

**WRITTEN QUESTION TO THE MINISTER FOR TREASURY AND RESOURCES
BY DEPUTY J.A. HILTON OF ST. HELIER
ANSWER TO BE TABLED ON MONDAY 14th JULY 2014**

Question

1. Further to the Minister's response on 3rd June 2014, can he now confirm that all staff in all the schools which contain asbestos have been informed of exactly where the asbestos is?
2. Can the Minister state exactly what budget is allocated each year to asbestos removal and also indicate how much was spent on asbestos removal in the preceding five years?
3. Does the Minister agree that there is no known level at which asbestos is not a risk and therefore the children are being placed unnecessarily at risk of harm?
4. Given that the "Management Survey" of buildings is non-intrusive visual inspection, what steps, if any, is he taking to remove the potential risk with buildings containing ACMs?
5. Can the Minister state what steps are taken to ensure that any buildings used by the Education Department but not owned by the Department do not expose staff or students to asbestos?
6. Would the Minister provide the inspection reports for the years between 2008 and 2011 for all ESC sites that have asbestos?
7. Can the Minister advise whether he considers that there is no risk to students and staff at Highlands College?

Answer

1. Members are referred to answers to previous states questions raised by the Deputy with regard to asbestos (question 8187 on 18th March 2014 and question 8326 on 3rd June 2014). The responses below build on the information provided in those answers.

The information identifying where known Asbestos Containing Materials (ACMs) are within a property is available in the site Log Book¹ on sites where Jersey Property Holdings (JPH) has maintenance responsibilities. This information has been available to the site personnel for a minimum of five years and is updated on an annual basis after each re-inspection.

These Log Books are available to all school site staff (Head Teachers, Deputies, Teachers, Site Managers, Caretakers and other staff) and contractors working within these properties and if any site personnel require additional information or clarification on the content then the JPH team is available to assist.

¹ The Site Log Book is a property specific folder that contains operational, Health & Safety & generic documentation/ information relating to that property which provides contractors/ visitors with information to enable them to work within the relevant property safely. The contents include the following - How to use the Log Book, JPH contact details, Contractor sign in, Site specific hazards, Asbestos management plan, Passenger lift emergency contact details, Statutory inspections & other records.

It is incumbent on the Person in Control² on site to make their staff aware of the location of the Log Book and its content. JPH & ES&C officers work closely to ensure joint communications are released to the sites informing them of updates to the information held in the individual Log Books in a timely manner.

JPH under routine reviews of both the site Log Books and procedures for managing asbestos and, where appropriate, issue updated Log Books and Asbestos Management Plans (AMPs) to all sites where JPH has maintenance responsibility.

2. JPH spent in the region of £570,000 in the last five years on the management and removal of ACMs. Asbestos removal is only a part of the process of managing asbestos, with other management controls being monitor through re-inspection and encapsulation.

JPH does not allocate a budget for the removal of asbestos where it does not form part of any planned refurbishment project. However, if an incident is experienced or the ACMs deteriorate and requires removal, JPH prioritises funding for this project above other lower priority minor project works.

JPH holds information as to the cost of managing and removing asbestos on properties within its management remit.

3. The current accepted 'safe' level of air monitoring is <0.01 f/ml³, known as the Clearance Indicator Level. There is no absolute zero as other 'interfering' fibres can be respirable and must be included by the Analyst.

There is always a risk when asbestos is present in a building. Risks are managed through the implementation of policy and procedures to reduce the likelihood and potential impact on the property users to a safe and manageable level.

JPH actively manages the risk of ACMs in line with the requirements of the Health & Safety at Work (Jersey) Law 1989 and the Management of Asbestos in Workplace Buildings and Structures Approved Code of Practice (ACoP).

All of the JPH asbestos documentation has been produced in conjunction with our independent Health & Safety advisors Coppolo & Coyde who have provided advice and guidance to ensure the final documentation meets the requirements of the Health & Safety at Work (Jersey) Law 1989 & ACoP.

JPH have also worked with the States of Jersey Corporate Health and Safety Manager in providing updates for review and comment. JPH are on the working group assisting in the production of the States Corporate Asbestos Policy. JPH have provided the Health and Safety Inspectorate with the documentation for their review and comment with received comments being included in the documentation.

4. JPH manage ACMs in line with the current ACoP. An Asbestos Management Plan is in place for each site under JPH's management and Refurbishment and Demolition (R&D) surveys are undertaken when works are planned that are likely to disturb the fabric of the building. If the R&D survey identifies ACMs that will impact on the planned works then, where appropriate, JPH instructs the removal of the material as part of funded refurbishment works. Where no

² The Person in Control (PIC) is the member of the team with overall responsibility for the business activities, staff, visitors and Health & Safety, examples of a PIC are Chief Officers, Directors, Head Teachers etc

³ f/ml – Fibres per Millilitre of Air - Air sampling involves drawing a known flow rate of air through a filter for a measured time, so that airborne particles are collected. The filter is then prepared for microscopical examination. The calculated total number of fibres collected on the filter is divided by the volume of air sampled to determine the fibre concentration in terms of fibre per millilitre of air (f/ml).

refurbishment project is planned, the asbestos is managed through stringent processes and procedures to minimise the risk level.

JPH have carried out a risk based approach to removal of ACMs with the removal in areas accessible by staff, pupils and the public being the highest priority. Following this a review of any remaining ACMs is undertaken, which will recommend either further removal, encapsulation or other appropriate management processes.

In a previous answer to a question raised by the Deputy the approximate costs of removing all of the known ACMs in ES&C buildings was identified as being in the region of £3million (not including the additional cost of decanting the building occupants to temporary accommodation during the works).

5. The following response has been provided by ESC as it is outside the remit of JPH and the Minister for Treasury and Resources.

If a Landlord is renting a property to a third party then it is incumbent on the landlord to provide the necessary documentation at time of signing the lease that any ACMs present are appropriately managed. The landlord is also required to undertake annual inspections and update the relevant documentation provided to the tenant.

6. These reports and re-inspections are carried out by suitably qualified external organisations on behalf of the department and are available through a web based portal. A meeting with Deputy Hilton has been arranged on 28th July 2014 to provide access and review with JPH, to further demonstrate to the Deputy the processes and procedures currently in place between JPH and ESC. JPH are happy to meet with any other Member at this time, or at their convenience, to provide access to the reports and explain the associated processes and procedures.
7. There is always a potential risk of the presence of ACMs as the Management survey is a visual survey. However, as previously stated, JPH manage asbestos across its portfolio in line with the Health and Safety at Work (Jersey) Law 1989 and the Management of Asbestos in Workplace Buildings and Structures Approved Code of Practice.

If the inspection reports indicate any change in the materials' consistency or stability, or site staff identify changes in the material, then JPH would look to undertake an R&D survey to ascertain the extent of the deterioration and, if appropriate, schedule removal of the material in accordance with the required legislation.