

Asbestos Liaison Group Minutes			ALG/MIN/02/2010
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Asbestos Liaison Group (ALG)	
Minutes of the 29th meeting of the Asbestos Liaison Group held on 26 May 2010 at HSE, Belford House, 59 Belford Road, Edinburgh, EH4 3UE	
<p><b>Present (HSE)</b>            Paul Stollard, Director Scotland            Greg Haywood, Asbestos Licensing Unit,            Rob Hirst, FOD Construction            Martin Gibson, HSE, Occupational Hygiene            Colin Seditas, ALU            Sarah Mallagh, HSE            Moira Gilfillan, ALU</p> <p><b>Apologies</b>            David Couldridge, Royal Borough of Kensington Council            Greg Brown, APS            Rob Greenfield, BIFM            Tom Moody, LACORS            John O'Sullivan, ATAC</p>	<p><b>TAs / TUs</b>            Peter Wilson, UCATT            Susan Murray, Unite            David Stanley, UKATA            Colette Willoughby, BOHS            Richard Morgan, GMB            Steve Sadley, ARCA            Grant Beglan, ARCA            Ian Stone, ATAC            Dave Simpson, ACAD            Rick Statham, NASC            Jim Caldwell, NFDC            John Richards, RICS</p> <p><b>Guests</b>            David Bryant, HSE (Item 7.8)            Clive Dennis, HSE (Item 5)</p>
Asbestos Liaison Group web pages are available at: <a href="http://www.hse.gov.uk/aboutus/meetings/committees/alg/index.htm">http://www.hse.gov.uk/aboutus/meetings/committees/alg/index.htm</a>	

Item	
<b>1</b>	<b>Introductions and apologies, welcome, etc (Paul Stollard)</b>
1.1	Paul welcomed everyone to the meeting; Apologies and substitute attendees were noted, as detailed above. A particular welcome was extended to those attending for the first time.
<b>2</b>	<b>Minutes of 28th meeting held on 21 January 2010 (Paul Stollard)</b>
2.1	The minutes of the meeting were agreed and are on the ALG page on HSE's website at <a href="http://www.hse.gov.uk/aboutus/meetings/committees/alg/index.htm">http://www.hse.gov.uk/aboutus/meetings/committees/alg/index.htm</a>
<b>3</b>	<b>Matters arising from the minutes</b>
6.3	New non-licensed guide: The draft document is with Marjory Mitchell at the moment and is close to completion. It will go out for external discussion in the summer. Comments should be sent to Martin Gibson.

	<p>6.6 HSE DVD “Asbestos Removal: An EHO’s guide to safe working practice” - copies had been circulated by Steve Sadley to those ALG Members who had requested one. Further copies have also been procured and are available from HSE if necessary.</p> <p>6.7 Draft guidance for surveyors (ATAC). Martin Gibson has provided comments and the information will be included in the analysts guide.</p> <p>Other matters arising from the previous minutes will be covered under the relevant Agenda Item.</p>
4	<p><b>Asbestos Policy Issues (Sarah Mallagh)</b></p>
4.1	<p>Sarah Mallagh provided an update on current issues:</p> <p>Surveyors Guide – Sarah requested that if anyone had comments on accessibility/publicity for the new surveyors guide, to let her know.</p> <p>Hidden Killer: more advertising had been carried out in January which had again been well received. The refreshed campaign booklet had been issued in March by direct mail to businesses, and more would be distributed through the partnership network. Copies of the November Hidden Killer leaflets with stickers are still available if required. Policy Unit are working with suppliers on availability of ppe and considering more innovative ideas like better search engines and links to the Hidden Killer campaign on suppliers websites. There has been a pilot scheme in colleges to raise awareness of asbestos and an electronic product will be launched around September.</p> <p>The Unit have also made submissions to the EU concerning the European Asbestos Directive and the definition of sporadic and low intensity work.</p>
5	<p><b>Transportation of Asbestos Waste</b></p>
5.1	<p>Transportation of Asbestos Waste (Clive Dennis)</p> <p>Clive Dennis attended the meeting to talk about the legislation concerning transport of asbestos waste. He explained that ADR sets standards for transporting dangerous goods between the contracting parties. Standards exist for packaging and bags used in asbestos disposal but the bags are often misused. The provider of such packaging should provide instructions for their safe use. Some forging of bags occurs and forged bags may not be of the same standard as officially produced bags.</p> <p>Training for drivers is essential – there are two levels of such training, awareness training for small loads and a more intensive ADR course for loads of more than 333kg. Drivers should also carry instructions for emergencies at all times. Companies may also have to appoint a Dangerous Goods Safety Advisor (DGSA). Exemptions exist for very small loads.</p> <p>He was asked how samples fitted into this framework and agreed to find out and respond to the ALG.</p> <p>The Carriage of Dangerous Goods pages on HSE’s web site contained much useful information - <a href="http://www.hse.gov.uk/cdg/manual/index.htm">http://www.hse.gov.uk/cdg/manual/index.htm</a> and it was agreed this should be publicised via the community site and to ALG members.</p> <p style="text-align: right;"><b>Action: Clive Dennis to check if laboratory samples are covered by ADR</b> <b>ALU to publicise CDG web pages on community site</b></p>

	<b>circulate link to CDG and presentation to ALG members.</b>
<b>6</b>	<b>Technical Sub Committee (TSC) Update</b>
<b>6.1</b>	<p>Technical Sub Committee (TSC) Update</p> <p>Peter Austin has now left ACAD and ACAD were represented at this meeting by Dave Simpson. Dave explained that the TSC meeting had taken place on 10 March. Although the original intention of the group had been to correspond by email with only occasional meetings, it had been decided that it was more useful to meet in person about 3 – 4 times per year. Topics covered at the March meeting were: disposable respirators; flame retardant overalls onshore; entry into live enclosures for other trades – training requirements; gas and electrical safety in DCUs; Information to clients when asbestos work carried out. It was agreed that the minutes from the TSC meetings would be publicised through the ALG web pages.</p> <p>Peter Austin had chaired the group and the meeting discussed the future format and leadership of the TSC. It was agreed that Dave Simpson would temporarily cover this until Peter Austin's permanent replacement had been appointed. The TSC would then reconsider the position of Chair.</p> <p style="text-align: right;"><b>Action: ALU to publicise TSC Minutes on ALG web page.</b></p>
<b>7</b>	<b>ALG Workplan</b>
<b>7.1</b>	<p><b>Leadership</b></p> <p>Institute of Asbestos Management (IAM): Steve Sadley gave an update on progress with the IAM. The group are looking at proposed membership of the Institute, which is expected to be for managers within the asbestos industry. Some management qualifications at level 4 would be required and relevant experience in the asbestos industry. They had also looked at forming a partnership with the Institute of Leadership and Management and will work with them to develop training modules. Further discussions are ongoing. The IAM will be set up as a charitable trust and follow the model set down for those. It hopes to have trustees from RoSPA, ILM etc for governance. Membership could possibly be up to 700 and there will be opportunities for members to work through modules over a couple of years to gain Level 4 standard. Susan Murray commented that workers should also have access to training modules to allow progress to management level. ARCA may provide a secretarial service to the Institute – for example, monitoring applications, handling paperwork and interviews.</p> <p>It was agreed that the Institute needed a 5 year business plan with financial input from more than one organisation, although it is too early in the set up process to give an idea of costs. Paul Stollard stressed that this was an industry-led initiative, but that HSE were happy to provide advice and support where needed.</p>
<b>7.2</b>	<p><b>Worker Involvement</b></p> <p>ARCA reported that technology was not available on site to allow other items, such as medical certificates to be added to CSCS cards.</p> <p>Peter Wilson commented that safety representatives are encouraged to share positive and negative experiences and to learn from these.</p>

	<p>The group discussed how workers could become more involved – in practice, supervisors and managers are the ones making decisions and they attend regular meetings, however it is more unusual for workers to be involved in this, although it does happen. Some companies have started suggestion box schemes which have produced some good ideas. It was agreed that more information needed to be sought on this topic and Greg agreed to look at the worker representative pages of HSE’s web site, and put together a questionnaire which could be circulated through ARCA and ACAD.</p> <p style="text-align: center;"><b>Action: Greg to produce questionnaire for circulation to ARCA and ACAD members.</b></p> <p>Sarah Mallagh drew attention to HSE’s Safe and Sound Campaign which can provide free training for managers and health and safety reps and a subsidised introduction to worker involvement for health and safety representatives course to help organisations get started with worker involvement. Full details are available on the website at <a href="http://www.hse.gov.uk/involvement/doyourbit/subsidised-training.htm">http://www.hse.gov.uk/involvement/doyourbit/subsidised-training.htm</a></p>
<p><b>7.3</b></p>	<p><b>Competence and Training</b></p> <p>ARCA are continuing work on developing a competency scheme and are working with RSPH to put together competencies, 1 for supervisors and 1 for operators. The scheme had been piloted recently and there will be an assessors’ training day soon, followed by full implementation of the scheme.</p> <p>ACAD working on an NVQ in hazardous and non hazardous waste. OFSTED inspections have taken place and a pilot scheme is underway with one company, they are within one month of becoming assessors. NVQ Level 2 is a basic requirement, but funding for NVQs is again an issue.</p> <p>NFDC have an asbestos committee which is looking at Category 2 1 day courses and also have a 12 week distance learning course. All operatives must do asbestos awareness with supervisors also completing an additional 1 day unit which looks at legislation.</p> <p>Greg Haywood commented that Training Needs Analysis needs to be completed to tailor refresher courses to individuals. There is also a need to ensure that other subjects (not just asbestos) are covered on refresher training courses, such as ladder safety, work at heights etc.</p> <p>BOHS have a new BOHS qualification: P407 “Management of Asbestos in Premises – The duty holders requirements”. The syllabus is in draft form at the moment and is likely to be up and running by September 2010.</p>
<p><b>7.4</b></p>	<p><b>Occupational Health Provision</b></p> <p>ARCA are continuing to put out the message that members should be providing occupational health medicals. They are now using Clarity Healthcare which is accredited by Constructing Better Health.</p> <p>Peter Wilson commented that Clients should also be promoting occupational health.</p>
<p><b>7.5</b></p>	<p><b>Client Actions</b></p>

	<p>RICS have held a succession of roadshows round the country promoting client actions. John Richards promised to let HSE know of staffing changes at RICS.</p> <p>Peter Wilson said that clients should be taking note of enforcement notices when awarding contracts. It was felt that these were not always representative of standards, as they only show something wrong on a particular day. Even where notices did suggest poor standards, the company may well have improved because of the enforcement. However, a lack of enforcement notices doesn't always prove good standards, as the company may not have been visited. The presence of enforcement notices doesn't always indicate underlying management failures. Greg stated that clients should take Notices into account but not use them to exclude contractors. The important thing to ask is what they have done following the notice as it may have led them to improve standards, though not always. This also highlights the need to have an effective tendering system.</p>
<p><b>7.6</b></p>	<p><b>HSE/LA Co-operation</b></p> <p>Greg Haywood has now carried out the proposed training session for LA inspectors in Preston in January 2010. He will also be attending HSE's next Partnership Managers Meeting. Partnership Managers are a network of Inspectors responsible for liaising with local authorities in each region.</p> <p>Local Authority budgets are restricted, so although duty to manage is a priority for them as well, other issues may well take priority.</p>
<p><b>7.7</b></p>	<p><b>Analysts</b></p> <p>ATAC were putting together a guidance note, however this has been superseded by the new Analysts Guide. The new procedures for site clearance certificates including photographs is being promoted. Also looking at options for refresher training, although as most companies do it in house. The issue of the high failure rate for 4 stage clearances has been raised at Regional meetings. It was felt that this was in part due to companies trying to cut costs and often quoting for a job without seeing it.</p> <p style="text-align: right;"><b>Action: John O'Sullivan and Martin Gibson to liaise on production of guidance to analysts.</b></p>
<p><b>7.8</b></p>	<p><b>Duty to Manage</b></p> <p>ATAC had carried out an investigation into management of asbestos in schools and had produced a report outlining their findings, based on initial findings from 12 schools which had allowed them access. None were completely compliant with the DTM Regulations, many because of lack of training and confusion over roles and responsibilities. ATAC felt that this was indicative of the wider picture across the country. David Bryant asked for clarification about how schools were selected, what work was necessary to bring the schools within compliance, and how the report was peer reviewed. He pointed out that HSE is currently analysing the results of follow-up visits to local authorities and schools identified from the responses to the DCSF survey in England. John Richards pointed out that the report had been written to make impact, and raise the profile of this important issue. Further investigations into this issue by ATAC were discussed, and HSE asked that any further reports were subject to peer review. ATAC offered to undertake joint audits of a selection of schools that they could gain access into, so as to gauge together the asbestos management that is currently being carried out in schools. David Bryant acknowledged that HSE's work does show that some LAs do need to improve their precautions – particularly in the area of training and asbestos management plans. HSE has taken and will continue to take enforcement activity against LAs where necessary, and interventions on this subject were a major part of HSE's workplan this year. Union representatives were concerned with the ATAC findings and were discussing how to take this issue forward. It was felt by some present, that responses to HSE from the Local Authorities, although they looked good on paper, may not match what was being found in schools. Paul Stollard reminded the group that although asbestos was a very high priority for HSE, they are not the duty holder - the legal requirements on duty holders were clear.</p>

<p><b>8.</b></p>	<p><b>ALU Update</b></p> <ul style="list-style-type: none"> <li>• Greg Haywood explained that inspection of licensed work was a priority. Every licence holder would have a minimum of 1 visit per year. The reason for this is that asbestos kills 4000 people per year and it's important to reduce that figure by monitoring licence holders.</li> <li>• ALU are also working on a revision of the assessment, amendment and revocation policy.</li> <li>• Meeting with HSA Northern Ireland to ensure consistent standards for asbestos licence holders</li> <li>• Ancillary scaffold licences – a number of applications for scaffolding licences have been refused recently for reasons such as no decontamination training, or no medicals or full face powered respirators. Scaffolding asbestos licences are only required to erect scaffolding to provide access for licensable work and it is foreseeable that asbestos will be disturbed during their work. NASC are advising their members of this already. The ALG memo covering scaffolding will be amended to clarify the position, particularly for clients who ask for a licensed scaffolder when this is not necessary.</li> <li>• Colin Seditas gave an update on statistics. There have been 33,822 notifications in the last work year.</li> </ul> <p>357 assessments were carried out, and of those 107 were new applicants.  42 assessments ended in refusals,  64 resulted in reduced term licences. There were also 3 “sleeper” licences granted.  The revocation process had been started 15 times.  8 licence holders subsequently surrendered their licences.  2 meetings held where it was decided not to proceed with revocation.  2 licences had expired before the process could be resolved, and  1 resulted in licence amendment.  1 licence (Bestoff) had been fully revoked following a Licence Review Board meeting. A further revocation meeting was due this week.  It had been noted that some new applicants for licences were proving to have better working practices and management standards than existing licenceholders.</p>
<p><b>9</b></p>	<p><b>Any Other Business</b></p>
<p><b>9.1</b></p>	<p>Martin Gibson drew attention to different decontamination procedures now being followed by HSE Inspectors on site.</p>
<p><b>9.2</b></p>	<p>John Richards asked whether it was possible to have one off notifications for multiple jobs. Greg replied that this was possible in some circumstances. This should always be discussed with local ALPIs first.</p>
<p><b>10</b></p>	<p><b>Date, time, location of next meetings</b></p>
<p><b>10.1</b></p>	<p>The date of the next meeting will be Friday 24 September, 2010 possibly at RICS office in Coventry.</p> <p style="text-align: right;"><b>Action: Steve Sadley/John Richards to investigate the possibility of RICS at Coventry hosting the next meeting in September.</b></p>

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