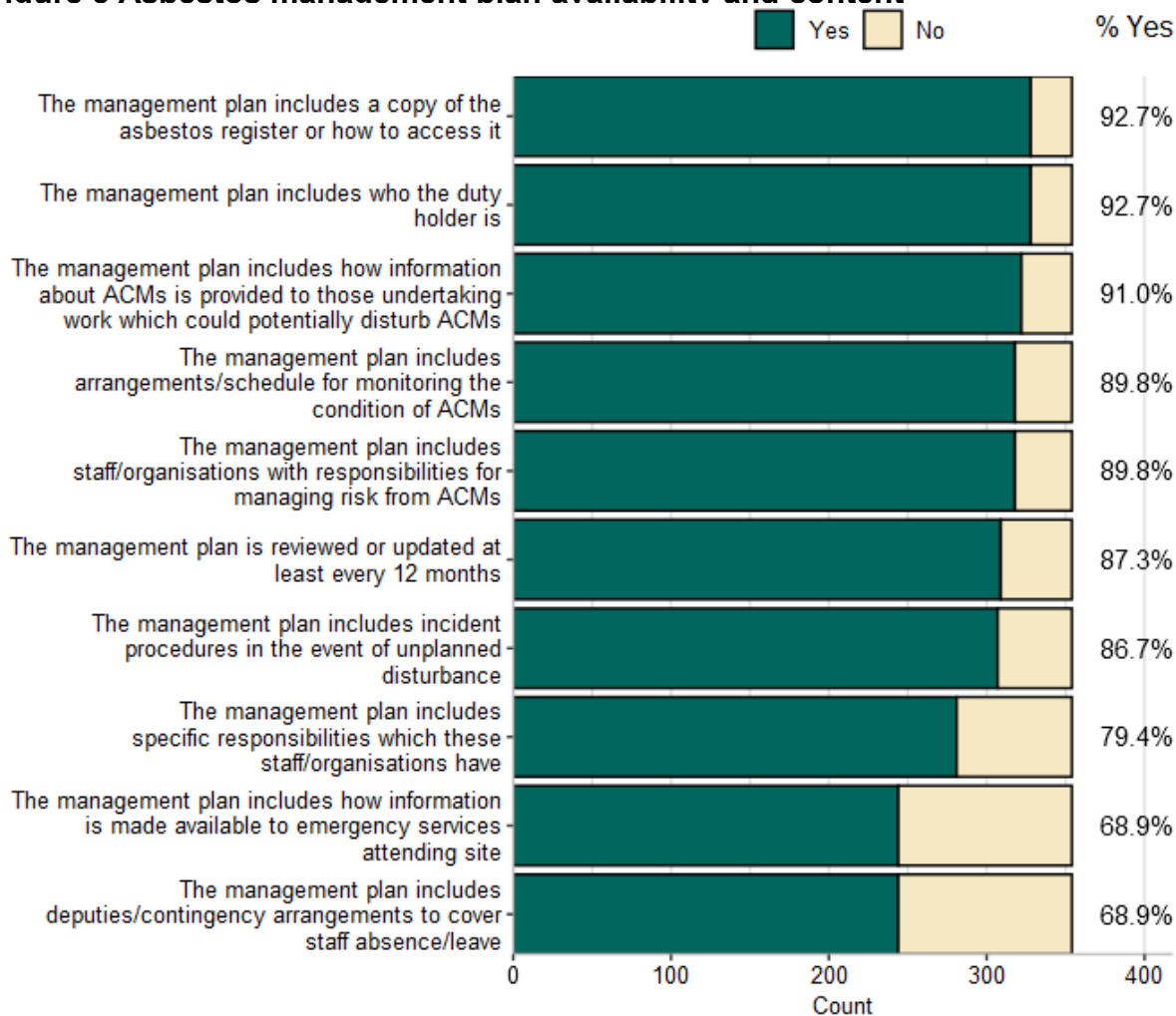
Inspectors recorded whether plans were in place and included relevant key elements and findings in relation to these points. Details are shown in Figure 5.

Of the schools visited, 91% did have a management plan in place that was physically held on the site or available electronically. In 87.3% of cases there was evidence that the plan was updated or reviewed every 12 months.

Inclusion of key elements varied between 68.9% and 92.7% as shown in Figure 5. The most common areas for improvement were;

- ensuring the plan covers how information is made available to emergency services attending the site;
- having deputies or contingency arrangements to cover staff absence or leave.

Figure 5 Asbestos management plan availability and content

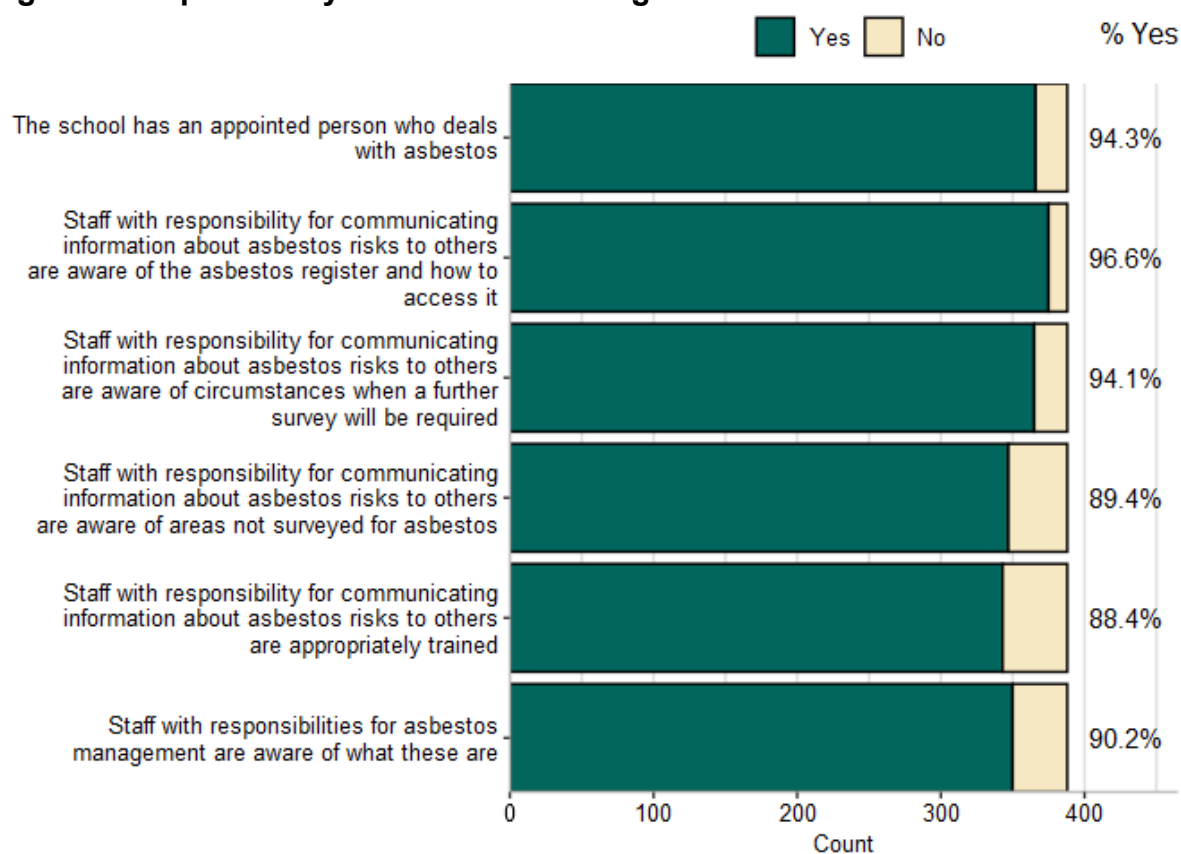


Roles and responsibilities

The risks associated with asbestos can only be successfully managed if there is clarity in terms of which members of staff are responsible and if they fully understand their role. They must also effectively communicate the risks to others. Figure 6 shows inspection findings in relation to these responsibilities.

Of the schools visited, 94.3% had an appointed person to deal with asbestos and in most cases that person was aware of their duties and appropriately trained.⁷

Figure 6 Responsibility for asbestos management and communication



Training and support for in-house staff

Any staff who are likely to disturb ACMs, for example through maintenance or refurbishment work around the school, should receive the correct level of information, instruction and training. This will enable them to carry out their work safely and competently and without risk to themselves or others. Before carrying out such work, they should:

- do a suitable and sufficient risk assessment and be aware of all the associated procedures;

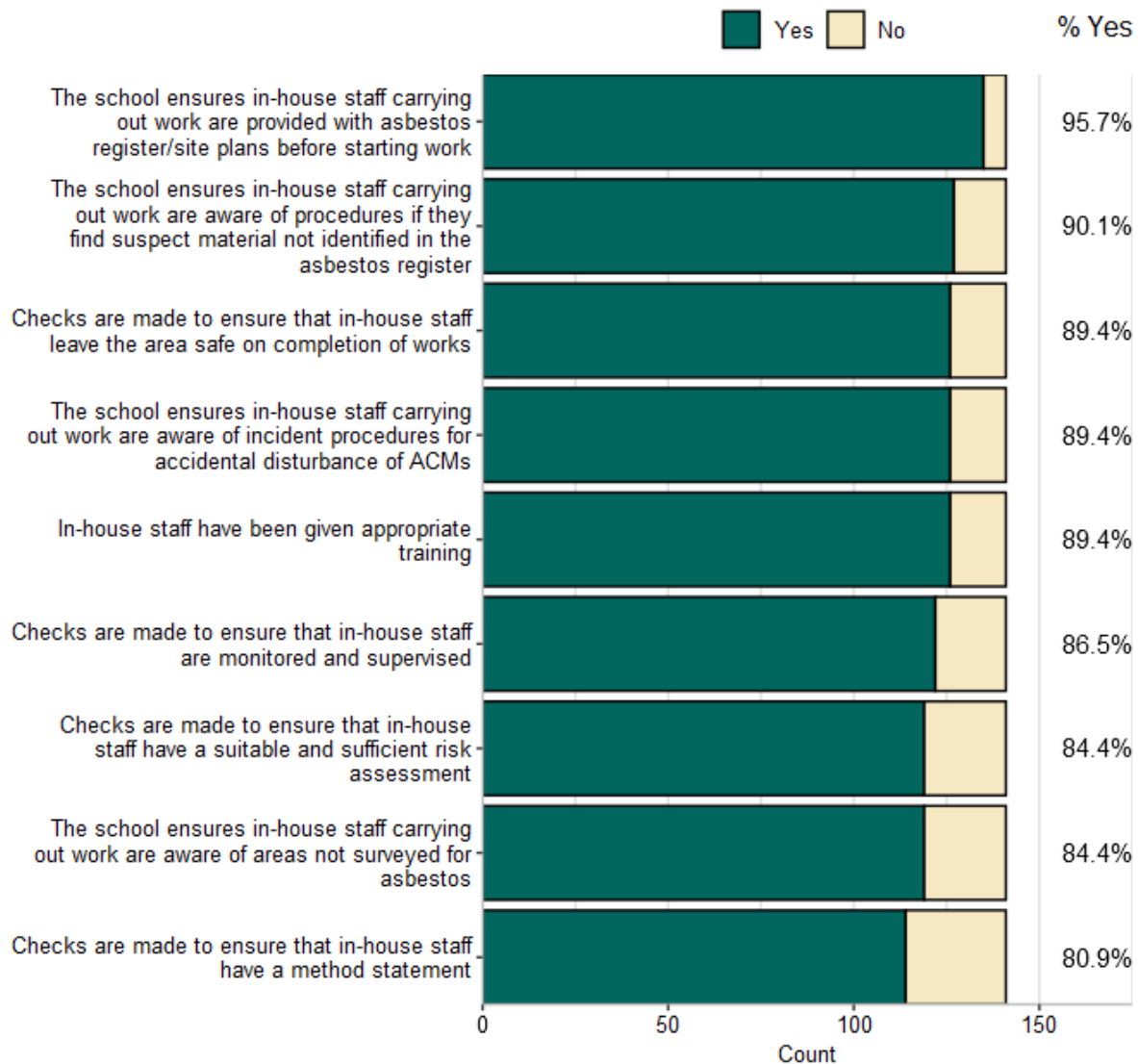
⁷ [Asbestos: The survey guide \(hse.gov.uk\)](https://www.hse.gov.uk/asbestos/surveyguide/)

- have access to any relevant documentation, such as the asbestos register and site plans.⁸

In 36% of the schools visited, staff within the school (or from a shared facilities team whose responsibilities covered that school, among others) would sometimes carry out maintenance or refurbishment work that had the potential to disturb ACMs.

Figure 7 shows how often the relevant checks were put in place for staff doing this work, with 89.4% of schools providing appropriate training and 95.7% of schools ensuring staff were provided with copies of the asbestos register and site plans before commencing work. However, there are some lower percentages for some important specific checks and procedures, such as ensuring that a suitable and sufficient risk assessment is in place (84.4%) and in-house staff have a method statement (80.9%).

Figure 7 Training and support for in-house staff carrying out maintenance work



⁸ [Managing and working with asbestos. Control of Asbestos Regulations 2012 \(hse.gov.uk\)](https://www.hse.gov.uk/publications/2012/01/01/20120101.htm) and [A comprehensive guide to managing asbestos in premises \(hse.gov.uk\)](https://www.hse.gov.uk/publications/2012/01/01/20120101.htm)

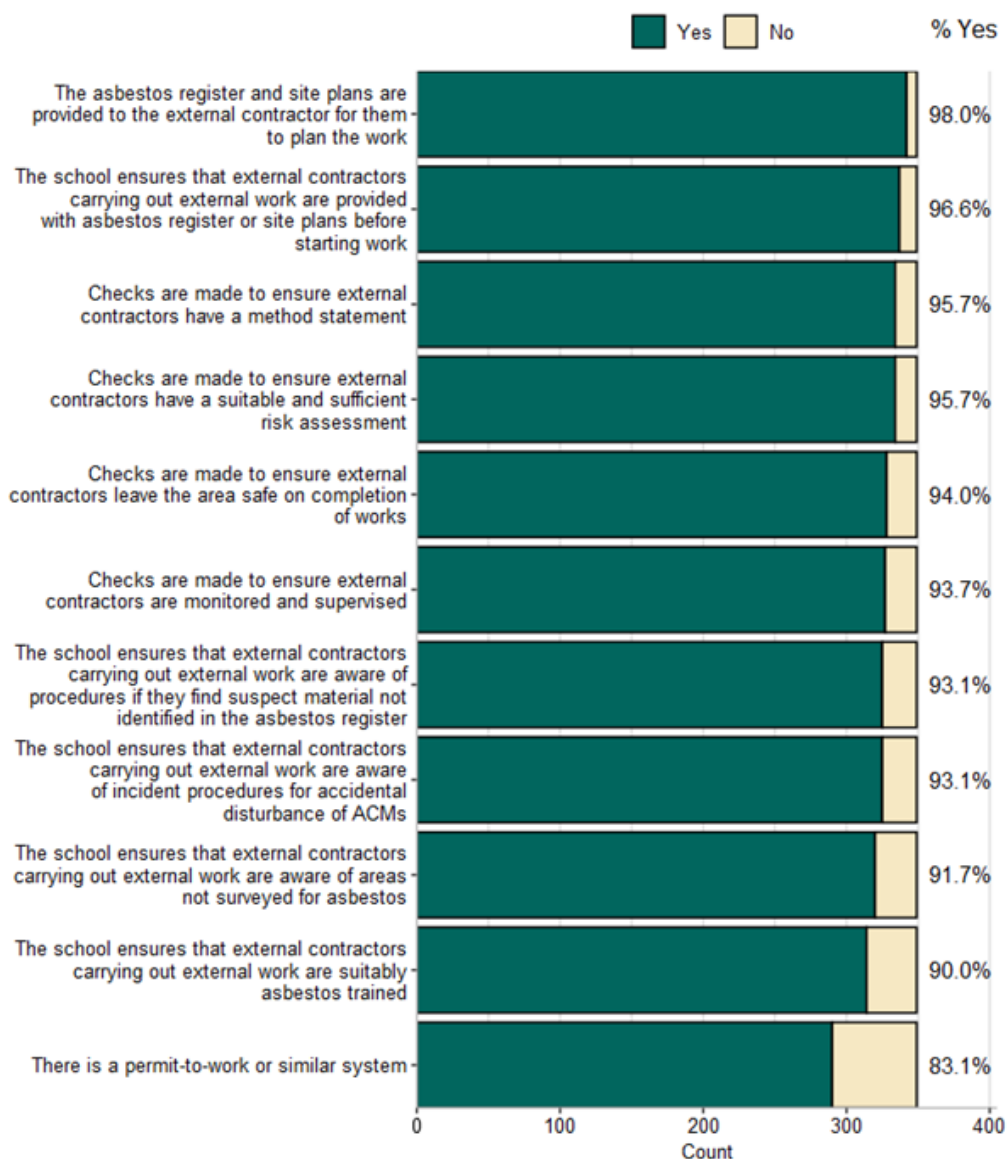
Management of contractors

While some maintenance and refurbishment work will be completed by in-house staff, the majority of schools will at some point use external contractors to carry out such work. Again, these individuals must be given the correct level of information, instruction and training to carry out the work safely and competently.

Figure 8 shows inspection findings in relation to the management of external contractors, with 90% of schools employing such individuals or teams in maintenance or refurbishment work that could foreseeably disturb known or presumed ACMs.

Of the schools visited, 90% ensure that external contractors are suitably asbestos trained and 95.7% ensure they have a suitable and sufficient risk assessment. Most of the other important elements of the management of external contractors also score highly, as shown in Figure 8, with the lowest percentage relating to the existence of a permit-to-work or similar system (83.1%).

Figure 8 Management of external contractors carrying out maintenance



Areas of non-compliance

Among schools where non-compliance was identified, there were some common themes in terms of which elements of an asbestos risk management system were missing. These are summarised in Figure 9.

The management measures displayed are those where the proportion of non-compliant schools with that measure in place were the lowest. For the purposes of this exercise, non-compliance is defined by the school receiving a letter explaining what they needed to do.

Figure 9 Examples of common areas of non-compliance

ASBESTOS REGISTER	MANAGEMENT PLAN	STAFF AND CONTRACTORS
<p>Includes confirmation that identified actions are completed</p> <p>Includes information about the location of ACMs in a format that is user-focused, clear and easy to understand</p> <p>Includes photographs of each ACM that enables condition to be compared</p>	<p>Includes deputies or contingency arrangements to cover staff absence or leave</p> <p>Includes how information is made available to emergency services attending site</p> <p>Includes specific responsibilities which these staff or organisations have</p>	<p>The school ensures in-house staff carrying out work are aware of areas not surveyed for asbestos</p> <p>There is a permit-to-work or similar system</p> <p>Staff with responsibilities for asbestos management are appropriately trained</p>

Conclusions

The findings of these inspections help identify areas of improvement and lessons learned that can help schools improve standards in managing asbestos in their estates.

Where schools are following the relevant guidance and complying with the requirements of the Control of Asbestos Regulations 2012, then asbestos poses no risk to pupils, staff or visitors.

These inspections showed that most schools were complying with their legal duties and had effective management systems in place to manage and monitor the condition of ACMs.

Just over 66% of the 421 schools visited were found to be managing asbestos effectively and required either no further action or only verbal advice. A small number (7%) of schools visited required formal enforcement action and most of these related to improvements being required in their management plans or surveys.

Fewer than 27% of schools visited required improvements to their management systems, but the risk was not significant to warrant a notice being issued. These schools received a letter from the inspector detailing actions required to achieve compliance and requiring confirmation of any remedial action taken. This action was proportionate to the level of risk identified and in accordance with HSE's enforcement policies.

Only one visit identified a risk of exposure to asbestos requiring prohibition notices to be served which prevented access until the asbestos was safely removed from the area. These were in boiler rooms to which pupils and teaching staff do not have access.

Schools should ensure they have a survey carried out by a competent person⁹ to identify ACMs and produce a register clearly showing their location. HSE recommends that registers are reviewed every 12 months and updated, especially where there have been changes to the estate.

Registers should also clearly identify where areas have not been surveyed and therefore presumed to contain asbestos. Photographs of areas containing ACMs are an effective way of monitoring their condition over time. Where remedial action is identified during a survey, the register should clearly identify when this has been completed.

Most schools had effective asbestos management plans in place, but a minority required improvement, for example by:

⁹ [Appoint a competent person](#)

- setting out clear roles and responsibilities for those who help manage the risk from ACMs;
- having effective contingency arrangements for when key staff are absent.

HSE recommends that asbestos management plans are updated every 12 months. These plans should include a schedule for how to regularly monitor the condition of ACMs. They should also clearly set out:

- what to do in the event of any unplanned disturbance of ACMs;
- how to provide information on the presence and location of ACMs to emergency services attending the site in the event of an incident.

When managing contractors likely to carry out work which could disturb asbestos, schools should ensure they are provided with effective information and training before they start work. They should also check that the contractors have a safe system of work and have carried out an effective risk assessment.

Contractors should be advised of any areas that contain asbestos and also those areas not surveyed for ACMs, where they should presume that it is present and act accordingly.

Where ACMs are undamaged and properly maintained with regular checks and effective monitoring in place to assess their condition, they can remain safely in place.

Schools should reflect on the findings of this report and particularly those areas where the inspections found non-compliant management systems to ensure their systems are suitably robust and regularly reviewed.

Useful links

- [Risk assessments - asbestos](#)
- [Managing asbestos in your school or college – Department for Education guidance](#)
- [Asbestos management in schools – Welsh Government](#)

Appendix 1 – requirements of the Control of Asbestos Regulations 2012

These regulations place duties on people or organisations who have the main responsibility for maintenance and repair of non-domestic premises to manage asbestos effectively.

Those who have the duty under the regulations are required to:

- take reasonable steps to identify if asbestos-containing materials (ACMs) are present, and if so, 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 ACMs 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.

Find out more information about the [duty to manage asbestos](#) and the actions that must be taken.

Further guidance

- [Managing and working with asbestos. Control of Asbestos Regulations 2012. Approved Code of Practice and guidance](#)
- [A comprehensive guide to managing asbestos in premises](#)
- [Asbestos: The survey guide](#)

