**Frequently Asked Questions**

**Mandatory Annual Statutory Testing Return**

**Which schools need to complete the Annual Statutory Return (Declaration of Compliance)?**

All Local Authority Maintained Schools/Nurseries, Children's Centres and other BCC-owned education centres are required to complete the Annual Mandatory Return.

**Why do I need to make arrangements for statutory testing?**

Your school/centre has a legal duty to ensure that statutory testing of all equipment and plant are carried out at the required frequency. The Duty Holder/Responsible person on site, needs to make the necessary arrangements to comply with the testing requirements.

**Who is the Duty Holder (Responsible person on site)?**

Head Teacher/Governing Body/Centre Manager.

**Who is responsible for the management of health and safety on site?**

Overall accountability for health and safety lies with the employer of the members of staff in the school. However, Headteachers and the school management teams, in consultation with governors, have considerable autonomy in the day to day running of their schools including responsibility for the health and safety of staff, pupils and visitors. Therefore, effective management of health and safety is required.

**Does the statutory testing arrangement need to cover all buildings on my site?**

Yes, you are required to cover all buildings including Building Site Supervisor/Caretaker’s House, Children's Centres and any buildings for which your school/governing body/centre is responsible for.

Where there may be a lease/licence/management agreement in place for buildings occupied by other users, and where the responsibility for statutory testing has been placed with the leasee/occupier, then you still need to ensure that the necessary statutory testing has been completed. The occupier can provide you with evidence that arrangements are in place for completing the testing requirements.

**Do I need to arrange for statutory testing of equipment in our catering kitchen?**

You are responsible for ensuring that statutory testing for all buildings and areas including the school kitchen is carried out.

If, as part of your service contract with your catering provider, you have an agreement for the catering provider to cover elements of testing, then please check with your provider what exactly is included and what is excluded. Even where you may have commissioned your catering provider to complete the statutory testing in the kitchen, you may still be expected to arrange for certain activities (e.g. cleaning of extractor canopy). Please note that you will remain responsible for ensuring that all tests are completed and can be evidenced accordingly.

**Why do I need to have an up-to-date Asbestos Management Plan?**

An up-to-date Asbestos Management Plan is a legal requirement. Please note that this is separate to the asbestos management survey, although the asbestos management plan is informed by the asbestos management survey. The Plan needs to be kept on site and updated how frequently.

Should you require support and advice please contact EDI Capital Projects ([EdICapitalProjects@birmingham.gov.uk](mailto:EdICapitalProjects@birmingham.gov.uk)).

**How frequently should the AMP be updated?**

The AMP is a key document for the effective management of asbestos, and it should accurately reflect the information and arrangements for doing so. As a minimum this will required at least annually.

**Do I need a 3-yearly or 5-yearly test on fixed electrical wiring?**

The norm for Periodic Electrical Testing is 5 years maximum. For a pool area which includes hydrotherapy pools there is an annual requirement for testing. For areas that have residential children there is a requirement for testing to be carried out every 3 years.

**I have had a Legionella Risk Assessment completed, is this sufficient?**

A Legionella Risk Assessment is undertaken to identify and assess the risk of exposure to legionella bacteria from activities undertaken and the water system(s) on your premises. It will identify the precautionary control measures you are required to implement and also identify if any corrective actions are required to ensure your water system is properly managed to comply with the law.

**Who can I contact for advice and support with completing the Mandatory Annual Return form?**

Further information on the testing requirements can be found in your Property Logbook. If you need advice or guidance on these or any other property matter, please contact the EDI Capital Projects via email: [EdICapitalProjects@birmingham.gov.uk](mailto:EdICapitalProjects@birmingham.gov.uk)