



ASBESTOS MANAGEMENT ASSURANCE PROCESS ENGLAND 2019

A USER GUIDE

Purpose of the User Guide

This is a guide to using the data which has been made available via the DfE Asbestos Management Assurance Process (AMAP). It aims to assist local officers in extracting information about asbestos in schools in their area, and in seeking to fill in some of the gaps.

What is the AMAP?

The [Asbestos Management Assurance Process \(AMAP\)](#) was a large scale survey. 'Responsible Bodies' - generally LAs and academy trusts – were asked to provide an electronic declaration or 'assurance' that their schools were compliant with legislation on the management of asbestos in their education estate. The survey was conducted in relation to schools in England - so far there hasn't been a similar exercise in Wales. Local officers in Wales can, however, use this Guide to ask questions of local authorities in Wales as a means of seeking to hold them to account over their employer health and safety responsibilities.

The focus of the AMAP was on establishing an understanding of the management of asbestos in schools; it was not a process of auditing how much asbestos there was and where it was located.

The original deadline for Responsible Bodies to supply and 'assure' the necessary information in relation to their schools was 31 May 2018. This was then extended to February 2019 because of insufficient responses. By 15 February 2019, a total of 19,522 (88.4%) schools had participated, by providing information to be assured by the appropriate responsible body. 14,840 schools had their response assured by their Responsible Body.

The DfE published its AMAP [report](#) in July 2019. The participation rate of 88.4% was a considerable improvement on the previous such exercise - the results of which, published in February 2017, were based on a response rate of only 25%. The names of all the schools and Responsible Bodies which **participated** are included on a spreadsheet available on the [DfE website](#). What is missing, however, is an indication of which individual schools were '**assured**'.

Limitations of the AMAP

- We only know the names of the schools and Responsible Bodies which **participated**; we don't know which ones were '**assured**'. The DfE has reneged on a commitment made at the start of the process that '*We intend to publish data that shows which Responsible Bodies have provided assurance declarations. This is an important part of being transparent on meeting health and safety duties, but also aims to provide assurance to members of the public that you are managing asbestos in your schools*'.¹

¹DfE March 2018 AMAP User Guide

Although initially keen to focus on transparency in its findings, the DfE has settled for an outcome which falls way short of what could and should have been possible.

- Only 14,840 schools (67.2% of the total) had their response 'assured' by their Responsible Body, i.e. LA or academy trust. This means there are 4,682 schools which participated but did *not* have their response assured by their Responsible Body. In other words, 24% - nearly a quarter – of schools which participated did not have their response assured.
- The AMAP involved no actual inspections – it was purely an electronic exercise. The DfE report states that "*the AMAP results indicated that the vast majority of schools are managing their asbestos well*" but this has not been confirmed by physical checks, just responses to a questionnaire.
- Schools were defined as managing asbestos in line with regulatory requirements if said that they had an asbestos register and an asbestos management plan. This is quite a low bar. These documents could be sitting on a shelf gathering dust or may not actually exist.
- 2,550 schools (11.6% of the England total) **didn't participate at all**, despite several reminders and despite there being an expectation that all should participate. This means that there are 2,550 schools where the Government has no idea how well, or badly, asbestos is being managed. The DfE has not published a list of these schools as part of the AMAP report. If a school cannot be found on the spreadsheet, it did not participate.
- 676 schools were referred to the HSE by DfE as causing concern, meaning that thousands of children and staff could be at risk from poor asbestos management. NEU welcomes the fact that these schools have been identified as needing support but questions whether the HSE will have the resources to investigate all these schools and help them to improve. The names of these schools haven't been published.
- 251 schools did not know if asbestos was present (1.3%). No school should be in that position. The names of these schools have not been published.
- 37 per cent of schools that responded had an asbestos survey that was more than 5 years old. The names of these schools have not been published.
- No question was asked about whether information about location of asbestos was shared with staff or with parents. This is essential, and failure to share information with staff and parents is one of NEU's key concerns. We know from our 2019 survey, for example, that this is a big issue.
- Participation in the AMAP, although encouraged, was not compulsory. Future surveys should be made compulsory. The DfE takes the view that keeping participation voluntary increases the levels of involvement. The converse position is that some of those who participated this time might look at those that didn't and realise that there were no adverse consequences for those choosing to opt out – thereby increasing the likelihood of more schools and Responsible Bodies opting out next time there is any such exercise.

Extent of asbestos in English school estate, as revealed by AMAP

AMAP findings indicate that 80.9% of participating schools, in England, have some asbestos present, making up 71.6% of the whole school estate. Factoring in the 251 schools (1.3%) that do not know whether asbestos is present on their estate, this leaves 3,475 (17.9%) schools which reported that asbestos is not present on their estate. Unfortunately, once again, the AMAP does not provide details of the schools in question.

The DfE estimates that, allowing for the potential for non-respondent bias in the 2,550 schools that did not participate in the AMAP, somewhere between 71.6 per cent and 83.1 per cent of the English school estate has asbestos present. The higher figure in its estimate is based on the assumption that all non-respondents have asbestos, with the lower figure indicating that no non-respondents have asbestos.

Given the disparity between these figures; the discrepancy between even the higher of the two figures and most expert estimates of the extent of asbestos in schools (nearer to 90%); and the fact that this survey is in any case self-evidently *“not an asbestos inventory or audit”*, it is probably best to treat such assertions with a degree of caution.

Navigating the online spreadsheet

The DfE spreadsheet, the [List of participating schools and responsible bodies](#) is navigable via a search facility, but you may need to click on ‘Enable Editing’ in order to allow this tool to work. There are three tabs, one marked ‘participating schools’, the second ‘participating RBs’ and the third labelled ‘Information’. These are self-explanatory; the participating RBs being a mixture of local authorities, MATs and single academy trusts.

Action for Health and Safety Advisers/Local Officers

Although the AMAP was a missed opportunity to obtain detailed information about the extent and condition of asbestos in schools in England, and to single out those schools and Responsible Bodies which were not compliant with their responsibilities under asbestos legislation, the information that can be accessed can act as a spring board for further investigations and questions, via FOI requests if necessary.

Using the AMAP tool is one way of seeking to hold LAs and Trusts to account, by ensuring that asbestos management receives a higher profile.

You can check if Responsible Bodies in your district took part in the AMAP and if so, which schools took part and follow up any that are missing from the list – they can still take part as the process remains open. The DfE is regularly updating the list to take account of the names of schools and Responsible Bodies which have participated since the most recent published online version. You can then table the AMAP as an agenda item at the next Health and Safety Committee meeting. Information about individual schools can then be cascaded down to health and safety reps to encourage them to ask questions.

If there was **no participation** by a particular Responsible Body or its schools

- Ask why – non-participation puts them in a minority, (nearly 90 per cent of schools did participate), is a poor reflection of their commitment to managing asbestos and suggests this is not a priority. Try to find out if schools refused to co-operate or whether the Responsible Body did not promote the exercise?
- Urge them to take part, it’s not too late and the AMAP portal remains open.
- Do all schools know whether they contain asbestos?

- Do all schools have an up-to-date asbestos register and asbestos management plan?
- Is information about asbestos management shared with parents? If not, why not?

The following local authorities did not participate. There may be others. Blackburn with Darwen, Harrow, Isle of Man, Kensington and Chelsea, Oldham, Westminster and Wigan. Some of these, namely Blackburn with Darwen, Kensington and Chelsea and Westminster, have previously caused concern through their responses to a 2016 Freedom of Information request which revealed the hands-off nature of their attitude towards asbestos management.

Where there **was** participation by the Responsible Body

- Request a list of schools that participated and those that did not.
- If not all schools took part, why was this?
- Ask which of the schools that took part were 'assured' by the Responsible Body.
- Were there any participating schools that did not know whether they contained asbestos? If so, which ones? Has this been followed up?
- Were any schools referred to the HSE because their response caused enough concern? If so which ones? What follow up work has been carried out to support these schools in making improvements?
- Do any schools have an asbestos survey that is more than 5 years old?
- Is information about asbestos management shared with parents? If not, why not?

National Education Union – October 2019