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**EDITOR'S NOTES**

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Happy New Year and welcome to the first edition of the newsletter for 2007. You will find a mix of articles on new legislation, new guidance, initiatives planned for this year, updates on ongoing work and what action to take, or rather not to take, on 3rd quarter in-year returns. When I am looking for an example of an Health & Safety (H&S) topic that has moved from being regarded as a low risk category to a high risk one, that of working with asbestos is one I often use. The first article on the newsletter is a useful update on the changes to asbestos legislation and guidance. Advance warning of consultation on changes to the Control of Noise at Work Regulations 2005 (CNWR 2005) also features this month.

Back in November 2005, many of you participated in a series of one-day consultation workshops including Section 18 Guidance and Flexible Warrants - remember the red and green cards? I know that some of you have been wondering what had happened to this work and an update on the revision of Section 18 Guidance is included this month with one on Flexible Warrants to follow.

An important piece of information, that will come as welcome news to some of you, is that '3rd quarter in-year returns' are no longer required. In his article Allan Davies gives the reasons for this. The article has already appeared on the Health & Safety Executive/Local Authority Enforcement Liaison Committee (HELA) Extranet. We would still like feedback about Fit3 activities and this should be provided via the HSE Partnership Teams. Collecting data is vital in evaluating the benefits from partnership working

The password protection procedures for the HELA Extranet (or HExLex) have caused some of you problems. David Hughes of Health & Safety Executive's (HSE) Local Authority Unit (LAU) has put together a useful guide on what to do if you forget your password, or it no longer works. This is definitely one article I will be keeping for future reference.

Richard Wilson

**Please feel free to comment on the Newsletter by writing to our dedicated e-mail address with your contributions, comments and suggestions: [lau.newsletter@hse.gsi.gov.uk](mailto:lau.newsletter@hse.gsi.gov.uk) or Tel: 0151-951-3114**

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**FOR INFORMATION**

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**New Asbestos Regulations**

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The new Control of Asbestos Regulations 2006 (CAR 2006) and associated Approved code of Practice (AcoP) HSG143 came into force on 13 November 2006, apart from Regulation 20(4) that will come into force on 6 April 2007. There are no changes to Regulation 4, 'the duty to manage asbestos', but ACoP HSG127 has been revised to reflect the 2006 regulations. Here is a summary of the main changes:

- The Asbestos Licensing Regulations 1983, the Prohibitions (Asbestos) Regulations and the 2002 Control of Asbestos at Work Regulations are now all combined within CAR 2006.
- An exemption from having a licence for employees working with asbestos on their employer's premises no longer exists.
- Accreditation will be required (from 6 April 2007) for those organisations carrying out any 4-stage clearance work to enable a site clearance certificate to be issued.
- There is no Action Level. There is a new single Control Limit of  $0.1\text{f}/\text{cm}^3$  and a Short Term Exposure Limit (STEL - Approved Code of Practice standard, not in the regulations) of  $0.6\text{f}/\text{cm}^3$  measured over 10 minutes.

All work with asbestos will require a licence unless the workers' exposure is 'sporadic and low intensity'. This is defined as meeting all the criteria listed in Regulation 3(2). Potential exposure in excess of the STEL will not meet the 'sporadic and low intensity' criteria. Most work with textured decorative coatings (TCs) should not require a licence because it is low risk work. Demolition of buildings leaving TCs in-situ should be based on a thorough assessment of all the risks involved.

- Training requirements have been strengthened and made more explicit.
- Asbestos is defined. A water absorption test is defined that enables differentiation between asbestos cement and asbestos insulating board.
- Suitable respiratory protective equipment (RPE) should be used during all work with asbestos.

For further information contact either:

Liz Standen, Asbestos Licensing Unit  
Tel: 01224 252500  
Email: [liz.standen@hse.gsi.gov.uk](mailto:liz.standen@hse.gsi.gov.uk)

Kevin Walkin, Asbestos Policy  
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Email: [kevin.walkin@hse.gsi.gov.uk](mailto:kevin.walkin@hse.gsi.gov.uk)

Alternatively, go to the [HSE asbestos homepage](#).

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### Update on Review of Section 18 Guidance

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Section 18 (S18) of the Health and Safety at Work etc Act 1974 (HSWA) requires HSE and Local Authorities (LAs) to make adequate arrangements for the enforcement of the relevant statutory provisions. S18 also requires LAs to perform this duty in accordance with such guidance as the Health & Safety Commission (HSC) may give them. This guidance is commonly known as "Section 18 Guidance". In addition, HSE is required to give effect to any direction given to it by the HSC under Section 11 (4) (b) HSWA. S18 Guidance issued by the HSC has been the primary means of describing what constitutes adequate arrangements for enforcement for the LAs.

The Statement of Intent agreed between HSC/E and LA representative bodies in July 2004 recognised that it was necessary to examine, and adapt as necessary, the institutions and legal framework which currently underpin the relationship between HSC, HSE and LAs; and to develop arrangements for monitoring and auditing the work of the enforcing authorities, which properly reflects the status of HSE and LAs as partners.

The work to achieve this has included a review of S18 Guidance. The purpose of the review was to reconsider the policy, content, substance and weight of the guidance in order to reflect and support the new and developing partnership and to produce guidance that addressed an emerging range of issues e.g. the Hampton Review and establishment of the Local Better Regulation Office (LBRO), best use of joint resources and the equivalent status of LAs and HSE, etc.

As part of the review, a series of 10 consultation workshops were held in Great Britain during November 2005. The responses from the workshops were reported to the meeting of the Health and Safety Commission and Local Government Panel (LGP).

The S18 standard was then re-drafted to reflect the consultation workshops and comments of the LGP, HSE, Local Authorities Co-ordinator of Regulatory Services (LACoRS) Policy Forum and HELA, but all the while taking into account the original purpose of the review.

It has been written to apply to LAs and those parts of HSE that have an equivalent function i.e. predominantly Field Operations Directorate (FOD) whilst recognising the differences in the two organisations.

The draft S18 standard consists of an introduction, 5 principles which are:

- "Make a Difference...." - the raison d'etre for a service;
- "Work Together...." - the acceptance that to meet our aims we need to work with and through others;
- "Do it Right....." making sure we make effective targeted interventions;
- "Make it Happen....." having the capacity and mechanisms to work in partnership, undertake effective interventions and monitor performance and;
- "Sell the Story...." communicating our successes and spreading the right messages – this is followed by a standard describing what these principles mean in practice and provides electronic links to further information. It is intended to be an electronic document available to LAs and HSE via the HELA Extranet and is designed to be flexible as new guidance emerges.

HELA has agreed that S18 Guidance will be "shadow run" with a number of enforcing authorities from April 2007 with the intention that they will publish the new standard to become effective from April 2008.

For more information contact either:

Gerry Kasprzok  
Tel: 01603 828046  
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**LAE1 3<sup>rd</sup> quarter reporting – no return required until March 2007**

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Earlier this year I asked for your support in providing in year management information to help us evaluate your efforts in delivering Fit3 projects and priorities. In that letter I explained why it would be helpful to gather information during the year as well as the end of the year.

At the half-year stage many of you, almost 60% provided information via the modified LAE1 or used the HELA training coord web site. Many thanks to those who supported this and submitted information. This quantitative information is used both to help manage the Fit3 programme and to provide the Commission and Minister with an indication of the significant work done by LAs.

Let me first of all thank all of you who expended additional effort in providing this information, as a result using the various methods available a significant amount of data has been provided. However our experience of analysing and trying to draw conclusions from this information has shown that the current arrangements are not sufficient to provide robust or suitable data for Fit3 programme evaluation purposes. Therefore, I hope welcome news is that **I will not be asking for another in-year return i.e. no 3<sup>rd</sup> quarter return.**

For those who have already submitted a 3<sup>rd</sup> quarter return, again my thanks. Please do continue to collect and report data at the end of the year in March 2007, either using the LAE1 route or the HELA training coord web site, which will only be available until the end of March 07. It is my hope that we will be able to provide an alternative to the HELA site, hopefully through the Extranet and I will advise as soon as I have any information.

For this year, to help evaluate the overall LA contribution to Fit3 priorities, I have asked the HSE Partnership Teams to gather information about the extent to which you have been able to meet the planned commitments made at the beginning of the year. It is important to understand that I am not asking for this information as a way of monitoring performance. Indeed I will be seeking to aggregate the information into a total LA contribution. Rather, this important information will help to evaluate the effect of the combined work of HSE and LAs, and provide both the Commission and Ministers with a more accurate picture of the contribution LAs make to health and safety priorities. The Partnership Teams are likely to be asking for this information when discussing your contributions towards Fit3 for 07/08.

It is likely by now, that you will have been contacted by the HSE Partnership Teams in your region to ask you for two qualitative examples of your work on Fit3 over the course of the year. The Partnership Teams will advise about the form and content of the examples. These will add to our ability to evaluate the effect of the Fit3 programme and really show the value of the inputs you have all made. We are interested in both your achievements and examples where lessons have been learnt to improve delivery and would be pleased if you were able to provide examples of safety and health related achievements.

Our judgement is that the combined efforts of LAs and HSE are very successful, showing how partnership working can effectively deliver the Commission's strategy. However it has proved extremely difficult to find a methodology for reporting that confirms this in a way that causes minimal work for LAs, but in a format that provides the Fit3 teams with sufficient detail and read across.

Some consideration is being given to the possibility of attempting, in 2007/08, to gather sample information that could be scaled up to give a national picture, perhaps in focus or County groups. Your views on this would be very much appreciated.

A move to collect the same data as HSE is difficult as this may also change in the near future and I wish to avoid short-term major changes. Therefore I am seeking to gather information in a way that minimises any changes to your databases and continue to seek a longer-term solution as the partnership between LAs and HSE continues to embed.

I have tried to set out below a brief summary of the support I am seeking, which I hope you find helpful:-

- **There will be no further requirement to submit quarterly returns**
- **LAE1 form must be submitted at the end of the 06/07 year (I will ensure the format is agreed with LACoRS)**
- **The Partnership Teams will be asking you to supply at least two examples of Fit3 work – contact your Partnership Manager for information about form and content.**
- **Partnership Teams will be asking for information about LA contribution so far this year and projected to March '07**
- **Further work will continue to meet both LA and Fit3 requirements in terms of data collection.**

Once again, thank you for your tolerance and support in reaching a solution that will provide valuable and useable information, which demonstrates the benefits of our joint working. I believe that the eventual outcome will be worth the effort in these early stages, even if we don't get it right first time.

Allan Davies, Head of LAU  
Tel: 0151 951 4967  
Email: [allan.davies@hse.gsi.gov.uk](mailto:allan.davies@hse.gsi.gov.uk)

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**HSE, Hire Association Europe and Executive Hire News are holding seminars on Hand-arm Vibration and other hazards in the Hire Industry at the Executive Hire Show on 31 January 2007 and 1 February 2007 at the Ricoh Arena, Coventry**

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HSE, Executive Hire News and Hire Association Europe are working together to run a series of health and safety seminars for the hire industry at the Executive Hire Show, which is being held in the Ricoh Arena in Coventry on 31 January and 1 February 2007. The seminars will cover a number of hazards including Hand-arm Vibration. To learn more visit the Executive Hire News Website at the: [Executive Hire Show](#)

Graeme Royal  
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**Noise in the entertainment industry - public consultation soon**

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The Control of Noise at Work Regulations 2005 will come into force in the music and entertainment sectors on 6 April 2008. Early in 2007, we shall be consulting on *Sound* advice, draft sector-specific guidance on controlling noise to protect workers, and would welcome local authorities' help in promoting the consultation, as well as the final guidance which is due to be published at the end of 2007. Look out for further information next month, when it should be possible to provide a link to the consultative document.

Tarla Patel  
Tel no: 0207 717 6976  
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**HELex (HELA Extranet) – Logging on problems**

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Forgotten your password for the HELA Extranet? Don't panic!

As long as you know your User Name you will be able to change your own password (this will be necessary as the HElEx password only lasts for 60 days).

If you are having problems click on the following link:

<https://extranet.hse.gov.uk/index.aspx>

then, use the Change Password option at the top of the screen.

Enter your User Name and your e-mail address and submit.

An automatically generated e-mail (from Webmaster) will appear in your in-box. Click on the link provided, input your User Name again, then your new password, and confirm it.

The password must be at least eight characters long and must contain at least one upper case character, at least one lower case character, and at least one numerical character within the first eight. And the last five passwords cannot be re-used.

If you do still have problems please contact:

David Hughes  
Tel: 0151 951 4975  
Email: [helaextranetenquiries@hse.gsi.gov.uk](mailto:helaextranetenquiries@hse.gsi.gov.uk)

**NEW GUIDANCE**

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**New material published on the HSE website / Local Authority Unit section of the HSE website**

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The following material has been published on the HSE Website:

- Let's cut out dermatitis  
<http://www.hsenews.com/2006/11/20/lets-cut-out-dermatitis/>
- Chronic obstructive pulmonary disease (COPD)  
<http://www.hsenews.com/2006/11/20/chronic-obstructive-pulmonary-disease-copd/>
- COSHH guidance on service and retail  
<http://www.hsenews.com/2006/11/20/coshh-guidance-on-service-and-retail/>
- Absence management toolkit for line managers  
<http://www.hsenews.com/2006/11/21/absence-management-toolkit-for-line-managers/>
- Stress Indicator Tool now available in 15 languages  
<http://www.hsenews.com/2006/11/22/stress-indicator-tool-now-available-in-15-languages/>
- Biological agents bulletin  
<http://www.hsenews.com/2006/11/23/biological-agents-bulletin/>
- The well managed organisation  
<http://www.hsenews.com/2006/11/23/the-well-managed-organisation/>
- Care for your hairdresser on National Hairdressers' Day  
<http://www.hsenews.com/2006/11/23/care-for-your-hairdresser-on-national-hairdressers-day/>
- Health and safety management and business performance  
<http://www.hsenews.com/2006/11/27/health-and-safety-management-and-business-performance/>
- Organisational use of expert systems  
<http://www.hsenews.com/2006/11/27/organisational-use-of-expert-systems/>
- Nano particles in industry  
<http://www.hsenews.com/2006/11/27/nano-particles-in-industry/>
- Machinery suppliers safety awareness seminar  
<http://www.hsenews.com/2006/11/27/machinery-suppliers-safety-awareness-seminar/>
- Local authority sector stress case studies  
<http://www.hsenews.com/2006/11/29/local-authority-sector-stress-case-studies/>
- Local authority sector stress case studies  
<http://www.hsenews.com/2006/11/30/first-aid-at-work-your-questions-answered/>
- CDM 07 - Will it fix it?  
<http://www.hsenews.com/2006/11/30/cdm-07-will-it-fix-it/>
- MVR Bodyshop - safety and health awareness days  
<http://www.hsenews.com/2006/12/01/mvr-bodyshop-safety-and-health-awareness-days/>

- Basic advice on first aid at work  
<http://www.hsenews.com/2006/12/01/basic-advice-on-first-aid-at-work/>
- British health and safety measures up well  
<http://www.hsenews.com/2006/12/01/british-health-and-safety-measures-up-well/>
- The importance of reporting  
<http://www.hsenews.com/2006/12/04/the-importance-of-reporting/>
- Interlocks for offshore drill floor machinery  
<http://www.hsenews.com/2006/12/04/interlocks-for-offshore-drill-floor-machinery/>
- Review of fairground working at height  
<http://www.hsenews.com/2006/12/05/review-of-uk-fairground-working-at-eight/>
- Review of work at height in the broadcasting industry  
<http://www.hsenews.com/2006/12/05/review-of-work-at-height-in-the-broadcasting-industry/>
- A stronger voice for health and safety  
<http://www.hsenews.com/2006/12/06/a-stronger-voice-for-health-and-safety/>
- Workplace violence  
<http://www.hsenews.com/2006/12/06/workplace-violence/>
- Asbestos in salon hood-style hairdryers  
<http://www.hsenews.com/2006/12/06/asbestos-emission-tests-in-salon-hood-style-hairdryers/>
- Fibre release from church organs  
<http://www.hsenews.com/2006/12/06/fibre-release-from-church-organs/>
- Internal floor finishes  
<http://www.hsenews.com/2006/12/07/internal-floor-finishes/>
- Woodworking safety and health awareness day  
<http://www.hsenews.com/2006/12/07/woodworking-safety-and-health-awareness-day/>
- Building health and safety awards 2007  
<http://www.hsenews.com/2006/12/07/building-health-and-safety-awards-2007/>
- NAPO DVD - Bring a smile to safety training  
<http://www.hsenews.com/2006/12/08/napo-dvd-bring-a-smile-to-safety-training/>
- HSE marks Buncefield anniversary  
<http://www.hsenews.com/2006/12/11/hse-marks-buncefield-anniversary/>
- Better backs campaign case studies  
<http://www.hsenews.com/2006/12/11/better-backs-campaign-case-studies-3/>
- Measurement of noise levels at live music events  
<http://www.hsenews.com/2006/12/11/measurement-of-noise-levels-at-live-music-events/>
- Triggers for non-specific symptoms  
<http://www.hsenews.com/2006/12/11/triggers-for-non-specific-symptoms/>
- Public reporting of occupational health and safety  
<http://www.hsenews.com/2006/12/11/public-reporting-of-occupational-health-and-safety/>

- The Control of Asbestos Regulations 2006  
<http://www.hsenews.com/2006/12/12/the-control-of-asbestos-regulations-2006/>
- Working with VDUs  
<http://www.hsenews.com/2006/12/14/working-with-vdus/>
- Chronic fatigue syndrome  
<http://www.hsenews.com/2006/12/14/chronic-fatigue-syndrome/>

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**Health and Safety in Zoos: New Guidance available**

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HSE has withdrawn the old and out of date "Approved Code of Practice and Guidance Note on Zoos – Safety, Health and Welfare Standards for Employers and Persons at Work 1985". After consulting with the zoos industry, other government departments and local authorities, HSE has produced a new guidance booklet called "Managing health and safety at Zoos". This is available [free to download](#) from the HSE website.

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**GOOD PRACTICE**

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**Display Screen Equipment (DSE) Forum**

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This forum is a place where LAs and HSE can exchange information about DSE compliance issues. In the past it has contained details of relevant LA initiatives on DSE, notifications of forthcoming events, and descriptions of revised guidance and other sources of information. It has also discussed emerging issues and even breaking news.

Although there is nothing specific to report in this issue please watch this space for future developments.

If you have any comments, questions or issues you think this forum should address please contact:

Lisa Jewell  
Tel: 0207-717-6053  
Email: [lisa.jewell@hse.gsi.gov.uk](mailto:lisa.jewell@hse.gsi.gov.uk)