

**CURRENT STATUS OF ASBESTOS MANAGEMENT**

<b>COUNTRY:</b>	<b>UK</b>	<b>YEAR:</b>	<b>2014</b>
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**REQUIREMENTS**

**WHICH ARE THE MAIN REQUIREMENTS ESTABLISHED BY LAW FOR...? [National or regional legislation]**

**Works with exposure to asbestos** [Related to Companies and/or Workers]  
 In the UK the Control of Asbestos Regulations 2012 is the primary piece of legislation relating to asbestos exposure.

The Asbestos Control Regulations apply in different ways depending on what type of work a company is carrying out. This is categorised in three ways: licensed work, notifiable non-licensed work and non-licensed work.

Most construction companies are only likely to carry out non-licensed work. If this is the case, the extent of their legal obligation is to provide asbestos awareness training for their employees to help them to identify asbestos in the course of their job. If they identify asbestos on site they must stop works until they have received confirmation that it is safe to proceed.

The removal of higher risk asbestos-containing materials (sprayed asbestos coatings, asbestos insulation, asbestos lagging and most work involving asbestos insulating board (AIB) should only be carried out by a licensed contractor.

Licensed asbestos removal work is a significantly hazardous job because it involves higher risk asbestos-containing materials (ACMs). These materials are more likely to release larger quantities of asbestos fibres when being removed than lower risk materials (such as asbestos cement). As a result, workers who are employed in removing higher risk ACMs require specific training and should follow specific working practices. Workers should also use sophisticated respiratory protective equipment (RPE) and are legally required to be under regular medical surveillance. It is because of the hazardous nature of this work that a licence to do it is required from the Health and Safety Executive.

There are some asbestos removal tasks, involving lower risk asbestos-containing materials that do not require a licence. This is because any exposure to asbestos fibres from this type of work is not expected to present a significant risk, provided that the correct precautions are taken. However, under the asbestos regulations that came into force in April 2012, there are now two categories of 'non-licensed' work, one of which, 'notifiable non-licensed work (NNLW)', has additional requirements for employers.

**Managing asbestos as a waste** [Including all waste management operations: transportation, handling and disposal]

Work with particular asbestos-containing materials can only be carried out by somebody who holds a licence issued by the Health and Safety Executive (HSE). Licences are granted for a limited period of time (usually one or three years) and the requirements for working with asbestos waste are much stricter and include: training requirements and regular medical checks.

Asbestos must be handled in line with Waste Regulations 2011 and the Hazardous Waste Regulations 2005. Asbestos waste may only be handled by a licensed waste carrier and taken to a site that is permitted to accept asbestos waste. Asbestos waste must be packaged securely to ensure that no fibres escape into the environment.

**PROCEDURES FOR REQUIREMENTS INSPECTION:**

The HSE may also inspect construction projects to ensure that the contractor is compliant with the legislation, whether they are licensed or non-licensed. The HSE is most likely to visit projects where uncontrolled dry stripping or use of power tools is planned, new license holders, or contractors that have not been inspected for the last year, or companies that have been sent a warning letter by the Asbestos Licensing Unit.

**FACTS ANALYSIS**

**STUDIES**

**Which are the main results related to the present situation of asbestos management? [Only a brief description of each result]**

**- MANAGING ASBESTOS RISK, Daniel Jude, Journal of Building Appraisal (2005) 1, 34–46; doi:10.1057/palgrave.jba.2940004**  
 Research by the Health and Safety Executive (HSE) has revealed that a quarter of the 3,000 people who die each year from asbestos-related diseases once worked in the building or building maintenance trades. These workers are potentially at the highest risk as they could accidentally disturb asbestos while carrying out building works or installing new cables.

**-British Journal of Cancer**  
 One in 17 British carpenters born in the 1940s will die of mesothelioma - a cancer of the lining of the lung caused by asbestos. There are three main types of asbestos – white, blue and brown. White asbestos was the type most commonly used in the UK. Blue asbestos was not used in Britain after 1970, but the use of brown asbestos continued into the 1980s, and carpenters often cut and drilled brown asbestos insulation board with power tools. The researchers believe this was a major factor underlying Britain's mesothelioma epidemic. There are just over 2 100 people diagnosed with mesothelioma in the UK each year with about five times as many cases in men as in women.

**-RR558 - Taking risks with asbestos: What influences the behaviour of maintenance workers?, Health and Safety Executive**  
 The research found that there are a range of issues affecting how likely an individual is to behave safely around asbestos, including:

- technical issues regarding the complexity of the message about asbestos and how to deal with it effectively;
- psychological issues, such as attitudes towards risk and personal health;
- cultural factors, such as prevailing worksite culture and economic pressures; and
- control factors, and whether individuals feel able to exert control over their work environment.

**Insight research to inform the Asbestos 2013-14 Campaign**  
 The HSE undertook research to identify current levels of asbestos awareness in the construction industry. They found that there was broad knowledge of the danger of asbestos and respondents were generally aware of the importance of not disturbing asbestos. However the majority of the participants took the attitude that asbestos was not relevant to them and their assessment of both appropriate measures and their feeling of being in a position of relative safety was wrong, the risk was higher than they thought.

**Are there any trends identified? [If there are, list which are they]**

All studies reinforce the idea that asbestos is recognised as the biggest on the job killer of trades people in the UK. Statistics relating to asbestos related deaths are high for people working with asbestos in the 1950s, 60s and 70s.

Most research suggests that general awareness of asbestos hazards is quite high in the construction industry. However, the perception of asbestos risks is lower than it should be, this is due to construction workers not considering asbestos to be relevant to them and their activities. This is probably linked to the enforced idea that if asbestos is found on site an external contractor must come be brought in to inspect and arrange for a specialist to remove the asbestos. The construction staff are not permitted anywhere near the asbestos once it has been identified.

**Which are the most important actions proposed for improvement? [Only a brief description of each proposal]**

The Insight research to inform the Asbestos 2013-14 Campaign suggest that the tools used to communicate risk of asbestos need to be improved, to ensure that construction workers understand that the risk of asbestos related disease is higher than they may realise.

Other recommendations for improvement include:  
 Driving responsibility to take action, providing accurate 'how to' documents for identifying and responding to asbestos found on site, empowering staff to use PPE, introducing additional drivers such as benefits and rewards for taking action.

**GUIDELINES / RECOMMENDATIONS FOR APPLICATION OF REQUIREMENTS:**

[Recommendations arising from national and/or regional published guidelines referring to in force legislation]

ASBESTOS: THE LICENSED CONTRACTORS GUIDE - **Health and Safety Executive (HSE), 2006**

For businesses holding a licence to work with (either repair or removal of) asbestos-containing materials (ACMs), those supervising such operations and those with an ancillary licence or providing training on asbestos

THE MANAGEMENT OF ASBESTOS IN NON-DOMESTIC PREMISES: REGULATION 4 OF THE CONTROL OF ASBESTOS REGULATIONS 2006. APPROVED CODE OF PRACTICE AND GUIDANCE, **Health and Safety Executive (HSE), 2012**

This publication gives advice on how to comply with the duty in regulation 4 of the Control of Asbestos Regulations 2006.

British Lung Foundation Campaign for Asbestos Awareness provides guidance on asbestos risks <http://www.take5andstayalive.com/>

**References** [Summary stating the most important sources of information, such as laws and responsible organizations for guidelines]

Control of Asbestos Regulations 2012

<http://www.legislation.gov.uk/uksi/2012/632/contents/made>

Asbestos: The Licensed Contractors Guide

<http://www.hse.gov.uk/pubns/priced/hsq247.pdf>

The Management of Asbestos in non-domestic premises

<http://www.hse.gov.uk/pubns/priced/l127.pdf>

Insight research to inform the Asbestos 2013-14 Campaign

<http://www.hse.gov.uk/asbestos/insight-research-2013-14.pdf>

**NEWS:**

[Recent news related with asbestos management: e.g. Environmental or H&S work incidents, events, conferences. legislation, technical or management improvements, etc.] [Listing news' headline, main theme and year]

- Victims are being compensated for asbestos exposure

- Subcontractors contaminate large area of a building by using a standard vacuum cleaner to clean up asbestos fibers

- New cases of mesothelioma have increased four-fold since the 1980s - 2,500 people were diagnosed in 2010

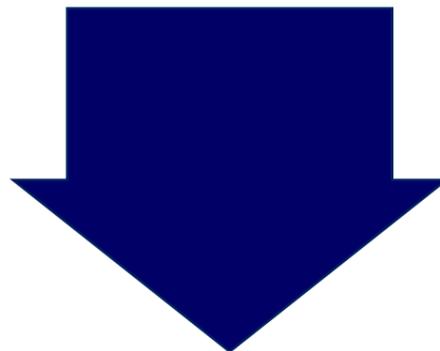
- Contractor fined £50,000 for allowing workers to work in an area of a school that they knew contained asbestos. The survey was done but not read by the contractor.

**References** [Summary stating the most important sources of information: e.g. for studies: universities, institutes and other organizations, for news : publishing sources]

BBC News Online, Construction Enquirer

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**IDENTIFIED ISSUES**



**Identified STRENGTHS**

[Strengths identified in current legislation, guidelines, research in this field (studies, articles), etc.;

It could be considered also as strengths potential solutions in process such as proposals for current problems in the country: law and/or guidelines proposals, national projects currently in process, etc.]

- The law on asbestos control is strict and clear.
- The asbestos regulation is enforced by the Health and Safety Executive, so construction companies can expect an inspection at any time which helps to maintain high standards.
- Penalties for failure to comply with asbestos legislation are high, either large fines or prison time. Again this helps to encourage sites to take responsibility for asbestos.
- Guidance available to construction companies is freely available from the Health and Safety Executive website. Guidance is clear and relatively easy to understand.
- There other sources of guidance but the HSE is a trusted organisation in the construction industry and has a good website, so construction companies know that it is the place to go for guidance.
- Asbestos penalties are reported in trade, local and national newspapers and media. This highlights the importance of asbestos awareness and the legal and health consequences of not complying with legislation.
- Waste legislation for asbestos is also strong and well communicated. Levels of awareness of how to manage asbestos waste is fairly high.



**Identified PROBLEMS**

[Weaknesses about asbestos management identified in current legislation (e.g. lack or not suitability of some requirements, differences in requirements among regions, etc.), guidelines, research in this field, news, etc.]

- The recent changes to the Control of Asbestos Regulations 2012 have caused some confusion, over the different types of projects, e.g. what type of project must be notified to the HSE and what the requirements are for the different types of asbestos related work.
- Research shows that though construction workers demonstrate awareness of asbestos hazards, they often underestimate the health risks that they face and avoid taking responsibility for asbestos.
- Construction workers have been found to consider asbestos irrelevant to their job role.
- News stories show that construction companies do not always read the asbestos inspection reports that they are given, which can expose their workers to asbestos risks.
- Although asbestos awareness training is a legal requirement it is not made available free to construction workers or other high risk job roles.

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