



Attendees:

Sue Burbeck	Adams Environmental, (SB, Chair)
John Abbiss	UKAS (JA)
Louise Wainwright	UKAS (LW, Secretary)
Helen Ratcliffe,	Health & Safety Executive, Asbestos Policy Unit (HR)
Martin Gibson	Health & Safety Executive, HM Principal Specialist Inspector (MG)
Colette Willoughby	British Occupational Hygiene Society (BOHS)/Independent Technical Assessor (CW)
Steve Sadley	Asbestos Removal Contractors Association (SS - ARCA)
Arran Cobley	Hampshire County Council (AC)
John Richards	Royal Institution of Chartered Surveyors (JR - RICS)
Steve Platkiw	ATaC (SP)

Guest Speaker:

Jonathan Grant	NORAC (New Association - representing some accredited IBs and Testing labs)
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Apologies

Gerald Hudd	Independent Technical Assessor (GAH)
Laurie Davies	Health & Safety Laboratory/ Independent technical assessor (LSTD)
Rob Blackburn	Asbestos Removal Contractors Association (RB - ARCA)

Summary

1 Welcome and Apologies

The Chair welcomed all attendees to the 21st meeting of the UKAS Asbestos TAC meeting and included some opening comments regarding using the meetings as an opportunity to review the purpose of TAC and its aims along within the context of the agenda items.

A general comment was made to suggest that some of the site clearance work being undertaken remains poor quality and this is disappointing given accreditation has been going for some time.

There have been further improvements within the surrounding industry with the likes of the additional training and the instilling of professionalism such as the ARCA training with LARCs. The same improvements need to be seen within the analyst /surveying sectors.

The Chair acknowledged the apologies received prior to the meeting.

Acceptance of the guest speaker J Grant who is representing NORAC who are recognised as an Association was confirmed prior to the meeting.

2 Minutes of the last meeting

The minutes from the last TAC were issued late and did not include all comments by parties. Additional feedback on the minutes received during this meeting is acknowledged and the minutes shall be revised accordingly and reissued. This relates to details surrounding the RSPH Level 4 Qualification where it was stated that there was 'consensus' in accepting these. As full 'consensus' was not achieved it determined that the minutes will reflect the 'outcome'.

The delay in issuing minutes led to a delay in the revision and issue of the Technical bulletin (Issue 5 Jan 2017). This was published on the website and contained details to reflect the outcome of the discussion over qualifications.

To reiterate the position of UKAS relating to qualifications. UKAS is not an approval body for these and it will be necessary to clarify some statements in LAB30 which may infer otherwise regarding qualifications.

UKAS has a responsibility to provide guidance on the acceptability of what qualifications are appropriate for competency but this does not equate to approval. Approval of qualifications is an external public authority responsibility.

3 UKAS Update

A summary of details relating to the structure of UKAS following restructuring was provided.

UKAS restructure and this is broken down into the 3 service delivery models:

- Enterprise – smaller organisations, often with less sites and a limited amount of staff
- Core – medium sized organisations
- Corporate – large organisations, often international with many sites globally and complex staff structures

Summary of Accredited Asbestos IBs and Testing Labs

Asbestos Customers

Total - 241 (including 18 applicants)

Test/IB - 105 (incl. 2 applicants)

Test - 70 (incl. 2 applicants)

IB - 66 (incl. 14 applicants)

The number of testing labs has increased since the original Analyst Guide was published.

The HSE confirmed that the number of notifications is in the region of 30,000 to 35,000 and has remained fairly constant over the last 5 years. Input from HSE and ARCA also confirms that there is an appreciation that the type and work is changing with more smaller jobs being seen. There is also the change in the type of works with more focus on the final four stage clearance and less on-going monitoring for the full duration of the site works.

New	Asbestos	Applicants	(last	calendar	year)
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Total - 17

Lab/IB - 2

Lab - 1

IB - 10 (2 withdrawn)

Clarification from UKAS that although applicants will apply some may not compete the process and never gain accreditation. Such cases would eventually after a suitable period of review leads to withdrawn applicants.

Asbestos Accreditations Resigned/Withdrawn

Resigned 9

IB/Lab 3

Test 2

IB 4

Withdrawals

Totals – 5

Lab/IB - 4

Lab - 0

IB - 1

4 HSE Update

Any organisation changes:

There have been organisational changes.

General update:

The post 2012 review of CAR is now complete.

<https://www.gov.uk/government/publications/control-of-asbestos-regulations-2012-post-implementation-review>

The review examines whether the regulations have been, and continue to be, the most effective means of minimising asbestos exposure to workers and the public arising from work on buildings that contain asbestos. The purpose of a post implementation review is to evaluate the existing regulatory framework, rather than to examine government policy regarding asbestos. The

Stake holders felt that the regulations were appropriate and effective at protecting workers. The review found the regulations reasonable and fair and contain sufficient information for duty holders to comply with requirements.

The review also identified that Stake Holders require additional information including:

- i. Specific details on asbestos management plans.
- ii. Further guidance on clarity on what should be in a POW for licenced work
- iii. Harmonising the frequency of medical examinations between licenced and non-licensed works.

Heath Effects Statistics

There were, in the year 2015, 2542-2515 of mesothelioma deaths in GB, the numbers have been around 2500 a year for the prior 3 years. (adding in those lung cancer deaths estimated to be asbestos related gives about 5500 deaths each year). Current projections suggest there will be about 2500 mesothelioma deaths for the rest of this decade (2020) before annual numbers begin to decline. Asbestos remains the single largest cause of work related deaths

In recent years the increase in deaths has been driven mainly by deaths amongst those aged 70 and above, i.e. those exposed prior to the mid-1980s regulatory tightening. For people under 60 there is a decline in the figures.

Additional details can be seen via the HSE website however this may not be accessible to all:

<http://www.hse.gov.uk/statistics/causdis/mesothelioma/index.htm>

5 BOHS:

Any organisation changes:

The current CEO is leaving but remains in post at present and the process for finding a replacement is underway.

The Head of Qualifications is also due to leave very soon and his position is being recruited for.

There has been some general restructuring within BOHS over last few years and this work has been in part to ensure a more robust structure so that organisation isn't reliant on just a few.

Other updates:

New Soils P-Module is due to be launched which will cover aspects of both quantification and qualification of asbestos in soils. The new P-Cert will include practical assessment for both elements.

The assessment will use samples from HSL for the AISS (Asbestos in Soils Scheme) scheme.

In the lead up to the new module being launched, BOHS are now in the process of vetting training providers to assess if they are suitable to undertake this and have the correct facilities for undertaking the training and practical assessment elements.

FAAM (Faculty of Asbestos Assessment and Management) is now also approved and is bedding in. The details have been signed and sealed by privy council.

BOHS will be holding an official launch on the 11th Oct and will also hold a series of road shows. The aim is to try and get people involved in the asbestos industry and all different levels and trying to professionalise the industry. BOHS believe that this provides a clear progression route within industry which extends beyond the traditional CoCA. Requirements of the becoming a member include the need to maintain CPD but will vary depending on the level seeking to be achieved.

FAAM is also trying to attract duty holders and provides a route they may be able to take.

6 ATaC:

Any organisation changes:

None to feedback

Sector feedback:

Training now encompassing decontamination procedures as this was a recognised area of weakness identified in part on the back of the analyst project.

ATaC will also be setting up some kind of analyst audit scheme where they visit sites and perform independent audits at the request of their customers.

Consistency between Technical Assessors is an aspect on which ATaC have received feedback from some members, no specifics could be given. UKAS confirmed that its customers had an opportunity to discuss any such instances at the time of the visits for discussion and where needed such inconsistencies would then be relayed back through the Assessment Manager on site to the TFP for consideration and review. Such items already form part of on-going Technical Assessor feedback and Technical Assessor meetings as required in order to try and drive consistency.

ATaC have provided comment that they are still finding that some candidates are not prepared by labs but are attending at site courses and exams. Pre-course notes are being provided in advance but it is dependent on candidates reviewing these.

Other updates:

RSPH is going well and there has been good feedback from candidates

NVQs – possible prompt for NVQ as a way in which to gain CSCS cards which are required by staff to access sites.

Update on programme of unannounced audits on LARC – over 200 (272) attempted visits with 192 completed audits.

The scheduling relies on information gathered from HSE week before relating to notifications. The program has been going since January with most members having had at least one audit completed at one of their sites. There has in general been a good response from clients.

With direct comparison with the outcome from audit pilot there has been a positive outcome in terms of passes and fail rates with majority of failures as a result of missing records which are mandatory rather than due to unsafe situations. Applying very similar marking at the HSE during their on-site visits.

In general, the scheme is deemed useful and positive for the removal industry.

Other:

A general question was raised to ARCA's representative to ask if the effects of Brexit are yet possible to know within the removal industry. This is an unknown and the impact cannot be determined until further details are known for employees within the industry who may be directly affected by the outcome of Brexit and the resulting policies.

7 NORAC (Guest):

Introduction by Jonathan Grant representing Norac (National Asbestos Consultancy Group) which has now become an association and represent a number of UKAS's customers (Accredited IB and Testing Lab).

The organisation allows companies working within or to the same industry requirements to share best practices and discussion issue that may arise. It aims to improve the share of knowledge and is hoping to also assist with refresher training for companies to provide internally. Such guidance and the use of photographs would be hoped to assist with companies meeting requirements. It is recognised that the turnover of staff may not help with the constant training of staff for some companies where analysts are moving 'up' to other roles.

The main distinctions made between Norac and ATaC is that there are no affiliation with the removal industry and limited cost involved for members.

8 HSE Update:

MG provided an overview of the Analyst project which undertaken during 2015/16.

The process began with questionnaires being sent to 148 labs as a way of identifying key information to be used in the selection process.

The outcome of this identified companies where both HO visits and site witnessed assessments would be undertaken by HSE inspectors.

The full report of the findings is still awaiting completion but a brief over view of the significant findings of the project were provided.

In summary 31 accredited laboratories carryout 66% of the 4SC work

There were 4 main points identified as areas of concern:

- Analysts undertaking cleaning
- Poor analyst decontamination procedures
- Waste and transit routes not being cleaned/inspected sufficiently
- Issues with personal air sampling

With regards to the matter of cleaning, 43% of analysts/labs reported that some cleaning was required in over 80% of 4SC with all analyst conducting some form of cleaning in all jobs witnessed (to varying degrees). The amount of cleaning by the analyst themselves was quite considerable in some cases and this drew the conclusion that cleaning by the analyst constituted licensed work. In terms of analyst guide there is now clear guidance that this should not be being done by analyst. The question was considered whether or not this could be done under the 'short duration' terms but this is deemed unlikely by the HSE mainly due to the frequency of the work and that fact that any such works should not be done for another 7 days which in reality would not fit the role of analysts and company needs.

The main issue ultimately however falls back to areas not being suitably cleaned prior to handover to analysts for the 4SC. This comes as a result of supervisors not undertaking suitable assessment/thorough inspection of enclosure prior handing over to the analyst.

There has been consideration for analysts in terms of allowance of time for 4SC to take pace but also this must be included as part of the time which should be expected and allowed, for LARC supervisors to inspect the areas thoroughly.

There are suggestions for operative guidance to include such details when revised in order to specify the time for LARC to complete this activity and also reiterate that this should be completed to a high standard. There was consensus that these aspects needs to be considered by the contract managers for supervisors to do this as they are the ones often tasked with setting up the works and timescales involved.

Currently time pressure is with analyst and this needs to change. The HSE are possibly thinking of some kind of handover document that analysts must receive from the contractor to confirm this has been done. There is already capture within the 4SC certificate to confirm the enclosure is ready for inspection and a 4SC to begin however this does not seem to be sufficient in addressing the issues.

The timings for supervisors should be in line with that proposed for analysts. There also needs to be education of clients that this will increase timings for hand back of enclosures.

Extra detail could be made available for clients to increase their understanding of the processes. Information needs to cover and reach a wider audience.

The POW should state time that supervisor should take to inspect and this is in addition to the time for the analyst. This would then be followed with a handover form, from a legal stance this would be covered as part of the guidance.

UKAS confirmed that the planning of analytical work is assessed as part of contract review and there are requirements for labs to ascertain a number of details as part of this including aspects such as the size of the enclosure, the number of pumps, removed items etc. Issues historically arise on time pressured jobs.

A general comment was made that in some cases there are incentives for cleaning to be right first time where there are penalty clauses for some LARC where visuals fail and re-cleaning is required. There may be other improvements which can be made to try and ensure that standards of cleaning prior to handover for the four stage clearance testing are raised.

9 Matter Arising - *ITEMS NOW INCLUDED IN RELEVANT TOPIC*

10 AOB

- Resurvey rates – 5% expectations for IBs and for assessment of this by UKAS Representation from HSE indicated that the figures are subjective and dependant on the work. The ultimate aim of having Quality Assurance resurveys is to ensure that there is a high level of consistency, and to check the performance of individuals and thus the residual risks of the work undertaken.

5% is an arbitrary figure. The proposition of resurveys has to reflect the scale of the company. There is the need to assess consistency and should be proportionate of the

work load being completed. In some cases therefore it may be appropriate to increase inspection recheck rates. Assessment of this requirement therefore, where 5% is being expected across all inspection areas (survey types and properties) should continue until further guidance is provided within any revised edition of HSG264.

- 4SC
 - what constitutes a failure/expectations
 - Policy for witnessing these activities (min at least every other year for witnessing full process)
 - what constitutes a failure/expectations – HSE possibly looking at what some sort of timescales for re-cleaning whereby if this goes above this time then the enclosure if is failed and the failed certificate is issued.

Need to ensure what point the clearance fails.

Judgement time by analyst whereby they need to assess if they need to do full decontamination.

Analyst should use vision panel and do a prelim check to ascertain if anything critical that could affect full visual being completed.

UKAS Policy for witnessing these activities (min at least every other year for witnessing full process) but will depend on organisations and any concerns and will be requested every year – consensus that the approach currently set is appropriate and no amendment of this is necessary at this time

- Poor quality of asbestos surveys -
HSE confirmed recent prosecutions involving quality survey inspection work and associated subsequent works. Such cases have involved accredited inspection companies along with the LARC and main contractors involved.

Some of concerns raised during prosecutions has included the inclusion of survey caveat and exclusions included within the reports issued.

Conflicts where reports issued under accreditation by an IB but who disclaim testing analysis and then the accredited lab then disclaim any responsibility for the inspection. Depending on the wording then this may be acceptable as a way of clarifying however it is likely that wording used is misunderstood by clients as to where responsibility and liability lies for the work they have commissioned. IB need to educate clients also.

It is known that the ALG are now looking at work with duty holders and their responsibilities to better educate and raise levels of understanding within this group.

11 | Close

Date of next meeting to be agreed – TBC