

Asbestos Liaison Group Minutes		ALG/MIN/03/2015	
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Asbestos Liaison Group (ALG)

Minutes of the 45th meeting of the Asbestos Liaison Group held on Tuesday 20 October 2015 at HSE's Office, Mallard House, Kings Road, 3 Peasholme Green, York

<p>Present (HSE) Simon Longbottom, Head of Construction Policy Sector Archie Mitchell, Head of ALU Annette Leppla, ALU Craig Bell, Asbestos Policy Sector Rob Hirst, FOD Construction Joanne Hobson, VO (Minutes)</p> <p>LA Melanie Tolson (Calderdale)</p>	<p>TAs/TUs Louise Wainwright for Colin Smith, UKAS David Tucker, Land Securities Richard Morgan, GMB Jim Caldwell, NFDC Colette Willoughby, BOHS Steve Sadley, ARCA Chris Gilliead, IATP Bob Bridge for Dave Nichol, UKATA John Richards, RICS Tony Vozniak for Richard Wilks, APS Andrew Jackson for Stephen Platkiw, ATAC Graham Warren, ACAD Peter Wilson, UCATT</p>
<p>Apologies Colin Smith, UKAS Martin Gibson, HSE Jon Dry, HSE Susan Murray, Unite Dave Nichol, UKATA Richard Wilks, APS Stephen Platkiw, ATAC</p>	<p>Guests</p>

Item	
1	Introduction, apologies, welcome, etc (Simon Longbottom)
1.1	Simon welcomed everyone to the meeting and introduced Louise Wainwright who was attending on behalf of Colin Smith, UKAS; Bob Bridge who was attending on behalf of Dave Nichol, UKATA, Tony Vozniak who was attending on behalf of Richard Wilks, APS and Andrew Jackson who was attending on behalf of Stephen Platkiw, ATAC. Apologies and deputies noted above.
2	Minutes of the 44th meeting held on 20 May 2015 (Simon Longbottom)
2.1	The minutes of the meeting were agreed. All minutes, meeting papers, etc are available on the ALG web community.
3	Matters arising from the minutes
3.1	ALU to send invitation to join the new web community when up and running. Action 1: Invitations will be sent to ALG members by the end of October.
3.2	ALG to write to contractors in a phased approach regarding waste disposal sites. Completed and contractors thanked. Item discharged. It is hoped that the Environment Agency (EA) information may become available for on line, up to date link.

<p>3.3</p> <p>3.4</p> <p>3.5</p> <p>3.6</p>	<p>ALU to forward information obtained on waste disposal sites handling asbestos to HSE's waste sector. Information forwarded and awaiting results of option to use EA data.</p> <p>Graham Warren to circulate draft LCG by end of June and Working Group to conclude its work for hand back to HSE in July. Draft circulated. Item discharged.</p> <p>ALU to circulate statistics and to include split between new/renewals for licenses issued. Statistics circulated. Item discharged.</p> <p>Peter Wilson to re-circulate the UCATT "Hard Hat" flyer. Flyer re-circulated. Item discharged.</p>
<p>4</p>	<p>ARMI – Competency Within the Asbestos Removal Industry – Guidance</p>
<p>4.1</p>	<p>Steve Sadley introduced the final version of the guidance. He said that it was self-explanatory. They were particularly pleased with the tables on pages 8, 9 and 10. Archie commented that it was easy to follow and very helpful. The TNA examples were particularly good. Everyone agreed that it was ready for publication. Peter asked if it might be worth having a feedback form at the back of the document or some sort of web based form as people may wish to give comments at a later date. Steve agreed this was a good idea.</p> <p>Steve asked if it would be possible to get endorsement for the document from ALG/HSE. Craig Bell explained that it would be a long process as it would have to go via Policy Section and also meet all criteria as HSE couldn't endorse guidance which goes beyond basic compliance. It would also need Publications Governance Group (PGG) scrutiny and approval.</p> <p>Peter would like to use the competence guidance to evaluate worker skills on site and use that to measure the effectiveness of any training a company provides.</p> <p>Graham said that once in use the document should have a review at 6-9 months to check for any changes required.</p> <p>Steve said that, after the small adaptations suggested, the document will be posted on the ARMI website and invited any other web sites of those represented to link to it.</p> <p>After much discussion, it was decided that the best way forward would be for Steve to contact Helen Ratcliffe in the Asbestos Policy Team. She would discuss with Steve the most appropriate endorsement 'level' for this guidance and the way forward.</p> <p>Action 2: Steve to add some form of feedback process to the guidance. Action 3: Steve to contact Helen Ratcliffe requesting HSE endorsement.</p>
<p>5</p>	<p>ALG Updates</p>
<p>5.1</p>	<p>Asbestos Apprenticeship Scheme</p> <p>John Richards gave details of an application he has made for an asbestos apprenticeship scheme for analysts and surveyors. It consists of 3 stages: expressions of interest which has been accepted by BIS; standard development; and an assessment plan. After these stages, the plan would be put out to a training provider for development. Graham Warren has also submitted an application for asbestos removal apprenticeships and has had his expression of interest accepted.</p> <p>They are employer-led schemes under the Government's Trailblazer initiative but they also need support from other organisations. Their challenge is to get non-employer organisations to agree the plan is "fit for purpose". John explained that the</p>

Government is introducing a new law regarding apprentices and, in the future only recognised apprenticeship schemes will be able to use the term apprentice. The analyst/surveyor scheme will be 24 months in duration and the removal operative 12 months in duration. It will be a more intensive process than the current industry training and for the analyst survey scheme includes 100 days of off-site training. Chris Gilliead added that the standard would be deemed to be better than the current qualification and will produce better qualified candidates at the end of the training.

Colette Willoughby queried whether this is not reinventing the wheel as there had been a similar scheme 4 years ago? John explained that this was an employer lead scheme supported by the Government one and it will become a recognised national standard. It was not a scheme developed by training providers.

The standards need approval from industry, employers, unions and HSE. John would like support from one of the ALG sub-committees to assist in endorsing these standards. It was agreed that the Leadership and Worker Involvement Working Group would be the most suitable to assist with this as this would include representatives from HSE, ARCA, ACAD, GMB and UCATT. Colette, Andrew, Chris and Bob also offered to be part of the group. John has already produced a brief draft document which he will circulate to the group. Initial work will be done by correspondence.

Action 4: John to circulate draft document to Working Group for feedback/ comments.

5.2 Asbestos Policy Update

Craig Bell reported that the Asbestos Campaign Evaluation Report was now available on the website and he would circulate the link via the ALG. There had been an increase in hits on the website and in the awareness of general principles and awareness of risks. At this stage no decisions on future campaign activity had been taken. As with the 'Beware Asbestos' Campaign any future activity would need approval from Cabinet Office. *Post meeting note:* Report can be found at <http://www.hse.gov.uk/asbestos/assets/docs/beware-asbestos-campaign-2014-15-final-evaluation-report.pdf>

The policy team have continued the programme to review HSE's asbestos guidance. Progress on the Analyst Guide has been slower than anticipated due to other demands on HSE's occupational specialist resource. It had been hoped to publish it by the end of December but it was now likely to be March/April depending on what comments are received from the consultation process.

He thanked everyone who provided revisions and redrafts for the "Licensed Contractor's Guide". This has been quickly looked at to identify any major issues. Although detailed consideration has not yet started due to the need to concentrate on the Analysts Guide, work will now begin to consider the redrafts in detail and it is hoped to have an initial draft available by the end of 2016.

Work is continuing on the "light touch update" of the Asbestos Essentials Sheets, making sure all references are correct and all the latest information is included. There will be some small-scale consultation. Can members let ALU know if they are interested in being involved in the consultation.

The review includes the EM Series in Asbestos Essentials to make sure they reflect the latest information too. It had been hoped to add some additional task sheets but other demands on resource mean this is now unlikely to happen if the publication

timetable is to be met.

Action 5: Craig Bell to circulate link for the Campaign Evaluation Report. See link above – item discharged.

5.3 Technical Working Group

Colette reported that the Group last met in June. Minutes and appendices will be available on the ALG web community by the end of November. Papers circulated to ALG members to date are:-

- Abrasive blasting removal systems
- Documentation required on site to licensed asbestos removal works
- Pre 4 stage clearance inspections
- Other trades entering enclosures – short guide

Craig added that most of the content of these topic papers could be incorporated into the Licensed Contractor's Guide. The group is still working on a number of others including "Gas and Electrical Safety on Decontamination Units" and "Asbestos Paper Removal". These will appear in the near future. The documents have already been circulated for information but if anyone has any further comments, they should let the Working Group know. Once any such comments are included the topic papers can be posted as a summary record of the Working Group discussions.

Simon thanked the group for their work and clarified that there would be a link to the 4 topic papers on the new ALG community pages rather than appending them to the Technical Working Group minutes which, as they are published on HSE's webpages, would require clearance by the Publications Governance Group.

5.4 Analyst Update – Plans of work and 4-stage clearance

Archie explained that a further Occupational Health Hygienist had left HSE which had delayed progress but a first draft was now available. It covered, amongst other things, the expectation of the personal safety of analysts and the quality of 4-stage clearance. HSE Inspectors will be encouraged to engage with analysts on site. It had been noted that when people were engaged at short notice to do a job, the quality of work could be influenced. Inspectors will therefore be looking at the plans of work of licensed contractors and checking they contain realistic timescales. David Tucker added that he thought the client should be included in these conversations as there is a more positive outcome if the client is engaged.

5.5 Personal Monitoring

Archie added that HSE would like to see an improvement in the quality of personal monitoring. This would be communicated on the web community (and ALG members) and directly from ALU to licence holders. David asked what action would be taken in the meantime if poor cases were found. Archie responded that generally they will be given advice in the hope they would become more pro-active. Colette added that analysts needed to understand why employees required monitoring. Melanie asked if HSE Inspectors were given certain topics to concentrate on. Archie responded that it would depend on the circumstances but they would be advised and referred to the guidance. However, continued poor quality personal monitoring was not acceptable for a licensed contractor.

5.6 ALU Update

Statistics from 1 April to 30 September 2015

- Number of licence holders – 449
- Number of inspections – 386
- Total number of notifications – 19689
- Total number of NNLW notifications – 13243
- Number of licences issued
 - New 20
 - Renewal 85 (renewal doesn't include those licences issued due to change of address)
- Number of licences refused (outright) – 6
- Number of licences refused (conditional) – 4
- Number of appeals – 0
- Number of revocations – 0
- Number of licence actions – 1
- Number of priority visit contractors (PVCs) - 32

Annette gave a brief update on enforcement action against licensed asbestos contractors so far this work year although she added that the refurbishment campaign had just finished so the figures may change. There had been 14 notices – 7 prohibition notices and 7 improvement notices. Of these 14, 11 were for non-asbestos breaches: 2 work at height; 3 CDM; one COSHH; one Noise; 2 management of health and safety at work; one inadequate RPE; one unsuitable plan of work; and one removal of AIB without an enclosure.

Rob Hirst gave a brief description of the role of the ALPI for those new to the group and then highlighted prosecutions since the last meeting. Details of each of the prosecutions can be accessed via the links below:

<http://press.hse.gov.uk/2015/llandudno-builder-jailed-for-exposing-workers-to-asbestos/>

<http://press.hse.gov.uk/2015/roofer-in-court-after-workers-potentially-exposed-to-asbestos/>

<http://press.hse.gov.uk/2015/two-companies-fined-for-serious-breaches-in-the-removal-of-asbestos/>

<http://press.hse.gov.uk/2015/heating-engineer-fined-after-homeowners-put-at-risk-of-asbestos-exposure/>

<http://press.hse.gov.uk/2015/company-fined-for-sale-of-boilers-containing-asbestos/>

<http://press.hse.gov.uk/2015/family-firm-fined-after-worker-broke-back-in-roof-fall/>

<http://press.hse.gov.uk/2015/developer-in-court-after-workers-potentially-exposed-to-asbestos/>

Archie updated the meeting on how HSE are trying to make Inspectors more consistent across the country. One example of how they are doing this is by more joint visiting across areas which will hopefully result in a shared professional view. The ASB4 form is also being amended to give more sub-prompts.

	<p>Archie explained that in line with the Government’s approach to reducing the burden on businesses, HSE were considering if there were ways in which we can operate differently e.g. how much do we ask for in way of forms, information etc. He thanked those who had given feedback at short notice and added they may come back for consultation on further ideas. Craig added that notifications are a requirement of the EU ‘Asbestos’ Directive, so cannot be removed. However, the review can consider the process of how notifications are made, etc and also look at other areas where UK legislation goes beyond the Directive. At this stage possible and potential changes are just being flagged up for discussion/consideration – no decisions have been taken.</p> <p>Archie explained that it is Cabinet Office policy to pro-actively publish Government-held databases. In future this will include the asbestos notifications databases, subject to redaction of personal and commercial data first. ARCA have already requested such data to facilitate their auditing of members and further advice is currently being sought from Government Legal Department before finalising this. <i>Post meeting note:</i> To assist HSE’s prioritisation of publication of these databases, members are invited to provide comments on the usefulness of such information and any commercial concerns that may arise. This will also inform how HSE approaches collection of data in the future.</p>
6	Any Other Business
6.1	David Tucker requested clarification on CDM from the previous ALG minutes and asked if asbestos removal would be classed as construction work. Simon confirmed that it would and therefore the CDM Regulations apply.
6.2	David mentioned the Strategic Forum for Construction which has been doing a considerable amount of work on MEWPs. He suggested it would be useful to have a representative from the asbestos industry on this group. Peter Wilson confirmed that he was already a member.
6.3	Peter reminded members that it was the European Health and Safety Week and, as part of the week 21 October was National Workplace Inspection Day.
6.4	Steve reported that some ARCA members were unhappy that they were having to compete for work against small scale surveyors who had no accreditation or PI insurance. It was suggested that this may be an issue for Trading Standards.
7	Date, time and location of next meeting
7.1	The next meeting will be held on Thursday 11 February 2016 at 10.45am – HSE’s Office, Mallard House, Kings Road, 3 Peasholme Green, York.
7.2	It was agreed that the meeting in October 2016 will be held on Tuesday 11 th at 10.45am also at HSE’s Office, Mallard House, York.

ALG ACTION TABLE – 20 OCTOBER 2015

Item	Action
3.1	1) ALU to send web community joining invitations to members by the end of October.
4.1	2) Steve to add some form of feedback process to competency guidance. 3) Steve to contact Helen Ratcliffe requesting HSE endorsement.
5.1	4) John to circulate draft asbestos apprenticeship scheme document to working group for feedback/comments.
5.2	5) Craig to circulate link for Asbestos Campaign Evaluation Report. Link included in the minutes. Item discharged.