

Newsletter Spring / Summer 2017

Asbestos in Schools is a 'serious' problem, a Government Report finds (23 February 2017)

Asbestos in schools is a "serious" problem which could threaten the health of children, a Government report has found, as it concluded that thousands of schools are failing to follow safety guidelines.

One fifth of schools which responded to an official survey were found to be "not fully compliant" with asbestos procedures, leaving over a million children potentially exposed to dangerous fibres.

Of those, over 100 schools were deemed a "significant cause for concern" and required government intervention. The Department for Education (DfE) said it emailed those schools and received "reassurances" the asbestos is now safe.

School leaders branded the report's findings "deeply concerning", and urged the DfE to instigate a works programme that would see asbestos removed from all schools.

The report, published on 23 February 2017 by the Education Funding Agency (EFA), found that around 20 per cent of schools were "not fully compliant" with asbestos procedures "in that they did not have fully documented plans, processes and procedures in place at the time of the data collection, or did not know if asbestos was present."

Earlier in the same week, a report by the National Audit Office (NAO) found that "asbestos is a significant, and potentially dangerous, issue in many buildings, including most schools".

The NAO report also noted that "the department does not collate information on the number of school buildings affected".

According to the National Union of Teachers, 319 teachers have died from mesothelioma since 1980. It is estimated that for every teacher's death, nine children will die, meaning over 100 people will die every year in the UK as a result of exposure when they were at school.

A voluntary survey was sent to schools by the Government between January and March 2016, but only a quarter of schools responded.

A report on asbestos in schools by the All Party Parliamentary Group on Occupational Health and Safety in 2012 recommended that the Government set up programme to remove asbestos from all schools.

It concluded: “It is clear that, at present, there are serious deficiencies in the way that asbestos is managed in schools.”

A DfE spokesperson said: “We have published updated guidance for schools on how to manage asbestos and the results of a survey which showed the majority of respondents have procedures in place. We have followed up with the schools which responded and did not have these procedures in place, and they have all provided assurances they are now compliant with Health and Safety Executive regulations.”

The government report can be found on the following link:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/594042/Asbestos_management_in_schools_data_collection_report.pdf

Dutyholder Evidence: Control of Asbestos Regulations 2012 Post Implementation Review (PIR) (published 2017)

Following the implementation of CAR2012, a PIR was conducted with dutyholders to understand the effectiveness of the new regulations, including feedback on how they work in practice. Approximately 150 surveys were undertaken.

The dutyholder analysis revealed that generally the regulations were considered beneficial in preventing and/or reducing exposure to asbestos risks, raising awareness, and setting clear standards regarding the controls that should be in place. Overall, the regulations were considered practical to implement although some areas were also identified where clarification was needed, such as the distinction between licensable/notifiable and non-notifiable asbestos work, and more information and guidance on how to best implement them. Specifically:

- For regulation 4 (‘Duty to manage asbestos in non-domestic premises’), it was suggested that more information on dutyholders’ roles and responsibilities, particularly around how to conduct a management plan along with practical examples, would be useful.

- For regulation 7 ('Plans of work'), there was some uncertainty regarding how much information should be included in the written plan of work prior to commencing work with asbestos. There was a belief that there were variations in the plans produced (ie in terms of length and level of detail) across the industry, and that practical examples of work plans would be useful.
- For regulation 22 ('Health records and medical surveillance'), dutyholders were unclear as to why the frequency of medical examinations differed for licensable and notifiable work (ie every two and three years respectively). It was considered that working with asbestos carried the same risks irrespective of the type of work activity carried out (ie whether it was licensable or notifiable), and that the frequency of medical examinations should be the same. Further, medical examinations were not always considered to be comprehensive enough and to pick up any changes in workers' health due to the time it takes to develop any symptoms as a result of asbestos exposure. The regulations were considered to be effective in achieving their objective as long as they were followed. There was some evidence to suggest that unlicensed dutyholders might not always be fully aware, or have a sufficient understanding, of the requirements under the regulations.

The full report and findings can be found at:

<http://www.hse.gov.uk/research/rrpdf/rr1106.pdf>

ARCA (Asbestos Removal Contractors Association)

ARCA issues an in depth newsletter on the Spring 2017 (Issue 96)

The issue includes an update on the transportation of asbestos waste, ARCA electronic site audits, the legal responsibilities of end clients on managing asbestos and how ARCA site audits provide reassurance.

The link to the online Newsletter can be found here:

https://issuu.com/stevesadley/docs/arca_news_issue96_spring_2017_final?e=12753635/46290417

Recent Prosecutions

Fine for two companies following asbestos investigation in Surrey (31 March 2017)

<http://press.hse.gov.uk/2017/fine-for-two-companies-following-asbestos-investigation-in-surrey/?ebul=gd-cons&cr=05/apr-17>

Hatters Hostel hit with £44k court bill after sending workers into toxic 'asbestos minefield' in the absence of an asbestos survey (10 April 2017)

<http://press.hse.gov.uk/2017/manchester-hostel-owners-sentenced-over-asbestos-failings/>

Contractor fined for failing to carry out a suitable assessment of asbestos removal work (1 March 2017)

<http://press.hse.gov.uk/2017/contractor-fined-for-poor-asbestos-assessment/?ebul=gd-cons&cr=11/mar-17>



'Taking a Sensible Approach to Asbestos'

SB Asbestos Management Ltd
7 The Villas, West End, Stoke-on-Trent, Staffordshire, ST4 5AQ

T: (01782) 730629 - E: info@sbasbestos.co.uk - W: www.sbasbestos.co.uk

Registered in England under number 7037491 VAT No 981 8180 89