

Dealing with Asbestos Contamination Incidents/Events

Open Government status: *Open*

Target audience: HSE staff in operational roles or who provide support to operational staff.

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Summary

This guidance has been developed to ensure HSE has a consistent approach to dealing with events leading to potentially significant releases of asbestos fibres (including fire and explosion incidents). The guidance is designed to assist the decision-making process for these events and identify any potential overlaps with other agencies or government departments who might be involved. The document also acts as a signpost to sources of relevant further guidance and information.

Introduction

The guidance has been developed to provide a consistent approach to decision-making when dealing with events involving a potentially significant release of asbestos fibres (e.g. building collapse/ adverse weather/ fire/ explosion and gross contamination due to unplanned/ unforeseen/ poorly managed work). This includes liaising with the Emergency Services and other Regulators. It also collates relevant guidance concerning:

- Prevention of further spread

- Decontamination following an incident
- Initial investigation
- Media handling issues
- Advice for those with concerns about exposure to asbestos
- Factors affecting fibre release
- The roles and responsibilities of HSE and other organisations

Action

Inspectors and administrative staff in both operational and support roles should:

- Familiarise themselves with this guidance;
- Understand HSE's role when dealing with these events;
- Understand the role of other organisations who could be involved;
- Use [Appendix 1](#) to assist initial response decision making.

Background

This guidance also brings together sources of relevant information. **It does not replace:**

- The need to engage and work with Specialists. They should be consulted as normal and this guidance cannot cover all scenarios that could be encountered.
- HSE's existing emergency plan arrangements and relevant health and safety policies

Organisation

All HSE staff who could be involved either operationally or in a relevant supporting role should familiarise themselves with this guidance. This includes ensuring arrangements are in place to refer to the guidance when responding to an event involving a potentially significant release of asbestos fibres.

Health & Safety

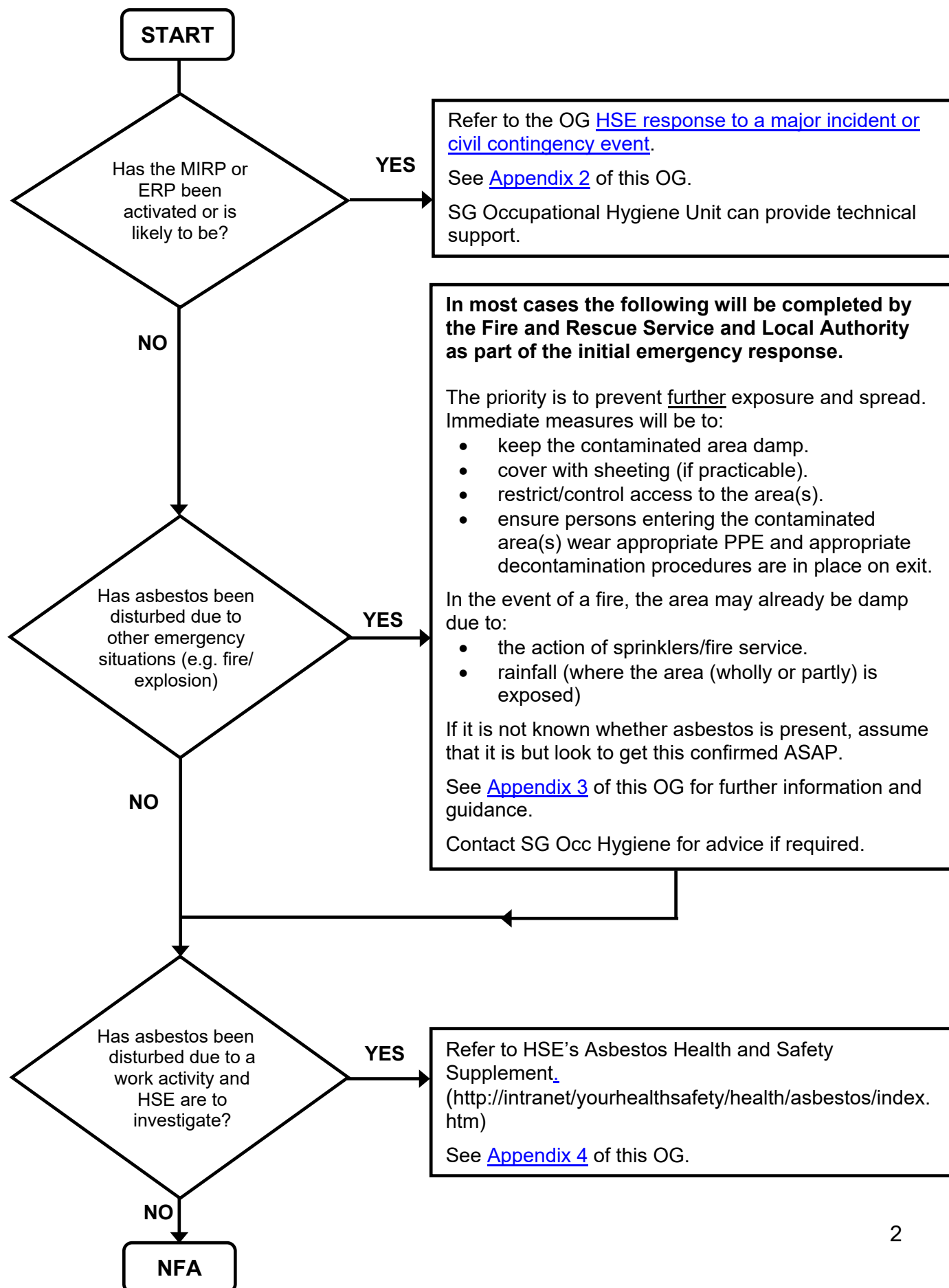
Attention is drawn to the Asbestos Health and Safety Supplement (<http://intranet.hse.int/yourhealthsafety/health/asbestos/index.htm>). This provides information on the measures you need to take to prevent you becoming inadvertently exposed to asbestos and the steps required if you believe this has occurred to you or other HSE staff.

Contacts

Construction Sector – Health Risk Management Unit

FOD Specialist Group Occupational Hygiene Unit

Appendix 1: Asbestos Incident: Initial Response Decision Chart



Appendix 2: HSE Response to a Major Incident or Civil Contingency Event

HSE's arrangements for a major incident or politically sensitive event recognise that a graduated response may be needed. The plan is in two parts:

- **Level 1:** Divisional Major Incident Response Plan ([MIRP](#))
- **Level 2:** HSE Emergency Response Plan ([ERP](#))

These plans should be initiated where the relevant criteria are met. In these circumstances' consideration is also needed of the associated [operational guidance](#). In particular:

- **Observe and Support:** If a decision is made to attend site, HSE's main task is to observe from a place of safety so others in HSE can be briefed and help later investigations. If HSE does get involved during the initial response, it should normally be to provide technical support at the request of the emergency services. In our enforcement capacity we should only intervene in circumstances of extreme risk to the emergency services or others. We should not use our powers to direct that premises be left undisturbed if this would interfere with essential emergency work.
- **Specialist asbestos assistance:** It is essential that early consideration is given to the involvement of appropriate specialist resource on asbestos – particularly SG Occupational Hygiene. Details for specialists and Nominated Asbestos Persons (NAPs) can be found in the Divisional MIRP contact lists (Annex 1b and Annex 6).
- **Structural stability:** The circumstances may have had an impact on the stability of any associated structure(s). Liaison with the Local Authority Building Control (LABC) or HSE Construction Engineering Specialists may be needed. However, additional specialist support may be needed, see:
 - **Structural safety:** Action by inspectors including liaison with [local authorities](#).
 - **Construction engineering:** [Contacting Specialists](#)

Further Information

[Appendix 5](#) and [Appendix 6](#) of this OG provide relevant background information on the demarcation / roles of HSE and other organisations in relation to asbestos incidents.

For incidents involving fire, explosion, building collapse where asbestos is a concern, [Appendix 3](#) may contain some useful guidance.

Appendix 3: HSE Response to Other Emergency Situations

This Appendix provides advice on the actions that should be taken in emergency situations including building collapse, adverse weather, fire and/or explosion where asbestos fibres have potentially been released. In such an event, **the priority is to prevent further exposure and spread.**

Note: In the context of this document 'other emergency situations' **excludes** situations that invoke the MIRP or ERP. For these situations refer to [Appendix 2](#).

- **Immediate actions:** In most cases immediate containment actions will be completed by the Fire and Rescue Service (FRS) and Local Authority (LA) as part of the initial emergency response and under LA enforced legislation such as EPA 1990, Public Health.

If it is not known whether asbestos is present, assume that it is but look to get this confirmed as soon as possible. Further information on this is outlined below.

HSE should advise that the following **key actions** and measures be put in place to prevent or minimise exposure and further spread of asbestos: -

- **Keep the contaminated area damp.**
- **Cover with plastic sheeting/tarpaulin (if practicable).**
- **Restrict/control access to the area(s).**
- **Ensure all those entering the contaminated area(s) wear appropriate PPE (including suitable face fit-tested RPE) and appropriate decontamination procedures are in place on exit.**

In the event of a fire, the area may already be damp due to:

- **The action of sprinklers/fire service.**
- **Rainfall (where the area (wholly or partly) is exposed)**

Note: You should be aware that other organisations may use different terms in relation to asbestos exposure issues. For example, the fire and rescue services (FRS) carry out an asbestos hazard assessment in accordance with their operation guidance (see pages 465-479 of guidance below). They consider whether an incident involves lower hazard asbestos (asbestos cement and textured coatings only) or high hazard asbestos (all other ACMs such as lagging, AIB). This determines their decontamination response.

- **Fire & Rescue Service** - Operational guidance: [Incidents Involving Hazardous Materials](#)
- **Confirming the presence of ACMs:** Upon notification of an incident potentially involving asbestos it is important to quickly confirm whether ACMs are present. The following guidance may be useful where HSE are asked for advice on this:

- **Building Age:** Asbestos can be found in any industrial or residential building built or refurbished before the year 2000. Where the affected premises (or part thereof) was built after 2000, asbestos is unlikely to be present.
- **Known Information for buildings built pre-2000:** All non-domestic buildings (and common parts of shared domestic buildings) should have information in the form of an asbestos survey / register that may confirm the presence / absence of asbestos. If refurbishment or demolition work (domestic and non-domestic buildings) was taking place at the time of the incident, a suitable asbestos survey of the affected building or part thereof should be held. Information regarding the asbestos and product type, quantity etc. should also be available from these sources (see: [hsg264](#) Asbestos Survey Guide)
- **Site Sampling:** If the presence of asbestos remains unclear, or there are doubts about the accuracy/relevance of records, **asbestos should be presumed present until determined otherwise.** Duty holders/employers may need to arrange a survey and analysis of representative samples to determine the presence, type and condition of asbestos. Those engaging people to analyse samples must take reasonable steps to establish that they have a valid accreditation to ISO 17025 from a recognised accreditation body.
- **Incident Related Spread:** Fire, explosion and similarly high impact events require consideration of:
 - **Fire Intensity:** Prolonged or intense heat (usually >600°C) may change the mineral structure of asbestos causing loss of fibrous nature and strength. The degraded materials pose no threat to health. However mineral modifications may only affect the outer layers of asbestos materials so that unchanged fibres remain within fragments of fire debris. In addition, the matrix of asbestos materials can become weakened during fires resulting in fibres being released more easily if solid debris or ash from the fire is disturbed. Asbestos materials will suffer some damage and breakage during a fire. However, they will generally break into larger pieces or remain attached to non-asbestos items. Very little asbestos will be converted into fine dust. Any water application (e.g. fire water) would assist in suppressing the spread of dust.
 - **Dispersion:** Both fibres and debris can be dispersed during a fire. Explosions can disperse these over quite wide areas. In addition, certain asbestos products will also spread materials more readily. Heat can cause the cement content of asbestos cement products, such as roofing and cladding, to violently rupture discharging asbestos. Asbestos coated in bitumen may be burnt in fires producing a grey paper-like ash which can be dispersed in wind movement. Similarly, pieces of asbestos paper may also be released into the air. Airborne fibres will be easily liberated in wind movement from any exposed friable asbestos product such as sprayed coatings or lagging.

However, the extent of fibre release during the actual fire/building collapse and any resultant airborne concentrations would not usually be considered as significant. These “impacts” would all be short duration occurrences and those fibres initially released will be dispersed and diluted relatively quickly in the

plume. Previous work has also shown that strong air currents (e.g. from thermal currents in fires) and high velocity water jetting would not cause significant release of asbestos fibres from asbestos insulation. Fibre release from asbestos insulating board (AIB) or asbestos cement (AC) would consequently be expected to be less due to their reduced (comparatively) friability.

- **Secondary Exposure:** Consideration is also needed of the extent to which there may be secondary exposure associated with disturbance of areas where liberated asbestos fibres will have subsequently 'settled'.
 - **Access:** The risk to those accessing contaminated areas may range from contamination of footwear to more extensive contamination of clothing or hair depending upon the circumstance. The [risk assessment table](#) accompanying HSE's asbestos health and safety policy provides a good overview of these and the potential significance of the associated risks. Further access to contaminated areas should be prevented where significant contamination is suspected.
 - **Fire and Explosion:** Post incident, much of the asbestos may be "trapped" under other rubble and materials (i.e. not exposed) and/or dampened down. Prevailing air currents and wind movement would not cause re-suspension of settled dust except in extremely windy conditions. The on-going risk from asbestos at the site will generally be low. HSE's usual response would be to advise to keep the rubble damp until and during its removal. Steps should be taken to spray the rubble with water when appropriate/necessary.

Exposed asbestos debris can present secondary risks to the public and others. Risks can arise from physical disturbance of dried-out debris by individuals or from the wind causing resuspension. Consequently, care should be taken with exposed asbestos ash and rubble (or suspect materials). The risk will generally be low if a number of simple precautions are taken. Fragments and debris should not be disturbed. Visibly contaminated areas should be cordoned off (with warning notices).

Further Information

HSE actions relating the initial stages of an investigation into an incident involving asbestos that has arisen out of or in connection with a work activity are addressed within [Appendix 4](#), 'HSE Response to a Significant Work-Related Asbestos Fibre Release'.

[Appendix 5](#) and [Appendix 6](#) of this document provide relevant background information on the demarcation / roles of HSE and other organisations in relation to asbestos incidents.

Appendix 4: HSE Response to a Significant Work-Related Asbestos Fibre Release

This appendix provides practical advice and sources of further information to assist the initial stages of an incident investigation involving a significant release of asbestos fibres arising out of or in connection with a work activity which HSE is the enforcing authority e.g. refurbishment work. It is divided into two phases, immediate actions during a 'live incident' and subsequent post-incident management although the information in either section can be used wherever applicable.

Phase 1: Immediate Action during a 'live' incident

Where uncontrolled removal or damage to known or suspected asbestos has taken place, all persons should be moved to an uncontaminated area (they or their clothing and footwear may themselves be contaminated) and arrangements made to ensure their appropriate decontamination to prevent further exposure and spread. The contaminated area should be cordoned off and access prevented in line with established [enforcement expectations](#). The duty holder has responsibility for putting in place arrangements for decontamination and restricting access to asbestos contaminated area(s).

[Appendix 3](#) is aimed at incidents involving fire, explosion, building collapse and adverse weather. However, much of the advice is transferrable to other incidents involving asbestos. In particular:

- **Immediate actions** to prevent or minimise further exposure and spread; and
 - How to confirm presence of asbestos (where this is uncertain) and establish the extent of any exposure and spread.
- **Incidents where HSE staff are present at the time of fibre release:** You may be in a position whereby you need to address decontamination of yourself or other HSE staff. The arrangements set out in the health and safety policy should be followed. As part of this it is important to differentiate whether any contamination is considered to be Limited or Significant in line with the risk assessment table. (<http://intranet/yourhealthsafety/health/asbestos/resources/index.htm>)
 - **Limited** – eg small-scale disturbance / spread and contamination more limited to footwear from walking on debris. Where this is determined you should deal with the incident accordingly. This will include ensuring arrangements are in place to prevent spread of asbestos and appropriate decontamination is available. [Asbestos essentials](#) contains relevant tasks sheets.
 - **Significant** – eg larger scale disturbance / spread or whole-body contamination from high levels of airborne fibres. Annex 6 of the Divisional Major Incident Contact Lists has contact details for companies who provide local asbestos decontamination facilities if needed.

Where HSE staff have been exposed to asbestos fibres there is a requirement to:

- **Record** the incident on the asbestos exposure record
(<http://intranet.hse.int/yourhealthsafety/assets/docs/asbestos-exposure-record.pdf>)
- **Appropriately report** the incident
(<http://intranet/yourhealthsafety/incidents/index.htm>)
- **Specialist Assistance:** It is essential that early consideration is given to involving appropriate specialist (<http://intranet.hse.int/strategy/assets/docs/when-to-us-a-specialist.pdf>) resource on asbestos – particularly SG Occupational hygiene. Details for specialists and Nominated Asbestos Persons (NAPs) can be found in the Divisional major incident contact lists (Annex 1b and Annex 6).
- **Structural stability:** The circumstances may have had an impact on the stability of any associated structure(s). Liaison with the Local Authority Building Control (LABC) or HSE Construction Engineering Specialists may be needed. However, additional specialist support may be needed for this, see:
 - **Structural safety:** Action by inspectors including liaison with [local authorities](#)
 - **Construction engineering**, how to contact us specialists
(<http://intranet.hse.int/science/expertise/engineering/construction-engineering.htm>)
- **Other Health and Safety Risks:** Other '[Matters of Evident Concern and Potential Major Concern](#)' may emerge. These should be addressed promptly.
- **Media and Public Interest:** Where this is likely the Media and Campaigns team should be made aware of the incident via the Duty Press Officer:

0151 922 1221

media.enquiries@hse.gov.uk

They will lead on the necessary arrangements and liaise with any other agencies involved. **You should avoid briefing any media without consulting them first.** You may, however, be approached directly by the media. In these circumstances do not offer 'no comment' but instead something generic such as:

I am from the Health and Safety Executive and my role in this incident is currently to [support the police / emergency services / make initial enquiries]. Please contact the Media and Campaigns Team for further updates on 0151 922 1221

Where public interest is likely, the Concerns and Advice Team (CAT) should be made aware of the incident. They will provide a co-ordinated response to members of the public who may raise concerns relating to an ongoing incident/investigation.

- **Decontamination:** You may be asked to provide advice and expectations around decontamination at the scene. The information you do provide is dependent upon the group exposed/ contaminated as follows:

- **Members of the Public:** HSE's role is that of a regulator. Other organisations are designated to address wider public concerns – in particular, Public Health England / Scotland / Wales and Local Authorities. Further advice is contained within [Appendix 5](#).
- **Workers:** Those involved in work activities that significantly disturb asbestos are the most likely to be highly contaminated. Decontamination measures may therefore be needed as a matter of urgency. Employers should have their own arrangements in place to deal with incidents and emergencies; both generally under the Management of Health and Safety at Work (MHSW) Regulations 1999 and specifically in relation to asbestos:
 - **Unplanned release of asbestos fibres** as detailed in paras 364-365 and 367-370 of [L143](#) and summarised in [EM1](#)
 - **MHSW Regulation 8:** Serious and imminent danger

It is the responsibility of the duty holder to plan, arrange and manage adequate decontamination facilities for an incident arising out of or in connection with its work activities. Where employers have no procedures / arrangements for decontamination you can indicate the measures that may be appropriate in line with other decontamination guidance in this section. **The responsibility for organising this still rests with them.** Where there is any reluctance to do this, they should be strongly reminded, providing your own safety is not compromised, that failure to do this would represent both a refusal to cooperate and a blatant disregard for employee health which could be brought to the attention of the courts in the event of any proceedings.

- **Emergency Services:** The emergency services will have their own policies, procedures and arrangements in line with their legal duties. These may be national or regional depending on the organisation. However, there may be rare circumstances where they request advice from HSE. In these situations, specialist advice should be sought by contacting FOD Specialist Group Occupational Hygiene Unit.

Phase 2: Post Incident Management

Once the initial 'live' incident has been brought under control (e.g. emergency services are no longer present in a response capacity), the site will need to be recovered. HSE may be required to advise on recovery of the site in terms of asbestos contamination but also other H&S matters, including structural safety. HSE staff will also need to access the site to commence investigation. The timing and extent of this will need to reflect any ongoing multi-agency response and whether safe access to the site is possible (including the nature and extent of asbestos contamination).

In some cases, access to the site may be necessary to carry out preliminary investigation e.g. structural safety specialist before the asbestos can be safely removed and the area decontaminated. Whenever possible, use of remote inspection techniques should be used eg use of a drone, zoom lens, inspection from a safe vantage point. In such instances a suitable and sufficient risk assessment should be completed.

- **Asbestos Risk Assessment (HSE staff):** It is important that you are familiar with and follow the relevant health and safety policies to both protect yourself and set an appropriate example to others involved. This includes in particular:
 - ***The on-site assessment and entry procedures*** contained within the asbestos supplement
(<http://intranet.hse.int/yourhealthsafety/health/asbestos/index.htm>)
 - ***Construction site visit considerations***
(<http://intranet.hse.int/yourhealthsafety/safety/visiting-construction.htm>)
- **Site Recovery / Remediation:** Where significant asbestos contamination has occurred, it is likely that a licensed asbestos removal contractor will need to remove any remaining intact asbestos and/or asbestos dust and debris before reoccupation etc. Where appropriate a Prohibition Notice should be served preventing such reoccupation, access etc until this has been completed.

A suitable survey will be needed prior to any further work / access to a contaminated area. Once completed the results should be used to inform the plan of work to be used to undertake suitable remediation work. This should take into account information within:

- ***Asbestos Survey Guide:*** [hsg264](#)
 - ***Asbestos plans of work:*** [og-00108](#)
 - ***Asbestos Essentials:*** [asbestos/essentials](#)
 - ***Licensed Contractor Guide:*** [hsg247](#)
- **Evidence:** While advising on recovery of the site, HSE should also arrange to preserve evidence, using our formal powers if necessary. A Notice of Direction to Leave Undisturbed can be displayed on site as well as served on the person in control of the premises. Normal investigation procedures should be followed but specific consideration is needed to prevent any asbestos exposure – whether associated with general entry onto the site or the securing of samples / evidence. Particular focus should be paid to:
 - ***Inspection procedures*** for such incidents
(<http://intranet.hse.int/yourhealthsafety/health/asbestos/major-asbestos-disturbance-incidents.htm>)
 - ***Asbestos*** sampling procedures
(<http://intranet.hse.int/yourhealthsafety/health/asbestos/sampling-procedures.htm>)
 - ***Material evidence and management*** [og-00061](#)

There may be situations where potential exhibits are also contaminated – eg documentation. You should critically evaluate the importance of the information, if necessary in consultation with your Principal Inspector. Where the evidence is required and cannot be obtained through other routes, arrangements should be made via the assisting specialist(s).

- **Ongoing Media Interest:** The Media and Campaigns Team should be kept informed of any matters likely to generate significant ongoing media interest. Any updated lines to take should be agreed with them first.
- **Concerned Individuals:** HSE may receive queries regarding health concerns from those who have or suspect they have been exposed to asbestos. (Individuals may only become aware that they may have been exposed/contaminated sometime after an event). You should ensure coordination with CAT where appropriate. The information provided is dependent on upon the group as follows:
 - **Members of the Public:** As discussed above, public health bodies have the responsibility for addressing issues relating to public health – see [Appendix 5](#). Where a large number of people may have been exposed the relevant body **may be** involved in providing reassurance – eg attendance at a public meeting. Prior to any attendance you are strongly advised to agree the remit of your presence, particularly where there may be an ongoing investigation, and liaise with the Media and Campaigns Team.

The public could be referred to the relevant FAQ information on the HSE website, but this is primarily aimed at workers – see below. Specific advice for the general public in the event of a fire is contained within pages 478-479 of The Fire and Rescue Service [Operational Guidance](#). This summarises the advice contained in a report previously commissioned by the Health Protection Agency (now PHE): [‘The public health significance of asbestos exposures from large scale fires’](#).

- **Workers:** An [faq](#) addressing this issue can be found on the HSE website. Information about the level of exposure (together with duration and the type of asbestos) is an important factor in determining the risk. While there may be little reliable information on this initially, more details may subsequently emerge during site remediation activities and any HSE investigation. The employer should provide this to their workers so that they can supplement any GP notes made.

Appendix 5: Organisations with a potential role

The following information provides an overview of the roles and responsibilities of other organisations who may be involved. Further information of relevance is also detailed.

Note: It is equally important that other organisations understand HSE's role and the extent of our remit / powers. [Appendix 6](#) is an Information Document which can be provided as standalone 'handout'. This can be given to representative of other organisations to ensure clarity of expectations.

- **Joint Emergency Services Interoperability Principles (JESIP)**

JESIP (see <https://www.jesip.org.uk/home>) was produced to help improve multi-agency response through the common themes of "Working Together – Saving Lives, Reducing Harm". The [Joint Doctrine: the interoperability framework](#) sets out a standard approach to multi-agency working in response to major incidents, JESIP is scalable. However, the [five joint working principles](#) and [models](#) can be applied to **any type** of multi-agency incident and can be utilised in a multitude of environments where organisations need to work together more effectively.

- **Emergency Services**

Together the emergency services have three common objectives:

Priority 1: Save and preserve life

Priority 2: Mitigate / minimise the impact of an incident

Priority 3: Support a return to a new normality.

The emergency services are not interchangeable. Each has different but complementary roles and responsibilities.

They also have developed different approaches to managing risk as each service has varying capabilities, systems and process. Additionally, each service will vary regionally dependent upon their own internal guidance, policies and systems.

Their common focus is on saving and protecting life – balancing the risks posed to responders with the potential to save a saveable life. As part of this, the risks of not acting must be considered – ie they have a positive duty to act. For further information on their procedures see:

- **Striking the balance** between operational and health and safety duties in the Police Service <http://www.hse.gov.uk/services/police/assets/docs/duties.pdf>
- **National Police College** Civil contingencies <https://www.app.college.police.uk/app-content/civil-emergencies/civil-contingencies/>
- **Fire and Rescue Service** Operational Guidance Generic Risk Assessments Incidents Involving Asbestos Containing Materials (ACMs) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/9399/GRA5.9.pdf
- **Fire and Rescue Service** Operational Guidance Incidents Involving Hazardous Materials - Technical Considerations Part C-13 Asbestos

Containing Materials

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/15020/GRA_Hazmatt_Manual_COMBINED.pdf

- **NHS guidance** on hazardous substances
<https://www.england.nhs.uk/ourwork/epr/hm/>

- **Local Authorities:**

They are responsible to providing a range of local services and facilities. This includes:

- a role in emergency situations to assist in protecting people and the environment by providing advice and information on hazardous chemicals.
- assisting in subsequent clear up operations.
- dealing with reports of dangerous buildings or structures, emergency powers are available to undertake works where imminent danger exists.
- under the Health and Social Care Act 2012, they are responsible for protecting and improving the health and wellbeing of their residents.
- a vital role in local, public and media communication.

Each local authority will have its own emergency plan. For England and Wales these can be found by postcode at <https://www.gov.uk/local-planning-emergency-major-incident>.

Other relevant guidance includes:

- **Health and Safety (Enforcing Authority) Regulations** 1998: A-Z guide to allocation <http://www.hse.gov.uk/foi/internalops/og/og-00073-appendix1.htm>
- **Structural safety:** Action by inspectors including liaison with local authorities. <http://www.hse.gov.uk/foi/internalops/og/og-00096.pdf>

- **Public Health:**

This is a devolved issue and overseen by different national bodies.

Consequently, individual roles and responsibilities may vary. However, in general they:

- provide advice and guidance on the public health implications of an incident.
- protect the community (or any part of the community) against infectious diseases and other dangers to health.
- work with NHS bodies, Local Authorities and other agencies to respond swiftly in a co-ordinated way to new and existing threats to public health.
- discharge other statutory duties such as leading local public health responses and providing expert advice on the health effects of chemicals in the environment to a range of government departments and agencies.

Public Health England:

- Centre for Radiation, Chemical and Environmental Hazards 24-hour chemical hotline number: 0344 892 0555.
- Asbestos Incident Management:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/627191/Asbestos_incident_management.pdf

Health Protection Scotland:

- National Enquiry Line 0141 300 1100
- Guidance <https://www.hps.scot.nhs.uk/resourcedocument.aspx?id=38>
- Main Website <https://www.hps.scot.nhs.uk/index.aspx>

Public Health Wales:

- Health Protection Team 0300 00 300 32
- Main website <http://www.wales.nhs.uk/sitesplus/888/home>

- **Environment:**

This is also overseen by different national bodies so again individual roles and responsibilities may vary. MOU's with HSE exist. However, in general they regulate the relevant matters below:

- major industry and waste (responsible for issuing asbestos waste carrier licenses and permitting regime for asbestos waste transfer stations and landfill sites)
- treatment of contaminated land
- water quality and resources

Environment Agency:

- Overview: <https://www.gov.uk/government/organisations/environment-agency>
- MOU: <http://www.hse.gov.uk/aboutus/howwework/framework/mou/ea-mou.pdf>

Scottish Environmental Protection Agency:

- Overview: <https://www.sepa.org.uk/>
- MOU: <http://www.hse.gov.uk/aboutus/howwework/framework/mou/sepamou.htm>

Natural Resources Wales:

- Overview: <https://naturalresources.wales/?lang=en>

Appendix 6: Health & Safety Executive: Information Document

This document provides a summary of the Health and Safety Executive's (HSE) main roles and responsibilities. It has been produced to explain these in relation to significant asbestos incidents. For further information on HSE go to www.hse.gov.uk

HSE Background Information

HSE's mission is to prevent **work-related** death, injury and ill health. It enforces **The Health and Safety at Work etc. Act 1974 (HSWA)** and regulations made under it. These put legal responsibilities on employers to ensure the health and safety of their employees as well as others (such as the public) whose may be affected by their work. Breaches of health and safety legislation are criminal offences.

HSE regulates a wide range of 'higher' hazard industries including chemicals, manufacturing, construction and agriculture. 'Lower' hazard businesses are in general regulated by local authorities. The appropriate authority is decided by the **Health and Safety (Enforcing Authority) Regulations 1998**. See the [A-Z guide](#) to find out whether to contact HSE or the Local Authority.

HSE works to prevent workplace death, injury and ill health in different ways such as:

- Providing [advice, information and guidance](#)
- Raising awareness in workplaces by [influencing and engaging](#)
- Operating [permissioning and licensing](#) regimes for work activities involving significant hazard, risk or public concern
- Carrying out targeted [inspections](#) and [investigations](#)
- Taking [enforcement](#) action to prevent harm and hold law-breakers to account

Asbestos Background Information

Asbestos can be found in any [building](#) built before the year 2000 (houses, factories, offices, schools, hospitals etc). When materials that contain asbestos are disturbed or damaged, fibres are released into the air. When these fibres are inhaled they can cause serious diseases. Exposure to asbestos can result in fatal and serious diseases including mesothelioma, lung cancer, asbestosis and pleural thickening. Asbestos related disease causes around 5000 deaths every year.

- **Risk:** This will depend on the asbestos material, the quantity involved, and how easily it breaks up. Useful information can be found at:
 - Website: <http://www.hse.gov.uk/asbestos/common-materials.htm>
 - Asbestos Survey Guide Appendix 2: ACMs in fibre release order <http://www.hse.gov.uk/pUbns/priced/hsg264.pdf>
- **Legislation:** The **Control of Asbestos Regulations 2012 (CAR)** and the associated Approved Code of Practice (ACOP) and guidance (see [1143.pdf](#)) detail what is expected from employers carrying out work which could or will disturb asbestos. There is also a legal requirement to manage asbestos in non-domestic premises (and common parts of domestic premises) to prevent harm to anyone who works on the building or to building occupants.

- **Licensing:** HSE operates an Asbestos Licensing System. The Licensing System is a strict process to ensure that those employers carrying out higher risk asbestos work have the necessary skills, knowledge and experience to protect their employees and others. As part of this system, HSE Inspectors will visit the work of a licenced contractor to ensure that they continue to meet the standards needed. Poor performance can lead to a licence being removed. Details on these processes are contained within a [guide](#).
- **Asbestos Work:** While not every job involving asbestos needs to be undertaken by a licensed asbestos company, **all work with asbestos** should be carried out in a way that meets the Control of Asbestos Regulations 2012 to ensure that workers and the public are protected. Where there is evidence of serious failings, HSE will take [enforcement action](#) in line with our [Enforcement Policy Statement](#).

HSE's Key Roles in an Asbestos Incident.

HSE's main role is to act as the regulator, ensuring that health and safety risks from work activities are correctly assessed and managed. Therefore:

- **HSE will, where appropriate:**
 - Provide specialist advice on the risks to workers (including emergency services) and others from asbestos contamination.
 - Undertake enforcement action to deal with immediate risk and ensure longer term compliance.
 - Investigate to secure justice.
- **HSE will not:**
 - Arrange for or carry out decontamination of affected individuals apart from any of its own staff.
 - Arrange for or carry out monitoring, surveying or remedial clean-up work except where specifically required as part of any HSE investigation.

Work Related Deaths

Where an asbestos work-related accident/ incident also involves a fatality, the relevant Work-Related Death Protocol (WRDP) will apply. HSE and other regulators involved in investigating will want to work together as effectively and efficiently as possible. To do this HSE will follow the [protocols and liaison arrangements](#) agreed between the signatory organisations.

Civil Contingencies

In addition to the above HSE is a **Category 2 responder** under the Civil Contingencies Act 2004 and (Contingency Planning) Regulations 2005, with a duty to provide relevant technical or specialist advice, including information on the nature of any potential hazards of the site/organisation. The role of HSE in these circumstances is set out in our [Operational Guidance](#).