



# Department of Environment, Food and Agriculture

*Rheynn Chymmyltaght, Bee as Eirinys*

**Isle of Man**  
Government

*Keeilys Eilan Venner*

Mr Ian Kermodé  
Court View Chambers  
14 Albert Street  
Douglas  
Isle of Man  
IM12QA

**Freedom of Information Co-ordinator**

Corporate Services Directorate  
The Slieau Whallian, Foxdale Road,  
St John's, Isle of Man, IM4 3AS  
Tel no (01624) 685854  
Fax no (01624) 685851  
Email: defa@gov.im  
www.gov.im

**Our ref: 3263801**

10 August 2023

Dear Mr Kermodé

We write further to your request which was received on 19 July 2023 and which states:

*"Please can you confirm the following:*

- 1. Has the IOM Health & Safety Inspectorate ever undertaken an inspection for Asbestos Containing Materials (ACMs) in any IOM school (primary or secondary)?*
- 2. If so, please can you provide the date of inspection for each respective primary school and each secondary school?*
- 3. Are there any schools which have not been inspected for ACMs by the H & S Inspectorate? If so which ones?*
- 4. Are the results of such inspections shared with the Department of Education?*
- 5. Are such inspection reports available for public inspection and if so where can they be accessed?*
- 6. Have any such inspections revealed serious concerns in respect of children and staff in any schools?*
- 7. If so, what were such concerns?*

*Please note that questions regarding the role of the H & S Inspectorate were requested in our FOI request ref 3232233 but the Department of Education, Sport and Culture stated that such questions should be re-directed to the H & S Inspectorate at DEFA. We therefore now expect substantive responses to the above requests.*

Our response to your request is as follows.

**Question 1:**

The IOM Health & Safety Inspectorate has never undertaken an inspection for Asbestos Containing Materials (ACMs) in any IOM school (primary or secondary).

## **Questions 2 - 7**

While our aim is to provide information whenever possible, in this instance the public authority does not hold or cannot, after taking reasonable steps to do so, find the information that you have requested. This is because the Health and Safety at Work Inspectorate has never undertaken an inspection for Asbestos Containing Materials (ACMs) in any Isle of Man school (primary or secondary).

To offer advice and assistance, the Health and Safety at Work Inspectorate would not undertake inspections looking for ACMs in Isle of Man Schools. However, the Health and Safety Inspectorate could ask Isle of Man Schools and the Department of Infrastructure how they had complied with their duty to manage asbestos within Isle of Man Schools.

Please quote the reference number 3263801 in any future communications.

### **Your right to request a review**

If you are unhappy with this response to your freedom of information request, you may ask us to carry out an internal review of the response, by completing a complaint form and submitting it electronically or by delivery/post.

An electronic version of our complaint form can be found by going to our website at <https://services.gov.im/freedom-of-information/Review> . If you would like a paper version of our complaint form to be sent to you by post, please contact me and I will be happy to arrange for this. Your review request should explain why you are dissatisfied with this response, and should be made as soon as practicable. We will respond as soon as the review has been concluded.

If you are not satisfied with the result of the review, you then have the right to appeal to the Information Commissioner for a decision on;

1. Whether we have responded to your request for information in accordance with Part 2 of the Freedom of Information Act 2015; or
2. Whether we are justified in refusing to give you the information requested.

In response to an application for review, the Information Commissioner may, at any time, attempt to resolve a matter by negotiation, conciliation, mediation or another form of alternative dispute resolution and will have regard to any outcome of this in making any subsequent decision.

More detailed information on your right to a review can be found on the Information Commissioner's website at [www.inforights.im](http://www.inforights.im).

Should you have any queries concerning this letter, please do not hesitate to contact me.

Further information about freedom of information requests can be found at [www.gov.im/foi](http://www.gov.im/foi).

I will now close your request as of this date.

Yours sincerely

A black rectangular redaction mark covering the signature of the Freedom of Information Co-ordinator.

Freedom of Information Co-ordinator