



## HS Broadcast –

## Asbestos Survey: Getting the right Survey

Legislation keeps changing when it comes to Asbestos and the requirements when construction work is under consideration.

I was recently asked to sign a petition requiring all buildings in the UK to be free of Asbestos by 2035. That is only 20 years away, so you can understand that, in my opinion, health and safety requirements in terms of Asbestos will only get tighter in the future.

This Broadcast is about getting the right Asbestos survey undertaken in advance of any construction work. In May 2015 the HSE prosecuted a company after it failed to identify asbestos materials in advance of construction work in a college.

To briefly outline this case, in July 2012 Labform Ltd (L), a laboratory design and installation specialist, undertook work at Newmarket College School to refurbish the science block. Unfortunately, the job became more complex and expensive than anticipated when L's subcontractor disturbed asbestos-containing materials (ACMs). The incident occurred when the workers removed a wall and cut channels in the floor. These tasks were in line with the plans but had not been properly prepared for. The incident led to major clean-up costs and exposed workers, pupils and teachers to the carcinogenic substance.

The problem was that L had not surveyed in detail before the work, so when the subcontractors cut into the surface, the presence of asbestos was a surprise. By then

it was too late to take precautions to prevent exposure. In court L pleaded guilty to four breaches of the Control of Asbestos Regulations 2012. It was fined £22,400 and ordered to pay £11,741 in costs.

This is not an isolated incident. A number of employers make a similar error when undertaking construction, demolition or installation work. They look at the surfaces, see no evidence of ACMs and rely on the training or experience of workers to spot the substance during the work. However, this approach to asbestos management doesn't fit with the law; you are expected to do more.

The school should have had a "refurbishment and demolition asbestos survey" (R&D survey) completed. This type of survey is destructive, i.e. it involves knocking holes in walls, pulling up flooring, etc. This locates all the ACMs in parts of the building being worked on so that they can be removed. L should not have started work on the premises until they had seen and acted on the findings of this survey.

**Please note**, if there is an existing survey report for a building and it is dated before February 2010 it will be titled as a "type one", "two" or "three" survey. The type three survey is the equivalent of the current R&D survey.

I have come across a very good document provided by the Health and Safety Executive called "Asbestos: The survey guide" (HSG264). This is well worth reading.



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### Using the information

Whenever work will disturb materials in a building constructed before 2000 you must check that the area is free of ACMs.

Please keep in mind that surveys have their limitations and are often filled with disclaimers about the parts which could not be reached. You will need to check the report carefully to see if it covers all the parts which you are working on, especially if you will be removing top layers of materials or working in voids.

In addition, if the survey has excluded important areas, a qualified surveyor will usually need to be called back in. The only exception would be where the materials are visible and it is obvious that they are non-asbestos, e.g. brick, glass, wood, metal.