

Kirsty Williams AC/AM  
Ysgrifennydd y Cabinet dros Addysg  
Cabinet Secretary for Education



Llywodraeth Cymru  
Welsh Government

Eich cyf/Your ref P-04-522  
Ein cyf/Our ref KW/00885/17

Mike Hedges AM  
Chair - Petitions Committee  
National Assembly for Wales  
Ty Hywel  
Cardiff Bay  
Cardiff  
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16 June 2017

Dear Mike,

Thank you for your letter of 2 June to which you attached comments from Mr Cenic Clement-Evans discussed at Petition Committee meeting in May, and also correspondence from the former Minister for Education and Skills in April 2016.

I will address the issues raised by Mr Clement-Evans in the order they appear in his letter.

### **1. Response to the Petitions Committee 1<sup>st</sup> March 201**

Mr Clement-Evans asked for my views on the former Minister for Education and Skills letter of 2016 in response to points raised by the Petitions Committee. Four points were raised; detailed below are my responses to these issues.

#### ***Accessing Asbestos Information Online***

As I explained to Mr Clement-Evans when I met him on 6 October 2016, I do not intend to require local authorities to make information about asbestos management available online, as this information is already available on request.

#### ***Asbestos Management in School Working Group in Wales and DfE Steering Group***

My officials continue to liaise with colleagues in England, so that the Welsh Government is kept informed of developments in this area. The latest meeting of the Department for Education (DfE) Asbestos in Schools Steering Group was on 3 April 2017.

I reiterate the point made by my predecessor. Any differences between the terms of reference of the Welsh Asbestos Management in Schools Working Group and those of the DfE Asbestos in Schools Steering Group reflect the complementary role of the two groups.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

As asbestos in schools presents similar problems in both England and Wales, we are satisfied that the work carried out in England will provide Wales with enough information to take any appropriate action.

## **2. Phased Removal of Asbestos from Schools in Wales**

Welsh Government policy on school investment is set out in Taking Wales Forward, our Programme for Government. This document includes a commitment to “Invest nearly £2 billion in new and refurbished schools, community schools and college buildings by 2024.”

Through our current 21<sup>st</sup> Century Schools Programme there will be an investment of £1.4 billion over the five year period ending in 2019. This investment will support the rebuild and refurbishment of more than 150 schools and colleges. Our second wave of investment (Band B) under this Programme is scheduled to run over the period 2019 - 2024, and will continue to ensure the provision of new and refurbished learning environments for teachers and pupils.

As you can see, this is a big and ambitious Programme which will tackle some of the poorest condition schools in Wales and works include the removal or treatment of asbestos in schools where appropriate.

Local authorities can also use funds contained in the Welsh Government’s Revenue Support Grant to keep their schools buildings maintained and in a good state of repair.

## **3. Responsibility for Policy on Asbestos in Schools in Wales**

I note the views of the Minister of State for Schools. Health and Safety legislation applies equally to both Wales and England.. Responsibility for the management of asbestos lies with the duty holder. In the school premises context, this can either be the local authority or the school governing body.

The Health and Safety Executive (HSE) is responsible for enforcement of health and safety law in all educational establishments across Great Britain under the Control of Asbestos Regulations 2012. Our policy is that we will support duty holders to adhere to the legislation in respect of management of asbestos in schools. We are keeping a watching brief on the work done in England on this issue for this reason.

While the remit of the English steering group remains English schools, the issues are substantially the same as for those in Wales, so the findings of the group will be very relevant to us. With regard to the draft “Proposals for an Asbestos Management Assurance Process”, I can confirm that my officials are considering the content and I will watch progress on this draft process with interest.

In Wales we are also keen to ensure that our schools are safe for children and teachers, in relation to asbestos as well as to other environmental hazards, and this is why we are investing heavily in our school estate through the 21<sup>st</sup> Century Schools and Education Programme. We provide support in the form of clear guidance to assist with this responsibility, giving clarity around the roles of duty holders and their responsibilities around the management of asbestos.

Local authorities are also making use of their own resources to address asbestos and other environmental hazards where appropriate.

This year as part of our annual collection of data on school condition and suitability we will be reminding local authorities of their duties with respect to careful management of asbestos in their schools. In addition we will be asking them to indicate whether an asbestos plan is in place for each school. Where plans are not in place we will ask for reasons why and what plans there are to address this. We will reserve the right to notify the Health and Safety Executive, as the enforcement body for the legislation, where appropriate.

#### **4. Working Group on Asbestos**

As I indicated in my meeting with Mr Clement-Evans and Dr Joseph Carter in October, it has always been our intention that the Asbestos Management in Schools Working Group could call upon additional stakeholders if required.

The Asbestos Management in Schools Working Group last met in November 2016. During this meeting, it was agreed that when there were significant developments in England the Working Group would seek views from key stakeholder groups in discussions for Wales.

In the meantime, members of the group have continued to monitor developments in England, most recently at the April DfE Steering Group meeting. Attending this meeting provides my officials with the opportunity to listen to views from key stakeholders and groups within this field.

As a result of liaising with UK colleagues through meetings and discussions, it has become apparent that key decisions have recently been made for England. My officials are now in the process of organising a Working Group meeting in Wales to consider these developments in England and their relevance to schools in Wales. Key stakeholder groups will be invited to this meeting.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kirsty Williams'.

**Kirsty Williams AC/AM**

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Cabinet Secretary for Education