

<b>Health and Safety Executive Senior Management Team Paper</b>			<b>SMT/13/33</b>
<b>Meeting date:</b>	June 2013	<b>FOI status:</b>	Open
<b>Type of Paper:</b>	Below the line	<b>TRIM reference:</b>	2013/187172

**HSE consultation on review of Asbestos ACOPs L127 (The management of asbestos in non-domestic premises) and L143 (work with materials containing asbestos)**

A paper by: Craig Bell  
Advisors: Janice Martin, Helen Ratcliffe, Anne Strype  
Cleared by: Kären Clayton

### **Issue**

1. To agree the attached Board paper (at Annex 1) which seeks agreement to publish a Consultation Document proposing newly revised text for ACOP L143, that supports the Control of Asbestos Regulations 2012 (CAR 2012). Both of the current ACOPs (L127 and L143) will be consolidated into the new ACOP.

### **Timing**

2. Routine. The Board paper is scheduled for the June Board meeting.

### **Recommendation**

3. That the SMT agrees the attached paper (with the Consultation Document and revised ACOP text) for submission to the HSE Board.

### **Background**

4. The asbestos ACOPs are being reviewed as part of the Government's Response to Professor Ragnar Lofstedt's report 'Reclaiming health and safety for all: an independent review of health and safety legislation'. Subject to the Board's clearance, a 12 week public consultation on the proposed revised ACOP is planned to commence on 8 July 2013. Following consultation, it is intended to publish the revised ACOP in December 2013.

### **Consultation**

5. Consultation on initial proposals for review of HSE's ACOPs (including L127 and L143) took place in September 2012. A large majority of respondents agreed with the proposals to review the asbestos ACOPs and consolidate them into a single document. The revised ACOP has been developed with the assistance of TSol, HSE occupational health specialists,

FOD operational colleagues (particularly the Asbestos Licensing PIs) and the Asbestos Licensing Unit (ALU). Discussion have also taken place with external organisations, for example, with trade associations representing training providers to seek views in relation the material relating to asbestos training (regulation 10 of CAR 2012).

### **Difficult/sensitive issues**

6. The first round of consultation highlighted some concerns that further guidance was needed on notification of non-licensed work with asbestos (introduced by the revision of the Control of Asbestos Regulations in 2012). Also, that the ACOP document, once combined, will dilute the importance of the “duty to manage asbestos” requirements of the Regulations. These areas of concern have been covered in the revised text of the ACOP.

### **Financial Support/Resource implications for HSE**

7. There are no financial implications or plans to change the resource allocated to this area.