Asbestos is Britain’s top workplace killer. The factories have shut, but the asbestos hasn’t gone away. A new guide for safety reps, published jointly by official safety watchdog HSE and the TUC, advises safety reps how to keep workplaces safe from asbestos – including clearing out when they believe there would be a serious risk.

The Control of Asbestos Regulations 2006 took effect in November 2006. “Safety representatives play an important role in controlling workplace risks and can help to prevent exposure to asbestos,” a new joint Health and Safety Executive (HSE) and TUC guide to the regulations says. “You are entitled to be provided with any information you need on asbestos, including any risk assessments and surveys. You should also be consulted on your employer’s plans to manage asbestos.”

Here’s the problem

Asbestos is a potent killer. Just one asbestos-related cancer, mesothelioma, kills around 2,000 people every year – and the numbers are rising. Lung cancer linked to asbestos almost certainly kills even more, and several other cancers top up the numbers (Hazards 92). It also causes lung scarring (asbestosis), pleural thickening – which causes breathing difficulties – and pleural plaques, shadows on the lung which don’t cause symptoms but have been linked to future cancer risk.

HSE believes a “significant” asbestos risk could remain in hundreds of thousands of commercial buildings, in lagging, partition walls, fire insulation, ceiling and floor tiles, roof sheets and felt and other common building materials. Over a quarter of all asbestos deaths today are in workers who haven’t worked in the industry, but have been exposed in construction, maintenance and related trades like painting, plumbing and building services that brought them into contact with asbestos. But you don’t have to have worked with asbestos at all to be at risk – the children and even grandchildren of workers who brought fibres home in their hair and on their work clothes have died (page 24).

Managing asbestos – regulation 4

 Whoever has control of a building has a duty to manage any asbestos it contains. The “duty holder” has to take reasonable steps to find out if there is asbestos in the premises, how much, and in what condition. This can – but does not have to – be done by the employer. The results of any surveys should be recorded and the information provided to anyone who may work on or disturb these materials. Safety reps are entitled to this information. Those who control premises need to manage the risk. This includes an assessment of where the asbestos is or may be and its condition. It should be assumed asbestos could be present until a full survey is done.

Identifying asbestos – regulation 5

 Employees must not carry out demolition, maintenance or other work that exposes, or may expose, employees to asbestos unless they have found out whether asbestos is, or may be, present; the type of asbestos and its condition. If there is any doubt, the employer should assume asbestos is present and that it is not only white asbestos.

Planning work – regulation 7

 No work should be carried out with asbestos without a written plan of work. Safety reps should ensure there is a plan covering work methods, what happens to waste and how the employer will ensure the plan is followed. Information, instruction and training – regulation 10

 The employer must give adequate training, information and instruction to employees who, or may be, exposed to asbestos, their supervisors and the work force to help the employer comply with the regulations. The training must be given at regular intervals.

Preventing or reducing exposure – regulation 11

 Employers have a duty to prevent exposure so far as is reasonably practicable. If exposure cannot be prevented, it must be reduced without workers having to use masks. If that has been done but the exposure would still be above the control limit, the employer has to provide suitable masks that reduce workers’ exposures as far as is reasonably practicable below the control limit. It is good practice to use masks and other personal protective equipment even below the control limit. If any employer is exposed above the control limit, the employer must: inform the employee and their representatives; ensure work stops until action has been taken to reduce exposure to below the control limit; find out why the control limit was exceeded and take action to prevent it happening again; and take air samples to make sure this action was effective.

Asbestos tests – regulation 20

 All air testing, sampling of asbestos and, from 6 April 2007, clearance certification must be carried out by someone who is properly accredited. The United Kingdom Accreditation Service (UKAS) is the only government-recognised accreditation body.

Health and medical surveillance – regulation 22

 With only a few exceptions – where exposure is very low for each employee or is exposed to asbestos – employers have to: keep a health record, retaining it (or a copy) for at least 40 years; ensure employees are under adequate medical surveillance, provide a medical examination at least every two years; and such exposure continues, with certificates of examination kept for four years; and tell the employee if the medical shows any disease or health effect from the exposure.

The regulations apply to all work with asbestos materials carried out by employers, the self-employed and employees and to all work with asbestos, whether it requires a licence or not.

Don’t risk it

The HSE/TUC guide says if a safety rep suspects the presence of asbestos, “they should ask the employer what has been done to determine if such materials are present. Safety representatives can ask to see the results of any inspection or survey done to identify the presence, and condition, of asbestos materials.” It says it is only a risk if fibres become airborne, but adds “all asbestos-containing materials should be clearly marked, even if good in condition.” The guide says safety reps should take a precautionary approach: “If you see material which you have reason to believe contains asbestos, it has been damaged and you believe that there is a serious risk of exposure to asbestos fibres, you should ask everyone to leave the area.”

HSE/TUC safety reps’ guide