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Demonstrating Auditing and Regulatory Requirements for Independent Asbestos Training Providers

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Independent Training News (ITN)

Supreme Court judgement and Government policy. Implications for asbestos in schools

A recent Supreme Court ruling has profound implications not only for those people who have been exposed to asbestos, but also for all individuals and organisations who own or who are responsible for a building that contains asbestos. On 9th March 2011 seven Justices of the Supreme Court unanimously confirmed that the proof required in a case of mesothelioma is that their exposure "materially" increased the risk, rather than the **unrealistic and often insurmountable legal obstacle demanded by the Defendants that it doubled the risk.**

The judgments were in the cases of Enid Costello (Sienkiewicz) who had been exposed to asbestos as an office worker in a factory, and Dianne Willmore who had been exposed as a pupil at school. Both of them had died of mesothelioma.

In both cases the exposures had been to low levels of asbestos fibres. In Dianne Willmore's case the Courts accepted the medical evidence that "Mesothelioma can occur after low level asbestos exposure and there is no threshold dose of asbestos below which there is no risk." Two weeks before the Supreme Court judgment was published the Government's advisory committee on science, WATCH, confirmed that there is no safe threshold when they conclude "The risk will be lower, the lower the exposure, but "safe" thresholds are not identifiable."

The Courts found that the factory owners and the local authority had negligently exposed the occupants of the buildings to asbestos. The judgment underlines the fact that if organisations fail to effectively manage their asbestos people can die of mesothelioma. It also acts as a stark reminder that if that happens then the school authorities or the employers will be brought to justice.

These incidents, and countless others, have occurred because of a lack of awareness of the dangers of asbestos and the measures that have to be taken to manage the asbestos safely. A report by ATaC last year highlighted what their members find in schools up and down the country, that many are not managing their asbestos either effectively or safely. There were common problems with poor surveys, a lack of workable management plans, a lack of knowledge who was the duty holder and a lack of training and asbestos awareness. They stated "These are not minor problems that have crept in over recent years; rather they are fundamental problems that are endemic in schools in the UK." The same problems have been identified by the HSE in their recent inspections of schools, and where enforcement action has been taken it has often been because of a lack of training.

Two weeks before the election the Government established a Department for Education asbestos steering group to improve the asbestos management in schools. The group reports to the Minister. One of the key tasks is to improve the standards of asbestos awareness and training. The awareness training will be for all schools and will be initially directed

at school governors, headteachers, school managers, caretakers and school maintenance staff. But the training is flawed as it will be entirely web-based, is not compulsory and is also underfunded as less than a pound is being allocated to each school.

The campaigning group "Asbestos in Schools" (AiS) is represented on the steering group. Its position is that in order for the training to be effective it has to be extended to all teaching and support staff, it has to be compulsory, and it has to be properly funded. Specified standards have to be set and a system introduced to determine whether they are being achieved. There should be accreditation for the trainers. AiS consider that it is essential that those expected to manage the asbestos and those who regularly disturb it, should also have face to face training.

DfE's plan is that the web-site will direct people to training courses and providers. As there are about 33,000 schools in the country with half a million teachers and a third of a million support staff, the task will be considerable, but if it is managed skilfully it has the potential not only to raise asbestos awareness in schools, but also throughout the country. Plans are at present in their infancy, but as the way forward evolves skilled instructors will be needed to bring all schools up to a good standard of asbestos awareness. It is something that IATP members n to be prepared for, and are eminently qualified to do.

Over 75% of schools in the country contain asbestos and the majority contain amosite, with some containing crocidolite. A report by the Medical Research Council stated "It is not unreasonable to assume, therefore, that the entire school population has been exposed to asbestos in school buildings." Everyone attends school, and at any one time there are almost ten million children at school. Because of poor standards of asbestos management frequent asbestos incidents have occurred where fibres have been released and staff and pupils exposed. The end result is that people have died of mesothelioma. In the last ten years more than 140 school teachers died of mesothelioma, and teaching assistants, caretakers, cleaners, school secretaries and nursery nurses have died as well. If the adults are being exposed to asbestos and dying, then so are the children in their classes. Although It is known that children are more at risk than adults, the long latency of mesothelioma means that there are no records of the number of children who have subsequently died.

The problem in developing an effective way forward is that, despite the evidence, the Government deny there is an asbestos problem in schools. For instance Lord Young's report "Common Sense Common Safety" arbitrarily declared that schools are a low risk environment. Based on this unproven assumption he recommended a simplified risk assessment for classrooms, the assessment trivialises the risks from asbestos and

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Working Well Together – a potted history so far.....

Tim Shambrook – WWT National Campaign Manager

It all began back in 1998 with CONIAC (the Construction Industry Advisory Committee). There was recognition from industry that it couldn't rely on HSE alone to improve health and safety, and that it needed to do more to help itself. And so Working Well Together was born.

WWT has always been a joint industry/HSE initiative. The concept was based around the '4 Cs' – competence, communication, co-operation and commitment. The focus of the 'communication' aspect was getting the health and safety message direct to the workforce, which in the early days we did in the form of a double-decker bus tour around the country's larger building sites. Workers could visit the bus, see its displays, talk to the organisers – it was health and safety visiting sites to spread the message in a non-threatening way.

One of the key successes of WWT is its willingness to evolve and try new things. The bus was old, unwieldy and less than reliable, so we replaced it with a 40' trailer. But this could still only visit large sites. Something smaller was needed, so the WWT white van arrived on the scene. The most far-reaching idea to come out of WWT is the construction SHAD (safety and health awareness day). The first such event was held in the North West in 2002. Aimed at smaller businesses, the concept involves a variety of interactive talks and practical scenarios delivered by the industry with support from HSE. This is a great example of the WWT mantra 'by the industry, for the industry'. One of the reasons the campaign has been such a success is the fact HSE is just one of the partners – the campaign is very much industry-led. Hearing what your peers have to say is much more likely to get the message across than listening to the regulator, especially when it's a former colleague who's had to leave their job because of an accident warning of the dangers of getting health and safety wrong. Since those early days, we've developed SHADs on specific topics such as scaffolding and work at height, and for specific audiences (designers, construction clients etc). Over 35 000 people have attended SHADs so far, with more than 45 000 having visited our tour buses and vans. 81% of those who attend a SHAD say they've made a positive change on their return to work.

These events don't organise themselves, so around the time of the first SHAD, regional WWT groups started springing up. They're mainly run by our industry partners, with support from HSE. In the early days, their main role was to arrange and run SHADs, but these days, some organise their own WWT van tours, and even hold mock court cases to show members what to expect if they get health and safety wrong. Some groups have also run very successful Asbestos Awareness Training events. And that's not all. We used to run the WWT '4 Cs Awards' based on the themes of competence, communication, co-operation and

commitment, we ran poster campaigns and produced the first workers' pocket books and the High 5 leaflet, outlining the five main causes of problems on sites (untidy sites, manual handling, work at height, asbestos and transport).

Together, we've achieved a lot over the last twelve years, but there's so much still to do. We'd never have reached those 80, 000 people who attended a WWT event without the help of our industry partners, but that's only a fraction of the 190 000 or so small construction firms operating around the country. The challenge now is to maintain the momentum of WWT (not easy in these difficult economic times) and to reach out to and influence the smallest firms. We're targeting these businesses through events at builders' merchants, through work with building control officers and via our website. And of course, we'll continue our SHADs and van tours and all the other initiatives which have made WWT such a success so far.

There's still huge commitment and enthusiasm for improving health and safety in construction. WWT shows that industry has gone some way to accept ownership of the health and safety issues it faces and is prepared to take the lead in supporting and delivering improvements. WWT has made construction workers more aware of health and safety and what constitutes safe working practices. Welfare on site has definitely improved; we now have better relations between industry and HSE.

I'm always impressed with the people I meet in construction and their willingness to pick up a challenge and run with it. We must remember that all those involved in running the regional groups give up their time willingly and for free. The last twelve years have seen huge commitment to taking the health and safety message direct to the workforce. I'd like to thank everyone concerned for all the time and effort they've put into making the industry a better, safer and healthier place to work.

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HSE NEW Asbestos Training Pages - [CLICK HERE](#)

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Kids unite to stop smoking in cars

On Wednesday 2nd March, 25 campaign champions from schools across the UK travelled to London to help the British Lung Foundation (BLF) hand in our Children's Charter petition, calling on smoking in cars when children are passengers to stop.

This came after new research by the BLF which found that over half (51%) of eight to 15 year olds have been exposed to cigarette smoke when confined in a car, highlighting the need for Government measures to improve child protection in this area. The findings are particularly worrying given that previous research shows smoking just one cigarette in the car, even with the window open, creates a greater concentration of second-hand smoke than a whole evening's smoking in a pub.

The research also showed that eighty-six per cent of children across the UK want people to stop smoking when children are in the car.

Worryingly, children feel as though they don't have a voice to ask for the smoking to stop for their benefit with almost a quarter (24%) saying they were too embarrassed. Sadly, nine per cent said they were just too scared to ask.

Campaigning on behalf of all children across the UK, BLF staff and the BLF's campaign champions arrived at Downing Street where five lucky students, along with BLF Chief Executive Dame Helena Shovelton and Kevin Barron MP delivered 16,000 signatures, all in support of the ban.

Dame Helena Shovelton, Chief Executive for the British Lung Foundation said:

"The number of children whose lungs are being damaged by adults lighting up when children are in the car is alarming. Today children across the UK have sent the Government a strong message. The Government can't afford to ignore their plea for protection.

"We are calling on all children who want to put an end to passive smoking to add their voice to the BLF's campaign by going to www.lunguk.org/childrenscharter"

The BLF is still collecting signatures for the Children's Charter petition. If you would like to add your voice to the BLF's campaign, please click on www.lunguk.org/childrenscharter or call the BLF Helpline on 08458 50 50 20.

IATP and OCN Credit4Learning: together we raise the bar

There has never been a better time to join the growing community of training providers at IATP. In partnership with OCN Credit 4 Learning we are launching Nationally Recognised Accredited Training across all asbestos Types; this means that IATP members who opt to deliver OCN Credit4Learning accredited courses have an extra opportunity that they can offer their clients. Their course, their style of delivery remains the same, they can still tailor it to their particular clients needs, however, it will now be independently verified by OCN Credit4Learning, which in turn provides the client with the quality assurance, and confidence that an independent third party is objectively checking and supporting the standards of the training provided. If you want to know more contact us at IATP to access further information regarding OCN <http://ocncredit4learning.com/page.aspx?id=1>



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I.A.T.P Members



This month's featured Training Provider

NATAS e-Learning Ltd

HSE announces recognition of eLearning as viable delivery method for asbestos awareness training

The Health and Safety Executive have announced this week within its new training pages that eLearning is officially recognised as a means to deliver asbestos awareness training. The actual text from www.hse.gov.uk/asbestos/training.htm reads;

"Online learning (often referred to as e-learning) is increasingly used as a method of providing asbestos awareness training. HSE recognises the use of e-learning as a viable delivery method, among others, for the delivery of information, instruction and training in relation to asbestos awareness training, provided the course content satisfies the objectives as stipulated in Regulation 10 of the Control of Asbestos Regulations 2006 and the supporting Approved Code of Practice."

NATAS are delighted that the HSE have made the announcement following approximately three years of ongoing activity in which NATAS has developed industry leading eLearning system and courses. Over this time issues such as compliance with CAR06, security, content and scepticism have been tackled.

The key point in the HSE announcement is compliance with CAR06 and supporting ACoP. This encompasses a wide criteria including content, competency of trainers etc. the training should also be independently audited by suitably competent auditors.

Max Lopacki of NATAS comments "At a stroke this announcement renders non-compliant providers who purport to offer asbestos awareness eLearning or computer based training (CBT) in breach of the Control of Asbestos Regulations 2006 and, as we saw an end of Mondeo man in the traditional face to face training arena, we will hopefully now start to see an end to the some of the atrocious efforts of online training in the asbestos arena and put an end to the CD's which offer everything from asbestos awareness to work at height, all for the princely sum of 99p of ebay™"

NATAS eLearning Ltd. provide asbestos awareness, duty to manage and other asbestos training via its eLearning management system. For further details contact NATAS on 0870 751 1888 <http://www.natas.co.uk>

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http://www.iatp.org.uk/application_form.html

Complete and return with your 2010 audit and payment. If you haven't had your 2010 audit yet IATP allow 3 months from listing to submitting. IATP is a refreshingly different and democratic organisation, decisions are made by the training providers listed by voting, 75% takes the decision forward.

IATP Benefits

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IATP supporting HSE Campaigns and Partnership Meetings

<http://www.hse.gov.uk/asbestos/hiddenkiller/index.htm>

IATP Promotion.. The Big Green Book -

<http://www.biggreenbook.com/index.php?page=171>

IATP MEMBER BENEFITS

About Health and Safety

Offers ½ price annual listing for IATP training providers on their unique asbestos training provider's page

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