

“We are very sorry to hear that Sarah Bowman has developed mesothelioma.

In response to the statements made by a Brent council spokesman in relation to asbestos in William Gladstone High school.<sup>1</sup>

Asbestos guidance was issued in 1967, 1976, 1983, 1986, 1991, 1995, 1999<sup>2</sup> to all Local Authorities and schools advising them both of the dangers of asbestos and the measures that should be taken to identify it and prevent the release of asbestos fibres. They were warned that there is no known threshold level of exposure below which there is no risk, and that children are particularly at risk. They were specifically told of the risks and measures to be taken in schools. In 2002 the guidance was put into law.

Under the 1974 Health and Safety at Work Act Brent Council are responsible for the health and safety of all occupants in their schools. Therefore they should have followed best practice and complied with the asbestos guidance issued to them by the Department for the Environment and the Department of Education.

1976 asbestos guidance for schools and local authorities advised them to identify the asbestos and to take precautionary and remedial actions to prevent the release of asbestos fibres. The 1983 and 1986 guidance specifically advised on the actions to be taken to manage the asbestos once it had been identified.

Brent Council therefore should have identified and recorded the location of the asbestos in all their schools in the 1970's, and if not then they most certainly should have identified and recorded the location during the 1980's. They are therefore wrong when they state that *“There was no requirement to keep records relating to the location of asbestos in buildings until the Control of Asbestos at Work Regulations 2002”*

If they only started identifying the asbestos in 2002 then they should explain why they had failed to comply with all the previous guidance that advised on the measures to be taken to ensure the safety of the occupants of their schools.

The 1967 and the 1976 Department of Education asbestos guidance was issued to all local authorities. Both give safety guidance relating to asbestos in schools. The 1967 guidance instructs that the local authorities are to ensure the most careful regulation of asbestos in their schools. The 1976 guidance is most specific about issuing safety guidance to schools as it states *“The Secretaries of State recommend that the information in this Administrative Memorandum be brought to the attention of staff in educational establishments...”*<sup>3</sup>

Brent council are therefore wrong when they state *“There was no requirement in force during 1979-1984 for the local authority to issue safety guidance relating to asbestos for schools in Brent”* for the Department of Education were most specific that there was a requirement for all local authorities, including Brent, to issue such guidance to their schools.

At the school's safety conference at Wembley Stadium in Brent on 11<sup>th</sup> March it would appear that the council are now implementing measures to ensure that people are trained and the asbestos in their schools is managed. If what the council spokesman has stated in this article is correct, then one must question why it has taken Brent Council some forty years to comply with the asbestos guidance.

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<sup>1</sup> Wembley and Kingsbury Times Another Piece in asbestos jigsaw. 18 Mar2010

<http://www.wktimes.co.uk/content/brent/wembleychronicle/news/story.aspx?brand=WKCOOnline&category=news&tBrand=northlondon24&tCategory=newswkc&itemid=WeED18%20Mar%202010%2017%3A35%3A33%3A830>

<sup>2</sup> Administrative Memorandum 20/67 (Department of Education and Science the Inhalation of asbestos dust. Administrative Memorandum 7/76 (Department of Education and Science the Use of Asbestos in Educational Establishments. Asbestos Materials in Buildings Department of the Environment 1983. Administrative Memorandum 3/86 (Department of Education and Science the Use of Asbestos in Educational Establishments. Asbestos Materials in Buildings Department of the Environment 1986. Department of the Environment Asbestos Materials in Buildings 1991. Asbestos and man-made mineral fibres in buildings DETR1999

<sup>3</sup> Administrative Memorandum 7/76 (Department of Education and Science the Use of Asbestos in Educational Establishments.”