



16th UKAS Asbestos Technical Advisory Committee - Summary

**Wednesday 12th March 2014 at UKAS
(Feltham)**

Attendees:

S Burbeck – Adams Environmental Ltd (SB - Chair)
W Smith, UKAS (WS)
G Sanders, UKAS (GS – Secretary)
J Francis, Representing Asbestos Testing and Consultancy - ATaC (JF)
Helen Ratcliffe, Health & Safety Executive, Asbestos Policy Unit (HR)
B Daunton, Health & Safety Executive (BD)
L Davies – Health & Safety Laboratory/ Independent technical assessor (LSTD)
C Willoughby, British Occupational Hygiene Society/Independent Technical Assessor (CW)
Rob Blackburn – Asbestos Removal Contractors Association – ARCA (RB)
Arran Cobley – HampshireCounty Council (AC)

Apologies:

G Burdett - Health & Safety Laboratory (GB)
John Richards – RICS (JR)

1 Minutes of 15th Meeting

Were agreed by all apart from the following item:-

- I. Update from HSE (Section 5) stated that: *RICE results would be sent to UKAS, but not publicly published. HSL then did not need to inform UKAS after a 2nd unsatisfactory result.*

HSL confirmed that Labs were informed by the HSL when Unsatisfactory ratings were attained, but that Labs were not required to tell UKAS. However Lab 30 does state that the Laboratory should inform UKAS. The published lists only confirm who are Satisfactory.

HSL agreed that they will move to inform UKAS when a Lab becomes Unsatisfactory. HSL to set-up contract with customers. UKAS to be informed when such a scenario arises

2 UKAS Update

Summary:

- Industrial Chemistry Section was renamed in December 2013 to Industrial Chemistry, Asbestos and Forensics (ICAF)
- W Smith has replaced R Bettinson as Accreditation Manager of the ICAF Section and G Sanders replaced K Brooks as Asbestos Technical Focal Point and Meetings' Secretary.
- Technical Assessor (TA) resource for asbestos assessment remains managed by WS but has appointed a mentor for the Technical Assessors: Mark Wagstaff



Resource:

Following the retirement of R Webster in 2013 the level of available resource was reviewed by UKAS. It was agreed that although there are 14 TAs, more were required, especially to address the witnessing of 4SC work on a short-term basis. UKAS is working towards addressing this in the coming months.

The increase in resource was also required to support the growth in applications recently received by UKAS (14 in last 12 months; 5 in last 6 weeks)

- ISO 17020:2012 Transitions – 155 in total to complete
The process was discussed along with any issues which had been identified during assessments. Of these the most prevalent being associated with complaints and impartiality, with IBs opting in most cases to be assessed to Option A as most have ISO 17025 accreditation.
- 4SC Failure Feedback
In recent months UKAS has requested TAs to track those 4SC witnessed during assessments which fail. Early indications suggest that approximately half of all 4SC observed by UKAS fail. It was confirmed that mechanisms for preventive/corrective actions are being recorded along with which Stage(s) is affected.
Technically Stage 2 is subjective and so outcome is open to interpretation, but Stage 3 is clearly ascertained and so find this to be where most failures occur. However analysts are not failing a clearance where the Technical Assessor would have done and a number of reasons were suggested for this, including; paperwork and, the reuse of the Hygiene facility.
- Awareness Campaign:
Nothing specifically planned for 2014 but seeking seminars etc to enhance awareness. Invite to members to be involved where applicable

Reporting

A number of issues were highlighted by members which identified reporting of asbestos survey inspections as not generally being fit-for-purpose for customers.

These included:-

- Automated systems which don't always reflect the observations of surveyors on-site
- Surveys have agreed exclusions but then attain 'no access' issues
- Surveys for demolition are not being robustly undertaken when witnessed
- Limited ductwork sampling in surveys for refurbishment and demolition, but still have recommendations: These therefore lack sufficient statistical evaluation of requirements and/or understanding

To be discussed at next TAC meeting: IB presenting surveys to customers in a format that can be understood: Reporting quality - HSG264 compliant. However agreed in the short-term that IBs' (and Labs) ascertain what the client needs are for accreditation purposes, via contract review.



3 HSE Update Health

The update included an overview of the current health statistics related to asbestos mortality: approximately half of recorded disease relates to the construction industry of which 900,000 are self-employed workers. Half of cancer rates registered annually relate to asbestos. The original peak expected in 2016 is now suggested to be followed by a very slow downturn in mesothelioma rates from latest prediction models.

That said the purpose of the HSE is currently under review by the Government. A Case for the HSE to exist has been demonstrated but a greater commercial element is required: a Commercial Director has recently been appointed to the HSE to facilitate this. This will have a follow-on effect on the Health and Safety Laboratory which itself will become more commercial. Overall the Government's position for the long-term is yet to be finalised on HSE role/purpose.

Regulations/ACoP

Since the last meeting the key change has been the implementation of the revised Control of Asbestos Regulations (2012). Key points noted:-

- The change to notifiable non-licensable work
- Medicals may be required (2015) and there is a drive for General Practitioners (GPs) to offer them, but more effort required to achieve this aspect
- CAR 2012 has a sun-setting clause – every 5 years, review needed (to see if Regs are still required). Issue of resource may impact on this requirement

The resulting ACoP (issued January 2014) has been designed to be simpler, more user friendly, with less densely worded paragraphs. Key points include:-

- Refresher training – Training Needs Analysis (TNA) rather than just annual training regardless
- More info on duty to manage – Reg 4 on Tenancy Types

There is greater use of tables to interpret the regulations especially on Duty to manage./HSG 264. Aim for Guidance to be reviewed holistically. There is a long-term aim to provide something separate for Duty Holders. Guidance to be issued more in an electronic format

Campaigns

New Hidden Killer Campaign not being implemented until such time when research (with Cabinet office) has identified the best means to convey H&S practice. Previous campaigns noted that there is a problem of engagement with customers/contractors.

HSE Inspection programme

From April 2014 onwards (12 months) – 32 different companies going to be randomly selected and assessed by the HSE with a combination of site and head office inspections (UKAS Accredited).



The process for feedback will be formally issued at the end of the programme but individual cases will be conducted via the 'Fee for Intervention' or 'Prosecutions' process where applicable: This will result in Consultancies being charged if applied.

HSG248:

There is a section on the 4SC ongoing. Issue date not yet known

4 BOHS Update

Key points:

- Failures rates for practical P403 /P401 ~50%. Consistent with previous results
- CoCA – survey reports generally submitted. Noted that when not a survey report (as options allow) this will tend to pass first time, i.e. when individuals have to consider the details required
- Candidates are generally employees of organisations – no formal data on links between self-employed/contracted
- Slow down on Certificate of Competence (CoC) in Asbestos undertakings:- Rules for W504 mean that a report and Personal Learning Profile require marking (i.e. extra step)
- Turnaround times for results being issued and gaining qualifications:
 - 1 week: 12%
 - 2 weeks: 76%
 - 4 weeks: 96%

Developments

- Inspection scheme to evaluate Course Providers. Set up on a 3 year cycle (nearing completion of first cycle). Course providers now finding the process useful and gives greater confidence in work done. As a pilot near completion: likely to develop process for continuous implementation. Proving to be another route for course providers to feed back to BOHS on: Degree of improvements noted with some examples of companies not being able to be a provider
- Online Examinations: Possibility of exams to be done on-line.

5 ATaC

Key points:-

- Asbestos in Bulk Identification now formally acknowledged by UKAS
- Asbestos Surveying: 141 candidates – surveying failures around 20%
- Duty Holders course – 20 candidates so far
- The issue of failure requiring redress was noted as significant but it's not known whether this is due to repeat business.
- There are trials being developed with Companies to run the courses with audits/cvs/venues etc being developed.
- Steve Platkiw has replaced Ian Stone as ATaC Manager

6 Lab 30

The latest draft was discussed and members were invited to review the document and provide feedback.



7 **RG8**

RG8 being revised to take into account the implementation of ISO 17020:2012 and provide clarity in technical aspects identified during assessment.

Point of surveying of Marine Vessels discussed. Next version of RG8 will not apply to marine vessels and surveying there-of.

The latest draft was discussed and members were invited to review the document and provide feedback.

8 **Asbestos in soils**

The issue of screening was reviewed as agreement had been previously noted that this is not in itself a method, but part of the identification process. Schedules to be updated with term 'screening' to be removed

Qualifications required for quantification were reaffirmed: P403/ATAC RSPH equivalent needed by company as stated in Asbestos Technical Bulletin (Issue 2). Participation in two rounds of the PT Scheme RICE was confirmed. However if the method does not involve phase contrast microscopy then due consideration to this would have to be made.

9 **AOB –**

i. 4SC Access issues by UKAS Technical Assessors

There have been a number of examples recently experienced by Technical Assessors of not being able to attend site due to a lack of cooperation by contractors to have UKAS attend. A number of incentives were being offered by Labs (such as doing the activity for free) but the HSE reinforced the view that accreditation is important and that contractors need to cooperate. Labs/UKAS shall contact local asbestos licensing unit when no access is gained

ii. 4SC reporting

It was reported that during UKAS assessments of 4SC work(s) where there was no enclosure, the outcome could not be reported on a delineated Certificate of Reoccupation (CoR).

However it was confirmed that a CoR can be issued if no enclosure is present, based on Reg 20, which states that any certificate issued in-line with Reg 17 will need to be a CoR (para 427).

It was added however that for removal work which was not licensable then the HSE had stated that the CoR cannot be issued

iii. Decontamination for female analysts

The issue of clothing when using hygiene facilities (decons) was discussed. Swim wear proffered and confirmed by HSE as clothing of choice. Site facilities have improved with analysts taking a risk based approach to decide on level of usage.

Next Meeting: 28th August, 2014

Venue: UKAS, Feltham