

**Minutes of the Second Joint Meeting  
of the UKAS asbestos Technical Advisory Committee (TAC) and  
the HSE Committee on Fibre Measurement (CFM)**

held on Friday 18<sup>th</sup> November 2008 at HSE, Rose Court.

- Present            Mr B Tylee, HSL (Chairman)  
                      Mr WJH Sanderson, Bureau Veritas  
                      Dr G Burdett, HSL  
                      Mr Greg Haywood, HSE SALU  
                      Mr Rob Bettinson UKAS  
                      Ms Wendy Smith, (UKAS)  
                      Dr Martin Gibson, HSE HU  
                      Mr Peter Bodsworth, Consultant  
                      Prof Bob Brown, ECFIA  
                      Ms Helen Ratcliffe HSE DR4  
                      Mr Rob Blackburn (ATaC)  
                      Colin Perryman (Greenwich Analytical Services (Local Government))  
                      Ms Pamela Blythe (BOHS)  
                      Ms. Karin Virco (OHS).  
                      Mr. Bruce Sutherland (Noble Asbestos Consultancy Ltd)  
                      Mr John O Sullivan (ATaC)  
                      Mr Paul Winstone (RICS)  
                      Dr AD Jones, IOM (Secretary)
- Apologies        Dr Delphine Bard, HSL  
                      Mr R Jackson, ROMAR Consultants  
                      Ms. Sue Burbeck (Adams Environmental Ltd)  
                      Mr M Wilkes, Cape/TICA  
                      Dr JW Cherrie, (IOM)  
                      Mr R Webster, consultant  
                      Ms C Houghton, EURISOL  
                      Mr Bob Daunton, HSE

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**1        Welcome**

**2        Minutes of the last Meeting**

The minutes of the previous meetings (TAC on 24<sup>th</sup> April 2008, CFM on 3<sup>rd</sup> June 2008) were accepted as accurate records of the meetings.

**3        Update from HSE**

**(i) Legislation and Guidance**

- A second draft of the revised MDHS 100 will be available by Christmas, and the expectation is still that it will meet the original publication target of Spring 2009. Noted that a survey of tradesmen and employers had been carried out and would be described later in the meeting. There would be a period of 4 to 6 weeks for comment on the draft.
- The plan is for HSG 248 to be reviewed in the HSE work year 2009/2010.
- Any regulatory changes in HSG 248 would have to be subjected to a regulatory impact assessment; however, HSE would in any case be looking for input on technical issues. As regards the significance of the impact assessment, they were not seeking to make major changes so that should ease the assessment.

- It was suggested that WG2 could take on the technical revisions. However, other considerations are required, for example there would need to be a paper prepared to go to the HSE Board.
- It was suggested that there might be other ways (to get round the delay on HSG 248) to ensure that labs and analysts were aware of current requirements, such as sending out memos from ALG. However, on balance it appeared to be better to update HSG 248 and to do it soon. There was a question of whether there should be an assessment of the impact of only having out of date guidance available.
- It was agreed that there should be a meeting to scope out the ways that assistance could be provided to make the technical revisions to HSG248.
- The guide for contractors undertaking non-licensed asbestos works is also being worked on in Edinburgh.
- Attention was drawn to an apparent anomaly where the current Approved Code of Practice may be out of date with regard to decorative coatings containing asbestos (e.g. Artex). It was agreed that this would be examined.

**(ii) Duty to Manage**

- HSE reported on the developments on the Duty to Manage. A report, by a contractor on a survey of Duty holders under regulation 4 and of trades-people to assess how well the “Duty to Manage” is working, has been redrafted to make the headline information more readily available. The survey has been undertaken by MORI, guided by the Institute of Employment studies with Loughborough University involved in making verification visits. All of the survey had been done over the telephone, except for a few visits.
- In summary, 700 duty holders had been contacted by “*random digit dialling*”. A total of 500 maintenance workers (plumber and electricians) plus a booster sample of 100 Local Authority staff had been interviewed. All the interviews had been recorded anonymously to elicit truthful answers.
- Some of the key findings of the survey included the following points.
  - (i) The more people were aware of asbestos, the more they think it will be present.
  - (ii) Small SMEs often do not recognise asbestos as relating to them.
  - (iii) Almost all maintenance workers think that asbestos is present in about 1/5<sup>th</sup> of situations.
  - (iv) About ¼ of maintenance workers think that they have disturbed asbestos in the last 12 months.
  - (v) Weaknesses in the documentation regarding asbestos, often with no management plan to review and update documentation.
  - (vi) If work was being done in houses, there were often access problems.
  - (vii) Less than half of the trades-people consider that they are being told of asbestos. However, in non-domestic premises, maintenance workers are sometimes being informed.
- HSE added that there was more work to be done, e.g. with a questionnaire to RICS. There had been delay in getting the work done due to changes in staff.

**(iii) Asbestos Campaign**

- HSE summarised the situation with the Asbestos Campaign. The success of the campaign had stirred up more enquiries; some of them had been on quite esoteric points. The Pilot campaign earlier in the year had identified effective routes of communication, and effective styles of communication. Daytime radio, on the channels that the target audience listens to, was an effective route. It would stimulate discussion. Adverts were also appearing in the Sun, Mirror

and Daily Star. The campaign was involving the stakeholders and social partners, ARCA, charities, unions etc.

- Case studies were being shown as videos of people with mesothelioma talking about their experience.
- There is a revamped website. The info line has reported an enormous increase in number of calls. There has been a print run of 685,000 leaflets, most of which have been distributed. Ian Wright was involved in the launch of the campaign; he was a plasterer before he became a professional footballer.
- There were questions on the detail behind the above summary. For example, did the statement about the percentage of trades-people being informed about asbestos relate to the situation where they ask for information? More information will be in the report.
- HSE is also gathering information, e.g. on the reports of instances where things have gone wrong. It was suggested that a number of ATaC labs would be willing to provide overall summary statistics on how often they were called on to undertake reassurance background sampling.
- HSE commented that the campaign was also giving publicity to instances of where things are being done correctly. The purpose of the campaign is to get positive actions undertaken. However, increased awareness also means that there is increased reporting of instances where things do go wrong.
- HSE stated that the follow up on the campaign would include endeavours to achieve improvements at SMEs. ATaC have combined with the ALG in running road-shows. A meeting with RICs has been arranged. The British Institute of Facility Managers is also becoming involved.
- The importance of paying attention to inclusion of health and safety in training was also suggested. HSE stated that there is a programme for talking to apprentices as part of the campaign and that integration into education and training was the subject of planned work.

**(iv) Despatch of Samples by Post**

- There had been discussion (by video conference) between HSE & Royal Mail, concerning the despatching of samples by post. HSE had identified the issues (package size, labelling, etc). There had been no formal response from the Royal Mail as yet. It was noted that the Royal Mail do accept materials that are well encapsulated. It is noted that this year the Royal Mail website has advised that “*Asbestos can be carried but only when fixed in a resin, plastic or glass matrix*”, <http://www.royalmail.com/portal/rm/content1?catId=400138&mediaId=36200679> .
- What stance UKAS should be taking with respect to organisations sending samples through the post? It was agreed that the responsibility lay with Royal Mail to provide a definitive view, but in the meantime, as they were reviewing their policy, UKAS should as a minimum expect labs ensure robust packaging is utilised to greatly reduce the risk of contamination if damaged. HSE will keep UKAS and CFM updated on the progress of their discussions with Royal Mail and on the final outcome.

**4 Update from UKAS**

- UKAS will be formally appointed “The National Accreditation Body” in accordance with new European Regulation.
- Since May 2008, there had been:
  - 8 applications, 5 for Inspection Bodies, 3 for testing laboratories.
  - 12 grants of accreditations, 8 for testing laboratories, 3 for Inspection Bodies, and 1 for both.

- There had been 4 resignations
- CITB have withdrawn from supporting the NIACS scheme; which has now been suspended
- New Inspection Bodies tend to be very small ones, being pushed by their customers to go for accreditation.
- In June 2008, UKAS had recruited a third asbestos assessment manager, who has nearly finished his training. However, one of the asbestos assessment managers is leaving. UKAS commented that it has always been difficult to recruit assessment managers with asbestos experience. UKAS is now looking for a replacement asbestos person.
- UKAS are undertaking a programme of unannounced visits, particularly follow up visits. In the past, the date for a visit has always been arranged. There are occasions where an unannounced visits has led to suspension.
- UKAS stated that, as part of the initiative on 4-Stage Clearances, UKAS were hoping to participate in an HSE initiative in Staffordshire.
- LAB 30 was published in May 2008, RG8 will be published before the end of 2008. There was one received comment on the published draft RG8.
- It was noted that the NIACS scheme leads to personnel certification, not accreditation. NIACS certificates should remain valid until their expiry date. However, the insurance for these has lapsed. It was noted that only a relatively small number of individuals (about 13) are affected. It was also noted that ARCA have taken over NIACS.
- The question of whether the reporting of clearance tests should be as a clearance value of 0.01 or 0.010 was discussed. Noted that there are some mistakes within HSG 248, but correct guidance is given on page 59 of that HSG, and that the clear requirement is that it should only be reported to 2 decimal places. This was supported by the committee members.

## **5 Update on Training (BOHS)**

- As discussed previously at CFM, the BOHS proficiency testing module exams are changing in format from multi-choice to short answer. The asbestos modules will change in August 2009.
- BOHS propose an open forum on training, and are inviting HSE, HSL, UKAS, course providers, etc. The date and venue were yet to be arranged.
- Noted the new P- cert exam format had already been used on other topics, and that had demonstrated that the change of format does not cause a delay.
- The issues of the time taken to mark the P-cert submissions was discussed briefly. The delay is usually not with BOHS. BOHS sends out a dated letter of receipt on receiving a submission, so genuine delays would be evidenced by the time from date of receipt.

## **6 Any Other Business**

- None raised