

**ASBESTOS MANAGEMENT IN SCHOOLS  
WORKING GROUP**

**AGENDA**

**Monday 25 January 2016 14:00 – 16:00**

**Venue: Rm 2.16, CP1, Cathays Park**

<b>1.</b>	<b>Welcome</b>	21 <sup>st</sup> Century Schools Programme Director
<b>2.</b>	<b>Terms of reference and membership</b>	21 <sup>st</sup> Century Schools Policy Lead
<b>3.</b>	<b>Current Guidance Wales</b>	21 <sup>st</sup> Century Schools Policy Lead
<b>4.</b>	<b>Asbestos Review in England</b>	21 <sup>st</sup> Century Schools Programme Director
<b>5.</b>	<b>Policy Wales</b>	21 <sup>st</sup> Century Schools Programme Director
<b>6.</b>	<b>AOB</b>	

**For newsletter:**

## **Asbestos Management in Schools – reminder to duty holders**

**We would like to remind duty holders of their responsibilities in relation to asbestos.**

Guidance was issued in May 2014 to ensure that headteachers, school governors and other members of the school management team are aware of requirements in respect of asbestos management procedures and legislation.

**It is important that the information is brought to the attention of governing bodies so that they are aware of this issue.**

A link to the full guidance can be found below:

<http://gov.wales/topics/educationandskills/publications/guidance/asbestos-management-in-schools/?lang=en>

## **For Learning Wales website**

### **Asbestos Management in Schools – reminder to duty holders**

**It is vital that duty holders are aware of their responsibilities in relation to asbestos.**

Guidance was issued in May 2014 to ensure that headteachers, school governors and other members of the school management team are aware of requirements in respect of asbestos management procedures and legislation.

**It is important that the information is brought to the attention of governing bodies so that they are aware of this issue.**

**The duty holder** is anyone who has an obligation for the maintenance or repair of non-domestic premises. For most schools, the main duty holder will be the employer, with duty holder responsibilities in some schools also being shared with the person responsible for the site.

#### **Duty holder responsibilities**

The management of asbestos in schools, including its removal if appropriate, rests with those responsible for the maintenance of schools. In practice a duty holder's responsibilities in a school include:

- Keeping an up-to-date record of the location and condition of asbestos containing materials (ACMs);
- Assessing the risk from any ACMs in the school;

- Having a written asbestos management plan with actions and
- measures necessary to manage the risks from ACMs;
- Putting those plans into action; and
- Making information available to workers who may disturb asbestos
- (e.g. contractors or maintenance workers).

Read the guidance (external link) available on the Welsh Government website  
<http://gov.wales/topics/educationandskills/publications/guidance/asbestos-management-in-schools/?lang=en>

# **ASBESTOS MANAGEMENT IN SCHOOLS WORKING GROUP TERMS OF REFERENCE**

## **1. Background**

The purpose of the Asbestos Management in Schools Working Group is to ensure that Welsh policy and guidance in this field remains current and appropriate for schools in Wales, and also to review the new approach being implemented in England.

## **2. Duty and Responsibilities**

The Group will ensure that the policy for Asbestos Management in Schools in Wales is regularly reviewed. When necessary the group will update guidance so that it remains robust for schools in Wales. The Group will also periodically review approaches in England and where appropriate, make recommendations for adoption in Wales.

The specific functions of the Group are:

- review the current guidance for Asbestos Management in Schools and update when and if required;
- review and discuss the ongoing work of the English government in the Asbestos Management in Schools field; and
- make recommendations where appropriate for new policy strands in this field.

## **3. Governance**

The Working Group will be chaired by the Programme Director for 21<sup>st</sup> Century Schools and Education Programme. The Welsh Government reserves the right to deputise other Working Group members where appropriate.

## **4. Frequency of assessments/meetings**

The group will meet regularly (quarterly) to discuss current guidance for Wales and review ongoing work/approaches in the Asbestos Management in Schools field.

## **5. Working Group Membership**

Members of working group will be expected to:

- Offer their views, and those of their representative organisations, on issues relating to all aspects of Asbestos Management in Schools;
- Contribute to discussion on current guidance in Wales, and new approaches in England, along with appropriate recommendations where required; and
- Provide feedback to and from their representative body on the work of the working group, which respect to promotion of current policy and available guidance.

Members will be nominated by their representative organisation based on their ability to represent their organisation. The working group will comprise the following sector representation:

<b>Assessor</b>	<b>Policy Area</b>
HM Principal Inspector of Health and Safety	Operational Policy, HSE Wales
Team leader, Public Administration and Education team	Public Health Unit, HSE Wales
Policy Advisor, Asbestos Policy	Health and Chemicals Division, HSE

and Delivery	Wales
Health Protection Team representative	NHS Wales
Environment Health Senior Policy Official	Welsh Government, Public Health (advisory capacity)
Policy Lead	Welsh Government, 21 <sup>st</sup> Century Schools and Education Programme
Programme Director	Welsh Government, 21 <sup>st</sup> Century Schools and Education Programme
Head of Capital Funding	Welsh Government, 21 <sup>st</sup> Century Schools and Education Programme

Members will have regard for The Seven Principles of Public Life (**The Nolan Principles**):

- **Selflessness**  
Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits themselves, their family, or their friends.
- **Integrity**  
Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
- **Objectivity**  
In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- **Accountability**  
Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- **Openness**  
Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- **Honesty**  
Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- **Leadership**  
Holders of public office should promote and support these principles by leadership and examples.

## 6. Termination of Working Group Membership

Membership of the working group is terminable by either party, in appropriate circumstances. A breach of any of the terms of the Constitution, including the Seven Principles of Public Life, will be considered an appropriate circumstance for the termination of membership.

## **7. Quorum**

The Asbestos Management in Schools working group shall be quorate when four members representing all stakeholder groups, are present.

If less than four members are present, the business may still take place. Decisions will only be made subject to the receipt of written assessment of those group members who are not present.

DRAFT

## **ASBESTOS MANAGEMENT IN SCHOOLS WORKING GROUP**

**Minutes of the meeting – Monday, 25 January 2016 @ 14:00**  
**Welsh Government Office, Cathays Park, Cardiff**

### **Working Group Members**

- HSE Wales, HM Principal Inspector of Health and Safety, Field Operations Directorate (PI)
- HSE, Team leader, Public Administration and Education team (TL)
- Public Health, Welsh Government (PH)
- Public Health Wales (PHW)

### **Officials**

- Programme Director, 21<sup>st</sup> Century Schools (PD)
- Head of Capital Funding, 21<sup>st</sup> Century Schools (HC)
- Policy Lead Asbestos, 21<sup>st</sup> Century Schools (PL)

### **Apologies**

- HSE, Policy Advisor, Asbestos Policy and Delivery

### **Programme Business**

#### **Item 1: Welcome and Apologies**

PD welcomed everyone to the first meeting of the Asbestos Management in Schools Working Group and gave an overview of the purpose of the group.

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### **Programme Governance**

#### **Item 2: Terms of Reference**

PD presented the draft terms of reference for the working group for discussion.

#### *Timing*

It was agreed that meetings would be held on a six monthly basis; with the option of additional meetings should issues arise sooner.

#### *Membership*

Key stakeholder involvement in the working group was discussed.

The group agreed that the representation on the group was appropriate. It was suggested that the workgroup should be expanded to include representation from head teachers, WLGA and Welsh Government Governance. Consultation with additional key groups such as local authorities, unions, JUAC should also take place at key decision making times, e.g. guidance review.

**Action Point 1: PL/PD to contact WLGA, Head teachers Association and Internal Governance Branch, to offer membership to the Asbestos Management in Schools Working Group.**

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**Item 3: Current Guidance Wales**

PI suggested that existing guidance could be further simplified. This approach was agreed.

Distribution was discussed and it was confirmed that the Guidance is currently made available on line and that the link is sent to local authorities and school duty holders via the Welsh Government Dysg Newsletter.

Suggestions for simplification of the Guidance included:

1. Bullet pointed checklist or decision making tree to be included in the introduction of the document;
2. Use of a simplified step by step approach;
3. Make more reference to diagrams and survey procedures;
4. Include more links to guidance available online.

PHW asked whether it was possible to gauge the number of stakeholders that have accessed the guidance. PL agreed to explore this point.

**Action Point 2: PL to revise guidance on the basis of discussion, and share with working group before next meeting. It was also agreed that the draft version would be shared more widely through consultation.**

**Action Point 3: PL to gauge the number of stakeholders that have accessed the guidance.**

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**Item 4: Asbestos Review in England**

PD gave an overview of the recent review of asbestos management in schools in England, its findings and current Department for Education commitments. TL indicated that she is part of the Asbestos in Schools Steering Group in England.

The Working Group was interested to see the outcome of actions in England, particularly in respect of any sampling to be carried out. It was also agreed that the Welsh Government would continue to remind duty holders of their responsibility to manage asbestos.

**Action Point 4: PL to attend the next Asbestos in Schools Steering Group and feed back at the next Asbestos Management in Schools Working Group meeting.**



**Action Point 5: The Asbestos Management in Schools Working Group to keep a watching brief on developments in England with respect to their work on this subject.**

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**Item 5: Policy Wales**

It was agreed that current policy is appropriate, with guidance being updated so that it remains current. The Asbestos in Management in Schools Working Group would consider results and strategies arising from the Asbestos in Schools Steering Group in England to determine whether they should be applied to Welsh schools.

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**AOB**

The working group discussed the availability of cancer-related illness information in Wales. The main sources would be cancer registries (WCISU) and the Department for Work and Pensions. It was also suggested that information might be available from the Health Statistics Wales mailbox.

**Policy Lead Asbestos**  
**21<sup>st</sup> Century Schools and Education Programme**  
**2 February 2016**

DRAFT

**From:**  
**Sent:** 09 February 2016 16:53  
**To:**  
**Subject:** Asbestos in schools: data collection and next meeting date

Dear Colleagues,

### **Asbestos in schools: data collection and next meeting date**

As a member of the Asbestos in Schools Steering Group (ASSG), I wanted to update you about our progress on collecting more information on how schools manage asbestos in their buildings and inform you of the ASSG meeting date.

As you will be aware, in March 2015, the Department for Education concluded a review of its policy on the management of asbestos in schools. The outcomes from the review included the issuing of updated guidance, [Managing Asbestos in your school](#), and a call for a clearer picture of how asbestos is managed in schools across England.

As a result we are asking all head teachers to answer a small number of straightforward questions on behalf of their school. Head Teachers will receive immediate feedback and advice based on their responses. The online questionnaire can be found on GOV.UK [here](#).

A good return from schools will increase our understanding of the current situation and will help to determine what further action from us is may be required. The survey opened on 28<sup>th</sup> January, and we would really appreciate your help in disseminating this information. We would be grateful if you could emphasise the importance of this exercise, and encourage members of your respective organisations to ensure the online form is completed and returned by 29 February 2016.

Later this year we'll be publishing the findings of this national survey.

Thank you for your continued contribution on this important matter. We look forward to discussing the preliminary results from the survey with you at the next Asbestos in Schools Steering Group Meeting which has been pencilled in for **10 am on 31<sup>st</sup> March. Please can you write back to me to confirm if you are able to attend this date by close on 16<sup>th</sup> February? Provided enough members able to attend we will then confirm the date and set an agenda.**

Many thanks,

**ASSG Secretariat  
Condition Funding Team  
Central Capital Unit  
Department for Education**

**Web:** [www.gov.uk/df](http://www.gov.uk/df)

**Twitter:** [@educationgovuk](https://twitter.com/educationgovuk)

**Facebook:** [www.facebook.com/educationgovuk](https://www.facebook.com/educationgovuk)

Department for Education | Fourth Floor | Sanctuary Buildings| Great Smith Street |  
London | SW1P 3BT | Email: |



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## **Discussion Room 1.001 CP2 29 June 2015**

Attendees

Welsh Government 21<sup>st</sup>

- Programme Director, 21<sup>st</sup> Century Schools (PD); Head of Capital Funding, 21<sup>st</sup> Century Schools (HC); Policy Lead 21<sup>st</sup> Century Schools (PL), 21<sup>st</sup> Century Schools (PL); Public Health, Welsh Government (PH); Public Health Wales (PHW); Legal Services, Welsh Government (LS)

Thank you for your attendance at this meeting to consider Asbestos Management in Schools

### **LINKS TO DOCUMENTS:-**

1. Welsh Government's Existing Asbestos Management Guidance in Schools.  
<http://gov.wales/topics/educationandskills/publications/guidance/asbestos-management-in-schools/?lang=en>
2. DfE current Asbestos Management Guidance in Schools  
<https://www.gov.uk/government/publications/asbestos-management-in-schools--2>
3. DfE's March 2015 published policy review "The management of Asbestos in schools;- A review of Department for Education Policy"  
<https://www.gov.uk/government/publications/asbestos-in-schools-policy-review>

### **CURRENT SITUATION**

**In response to the petitioner's enquiry, those present agreed that the HSE is responsible for the enforcement of statutory responsibilities in regards to Asbestos. The statutory responsibility for the management of asbestos rests with the duty holder for the schools concerned**

#### **PL agreed to**

- a) Circulate links to relevant documents;
- b) Circulate contact name from DfE;
- c) Ask DfE for information of the basis of the samples they propose to use, how they have been / will be chosen, how they will be considered representative of other schools and how will the data be used / what will be done with the data;
- d) Ask DfE for background on their discussions with and involvement of Public Health England, and key contacts;
- e) Identify Scotland / NI contacts for confirmation of their stance on this.

#### **PH agreed to**

- a) Assist with correspondence on asbestos policy;

- b) Raise issue of a regular agenda item in respect of asbestos for senior official meetings.

**Proposal for Asbestos Management Policy to be placed on agenda for meetings of UK Education Ministers**



**Y Grŵp Addysg a Gwasanaethau Cyhoeddus  
Education and Public Services Group**

Eich cyf/Your ref  
Ein cyf/Our ref ATISN 10155  
Michael Wallace  
Researcher for  
Eluned Parrott, Assembly Member for South Wales Central  
National Assembly for Wales,  
Cardiff Bay,  
CF99 1NA

Michael.Wallace@assembly.wales

Dear Mr Wallace

**Request for Information – reference ATISN 10155**

I wrote to you on **5 February 2016** following your request for information. In your request you asked for:

1. Correspondence between the Welsh Govt. and the UK Govt. Officials and Agendas, minutes of meetings and/or other discussions relating to the Asbestos Working group over the last 2 years.
2. The dates of the UK Govt.'s Asbestos Group attended by a WG Observing official, and agendas and minutes of those meetings.
3. The date of the first meeting of the Welsh Asbestos Working Group and dates of any previous such meetings, names of members of that group and agendas and minutes of their meetings.

Please note that there is not a Welsh Asbestos Working Group. The information that is included under this request is for the Asbestos Management in Schools Working Group for Wales. Please also note that the UK Government group is referred to as the Asbestos in Schools Steering Group.

In response to your request we hold no information which would be covered under part 1 although we have had initial discussions; there have not been any recorded exchanges with DfE officials to date.

In response to part 2, Welsh Government has not yet attended a UK Asbestos in Schools Steering Group meeting. However, we have recently been invited to a meeting in March and the invite for this is included.

The remainder of the information enclosed is specifically in response to part 3. These include the agenda and, draft minutes and terms of reference of the Welsh Asbestos Management in Schools Working which will be finalised shortly.

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,  
Welsh Government,  
Cathays Park,  
Cardiff,  
CF10 3NQ

or Email: [FreedomOfInformationOfficer@wales.gsi.gov.uk](mailto:FreedomOfInformationOfficer@wales.gsi.gov.uk)

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely



**Natalie James-Rutledge**  
**Capital Funding Manager – Schools**  
**Infrastructure Unit**  
**Education and Public Services Group**  
**Llywodraeth Cymru - Welsh Government**  
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