

THE DAILY HAZARD

Action Against Asbestos

As the London Hazards Centre launched *The Asbestos Hazards Handbook: A guide to safety at work, in the community and in the home*, tenants throughout London pushed for action to control asbestos risks in their homes.

At the book launch, author Margaret Sharkey said that unscrupulous members of the asbestos industry who put lives at risk "should be put in prison for a very long time." Margaret was pleased that a demolition contractor had been jailed for three months for breaching the Asbestos Licensing Regulations, but said that fines were low and this was the first and only custodial sentence. Support at the launch came from Ian McCartney MP, shadow employment minister, Peter Skinner MEP, Nancy Tait of the Occupational and Environmental Diseases Association, and Jonathan Rosenberg, Chair of Waltham and Elgin Community Homes.

Mr McCartney committed a future Labour Government to extend sanctions against "cowboy employers". A new crime of corporate manslaughter would be introduced as one of a number of measures designed to extend the powers of the Health and Safety Executive and to reduce the number of needless workplace deaths resulting from "wilfully negligent or incompetent employers". He also called for better protection for workers and their representatives, saying "Safety representatives, elected by the workforce, will have improved rights, including a statutory right to recognition."

Residents Take Action

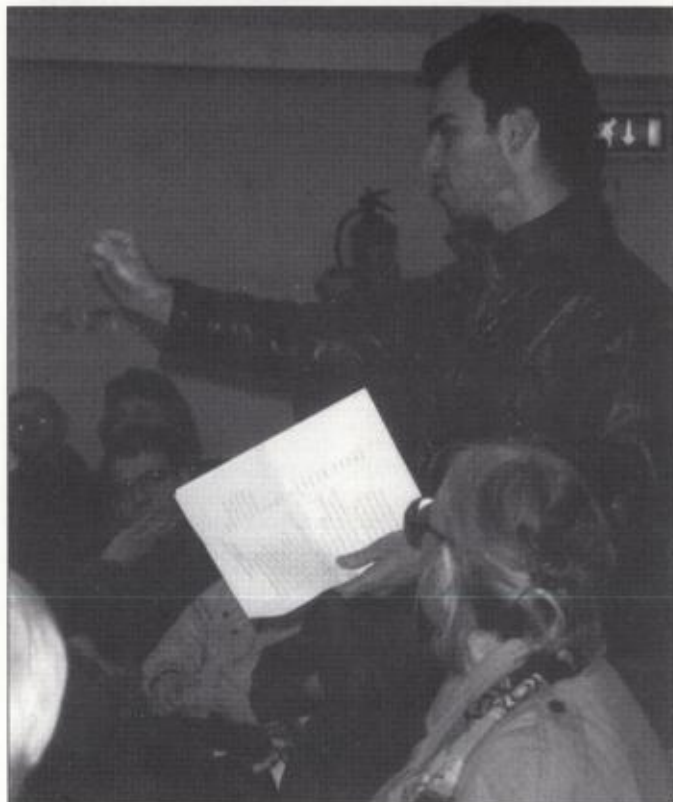
Residents in the Heygate Estate in Southwark have achieved success over asbestos in their homes (see *Daily Hazard* No. 48). The estate has two groups of residents, those who rent and those who have bought their homes, both represented by the Tenants Association (TA). At a

recent meeting attended by Simon Hughes MP and Jeremy Fraser, the leader of Southwark Council, among others, the Council pledged £750,000 to ensure a full survey of the estate was completed and an asbestos removal programme initiated. Officials stated that the cost of dealing with the problem could cost £7 million, which they did not have.

Residents accused the Council of doing too little too late. The TA had asked for a notice a year ago warning not to drill walls or decorate as this could disturb asbestos but the Council had only just done this. Officials replied they wanted to know the extent of the problem before issuing a notice which could have caused "unnecessary worry". People dismissed this argument, accusing them of putting residents at risk because of their inaction. One said, "I moved into my flat two months ago and I've sanded every surface. On some days my flat was thick with dust. Why wasn't I warned about the problem when I moved in?"

In Waltham Forest tenants are threatening to sue the Council over asbestos in their homes. They are concerned that the Council prefers to encapsulate rather than remove asbestos. Residents' representative Louise Thompson said that Council officials told her it was safe to leave asbestos in place as it was not the dangerous blue variety. "We don't care if it's blue, brown or white — it's all dangerous," said Louise. "The knowledge we are in danger from asbestos dust is the final straw. The estate is crumbling and has been left to run down for years."

A Council spokesperson reportedly said, "We have advised residents to seal all areas where asbestos has been exposed and to leave them until we can deal with them. We advise residents not to drill into walls. At the moment we don't have the resources to fix the flats



Heygate resident makes his point

Alan Dalton

as we would like. But this is a matter of priority and we should carry out repair work in the next few months."

Problems have multiplied horrifically for tenants on the Isle of Dogs. Just days before a public meeting about asbestos hazards organised by the East London Leaseholder Association (ELLA), the IRA bombed South Quay. ELLA requested the meeting to raise asbestos problems with Tower Hamlets Council. But, because of damage by the bomb to nearby housing estates, the Council had to take action. Some residents had to be moved to alternative accommodation because of structural problems and asbestos risks.

Workplace Shocker

The shocking experience of a 19 year old lad from Battersea has

emphasised the dangers at work. He was exposed to asbestos dust as he redecorated a school while on community service. He worked for six days at John Milton Primary School before a colleague noticed damaged asbestos and refused to continue work. The lad's mother blasted, "It was his first offence — but it could be a life sentence." A spokesperson for Wandsworth Council said, "There was no risk assessment done before work began. For decoration, the schools themselves are responsible for checks. As soon as we were told, Direct Services were brought in to get rid of the asbestos."

At home and at work, asbestos dangers continue to threaten Londoners throughout the city. Vigorous action is needed to reverse the trend towards increasing death rates from the killer dust.

Killing cuts

In 1996 health and safety enforcement agencies are making spending cuts that will reduce their role in the workplace and the community. It is estimated that London Boroughs will cut between 50 and 70 inspectors' jobs in their environmental health departments.

In a survey of London Councils, a Redbridge Council spokesperson said, "If one commercial inspector's post is cutback this will mean that enforcement visits to businesses will drop by 450 per year. 65 food hygiene checks and 385 workplace visits will not happen. Additionally 325 complaints by the public will go uninvestigated." Complaints range from finding contaminated foodstuffs on sale to the discovery of rats and other vermin in or near homes, and cover gas fumes, noise and other forms of community and domestic pollution.

In 1996 the Health and Safety Executive (HSE) must make cuts of £9 million and plans to reduce "field operations" inspectors from 1907 to 1853, a loss of 54. 30 jobs will be go from other infrastructure jobs. Angela Orr-Ewing of the HSE, when asked about the impact of the forthcoming £9 million cuts, said, "No evaluation of the likely

impact on enforcement is available." She went on to say, "The HSE's 1996/97 Plan Of Work isn't due to be published until May." This swingeing cut from April 1996 will be followed by further cuts of £1.8 million in 1997 and £2.7 million in 1998.

The negative impact will be worsened by a recent change in HSE policy. Under section 21 of the Health and Safety at Work Act, HSE inspectors can force employers to make improvements to workplace safety by issuing an Improvement Notice. As from February 1996 the amount of bureaucracy inspectors must carry out will increase because, rather than just issuing an Improvement Notice, inspectors will first have to issue a prior warning two weeks beforehand that they intend to issue an Improvement Notice. The HSE says, "From now on if an inspector intends to issue an Improvement Notice the business will have a right to a written explanation of what is wrong and an outline of what needs to be done and by when, before the notice is issued."

Is this maladministration of public funds? It certainly is a direct subsidy to employers from the taxpayer. Inspectors are no longer enforcers of the law but have been reduced to a free

workplace advisory service funded by the taxpayer. The HSE in the light of this misuse of public money from a reduced budget has the gall to say, "... the new procedures do not weaken the protection afforded by the Health and Safety at Work Act 1974."

So there you have it. What do the cuts mean? They mean less protection, fewer inspectors at local and regional level and your taxes spent on subsidising employers who are breaking the law and who should be sent to prison.



HSE head Jenny Bacon: will she get sliced?

HSE

Workers' rights go down the toilet

150 civil servants walked out of Tavis House in central London when it was revealed that they faced a journey across a busy road just to go to the toilet.

Members of the PTC and CPSA trade unions faced the trek because the water supply in Tavis House relied on a roof-top tank which emptied by mid-day when the building was fully occupied by staff from the Benefits Agency, the Contributions Agency and the Child Support Agency. The problem arose two weeks before Christmas and staff were advised that if toilets no longer functioned, they should use the facilities in the Inland Revenue building across busy Tavistock

Place. They had also been advised by management on a previous occasion to report for work at an office local to their home as Tavis House management could not guarantee that the water supply would last throughout the day.

However, the issue was not resolved by the time staff came back to work in the new year. Management argued that the toilets in the other building were "accessible" as required by the Workplace (Health, Safety and Welfare) Regulations which are now fully in force. The Code of Practice on the Regulations supports the management view and this underlines the absolutely minimal, if not

uncivilised, legal rights available to people at work.

The Code says that toilet facilities do not have to be within the workplace but they should if possible be within the building. And case law has extended even further the ability of employers to avoid having to provide decent facilities.

Trade union safety representatives argued that managers could not keep track of staff. Should there be a fire in the building, or should staff be involved in an accident while crossing the road, managers would not be able to account for their whereabouts. The situation came to a head when a union meeting took the decision to walk out early in January. Until

then, senior management, based in a building in West London, with functioning toilet facilities, had been reluctant to take action. Thames Water were then called in to look at ways of solving the problem.

Ruth Saunders, PTC safety rep said, "It was ridiculous to expect people on the upper floors of Tavis House to remember to take their security pass, travel down eight floors, leave the building, cross one of the main routes into the West End and use a loo in the basement of another building. The other agencies were looking to the Benefits Agency, as the major occupier, for a lead. But nothing happened until staff took industrial action and forced the issue."

Carbon Monoxide

After asbestos, carbon monoxide is the most common single cause of poisoning at work and in the home. Between 1985 and 1992, 372 people died from carbon monoxide poisoning in accidents involving heating appliances in the home. A further 1335 people are reported to have suffered non-fatal poisoning but the number of people exposed to carbon monoxide in the home is many times greater than this. An unknown number of casualties also resulted from exposure to carbon monoxide at work, generated from industrial processes or from faulty heating systems.

At normal temperatures, carbon monoxide is a colourless, odourless, tasteless and non-irritant gas, slightly lighter than air. Its effect is to reduce the oxygen-carrying capacity of the blood and this affects the supply of oxygen to the tissues, including the brain. The initial effects of acute exposure are mild headache and breathlessness from exertion. As exposure increases, headaches and fatigue become more severe, with nausea, vomiting, dizziness, confusion and impaired vision. Coma sets in and death results from respiratory arrest caused by central nervous system depression. The effects of exposure are aggravated by exertion, fever, anaemia, high ambient temperatures and altitude. Pregnant women, the young and the elderly are especially susceptible.

Immediate Effects

The Occupational Exposure Standards (OESs) for carbon monoxide are 50 parts per million (ppm) in air for an eight hour exposure and 300 ppm for a 10 minute exposure. On the basis that OESs should be no greater than 10 per cent of the no-effect level (the lowest limit at which a toxic effect can be observed), these limits are much too high. At 200 ppm, headaches start after seven hours if resting or two hours exertion. At 400 ppm headaches with discomfort and the possibility of collapse occur after two hours at rest or 45 minutes exertion. At 2,000 ppm and above, unconsciousness sets in after 30 minutes at rest or 10 minutes

exertion; the transition from mild symptoms to coma is rapid. In many of the workplace activities where people may encounter carbon dioxide, they are exerting themselves continuously.

Long Term Effects

Much less is known about the long-term effects of exposure to low levels of carbon monoxide. It has been shown to cause heart disease and to exacerbate underlying heart conditions. There are reported links with respiratory illness and damage to the eyes. A number of studies show that the performance of vehicle drivers deteriorates, with the increased possibility of accidents. Tobacco smoking generates significant amounts of carbon monoxide, as blood tests of smokers show, and this may contribute to their increased rates of heart disease.

Exposure during pregnancy is toxic to the embryo and foetus. At high concentrations this can cause brain damage or death, at low concentrations reduced birth weight or neurological damage. If all this were not enough, carbon monoxide is also highly flammable and explosive.

First Aid

For anyone who has been exposed to carbon monoxide, the key responses are:

- get the victim out of the contaminated area (rescuers must look to their own safety)
- give oxygen as soon as possible (if breathing has ceased, artificial respiration must be combined with the administration of oxygen)
- get expert medical help immediately
- do not attempt other measures, e.g. external cardiac massage,

unless you have been trained to do them properly.

Exposure

Most exposures to carbon monoxide arise from emissions from faulty heating systems. This includes central heating systems and liquefied petroleum gas and solid fuel heaters. The vast majority of domestic exposures arise from these sources. Heating is also a major source of exposure at work. Other exposures at work arise from manufacturing processes involving carbon monoxide, or act on people who work in traffic (e.g. bus drivers), in confined spaces (e.g. in tunnels), or who use breathing apparatus (painters in spray booths). Firefighters are at special risk.

At Home

Residents who suspect they are exposed to a carbon monoxide leak from their heating system (inexplicable headaches, fatigue, nausea) should immediately improve the ventilation of their premises and go to their GP and ask for a blood test which will reveal if there are elevated levels of carbon monoxide. Suspected leaks should be reported to the local Council's Environmental Health Department as a "statutory nuisance" under section 79 of the Environmental Protection Act. In law, Environmental Health Officers are obliged to investigate a complaint and issue an abatement notice if there is found to be pollution. In practice, they may not discharge their duty, especially if the landlord is the Council. In such cases, residents may then a) complain to the local ombudsman, b) complain to the Secretary of State for the Environment or c) begin an action in a County Court (for which legal aid will probably not be

available). All these methods are slow. Residents who require quick remedies have better prospects by pursuing a common law nuisance action which can produce results within three days and for which there are better chances of getting legal aid. It is virtually essential to have representation from a law centre or solicitor.

Two-thirds of the domestic poisonings involve gas appliances. About half of all the domestic accidents result from malfunction of the heating appliance; most of the remainder are caused by the inadequacy of the air supply. Very few result from misuse of equipment. The installation of gas appliances is regulated by the Gas Safety (Installation and Use) Regulations 1994 amended in 1996.

Landlords must maintain gas appliances, installation pipework and flues in a safe condition in their properties, arrange annual safety checks by registered installers, and provide proof that these have been completed if tenants ask for it. Gas installation businesses must register with the Council for Registered Gas Installers (CORGI) which operates criteria prescribed by the Health and Safety Executive (HSE). The HSE wishes to establish a nationally accredited certification scheme for gas fitters such that only businesses with 100 per cent certified fitters will be allowed to register. There were 82 convictions for gas safety offence in 1994-95; however the average fine was only £614. The HSE conducts publicity campaigns on domestic gas safety.

At Work

Faulty appliances and insufficient ventilation can equally occur at work. Oldham Council was fined £30,000 in 1993 when two workers nearly died from

emissions from an unserviced central heating system. Safety representatives should demand

- adequate ventilation
- regular cleaning and maintenance of equipment.

Any work-related headaches, dizziness or fatigue should be reported in the accident book. Wherever there is reason to suspect that there is a leak of carbon monoxide, the employer should be immediately asked to remove employees from the area and prevent access to it. There will be circumstances when Regulation 7 of the Management of Health and Safety at Work Regulations will apply. It gives workers the right to leave their place of work on their own initiative if serious, imminent danger threatens. Any carbon monoxide exposure should be reported immediately to the appropriate enforcement authority. A risk assessment must be carried out under the Control of Substances Hazardous to Health (COSHH) Regulations when exposure to carbon monoxide is possible. Safety representatives should press employers to perform COSHH assessments and to provide the union with the results.

The objectives of the assessment are, in order of priority:

- to eliminate the use of carbon monoxide altogether
- to control the hazard by enclosure or containment
- to control the hazard by other means such as suitable ventilation
- to ensure that appropriate respiratory protective equipment is used (an independent source of oxygen is always required)

Where carbon monoxide is being used or produced in an industrial process, there must be continuous monitoring of its air concentration.

Asbestos Book Donations

Thanks are due to the following individuals and organisations for donations towards the cost of producing the asbestos book which we received after it had gone to press. As with the donors listed in the book, we could not have published without this support: Michael Adeyeye,

Philip Bradshaw, Colin Dobson, Battersea and Wandsworth TUC, Federation of Lewisham Tenants' and Residents' Association, IPMS, MSF 0813 Branch, MSF IRD Office Committee, MSF North Staffs 1 Branch, UCATT Merthyr Tydfil



Asbestos book author Margaret Sharkey at the book launch

Wednesday night drop-in to continue

After our initial trial, we are going to continue with the experiment of opening as a drop-in Centre for another six months. We will be open for safety reps to drop in on Wednesday evenings to use our facilities, get advice and information on current problems and take part in discussions on topical health and safety issues. The nearest tube stations are Chalk Farm and Kentish Town, both on the Northern Line and

both about 8-10 minutes walk away. The North London line is due to reopen in June and Kentish Town West station is right by the Centre. Bus 46 from King's Cross also runs right by. Please call on 0171 267 3387 if you are thinking of calling in.

The experiment will be reviewed later this year. If the demand is there, we would like to continue as a base for safety reps to gather.

LONDON HAZARDS CENTRE TRAINING COURSES

Date

Thursday 16th May
Tuesday 21st May

Thursday 27th June
Tuesday 2nd July
Thursday 19th September
Tuesday 24th September

Course

General health and safety
Asbestos in the workplace and the community
General health and safety
Hard labour: stress at work
General health and safety
Asbestos in the workplace and the community

Courses will be held at Interchange Studios which is fully accessible. The normal fee is £40 per person. Our courses are included in the London Boroughs Grants Committee Training Bursary Scheme at a rate of 50% of the normal fee. For further information call 0171 267 3387.

Hazards Campaign gears up for Election

As the General Election moves closer, the Hazards Campaign is organising to make sure health and safety at work features prominently. At the Hazards Conference in Bradford in April it is intended to come up with an agreed set of demands which will form the basis of a campaign in the run-up to the election. A report will appear in *Daily Hazard* 51.

Already opinions are being communicated to the politicians about how best they can protect

and advance workers' safety. A Hazards Campaign delegation from London met Opposition spokesperson on health and safety, Ian McCartney, in March to discuss policy objectives. Consisting of prominent London trade unionists and Hazards Campaign representatives, the delegation impressed upon the shadow minister the popularity among workers of high standards of health and safety and the importance of a new government having specific improvements to offer.

PUBLICATIONS

The Asbestos Hazards Handbook: a guide to safety at work, in the community and at home £12 (£5 direct to trade unions, community groups, tenants' and residents associations when ordered direct from the Centre)

- ▲ **Hard Labour: Stress, ill-health and hazardous employment practices.** August 1994. £6.95.
- ▲ **VDU Work and the Hazards to Health.** August 1993. £6.50
- ▲ **Protecting the Community: A worker's guide to health and safety in Europe.** May 1992. £9.95
- ▲ **Sick Building Syndrome: Causes, effects and control.** June 1990. £4.50
- ▲ **Fluorescent Lighting: A health hazard overhead.** March 1987. £2.00*/£5.00
- ▲ **Toxic Treatments: Wood preservative hazards at work and in the home.** January 1989. £5.95
- ▲ **After the Sprayer: investigation and treatment of ill-health caused by wood preservatives and how to get help.** January 1992. Factsheet. £1.00
- ▲ **Factpack:** Set of factsheets from the *Daily Hazard*. £5.00
- ▲ *Daily Hazard* complete run: £25.00

* Price to community/tenants/union groups.

Add £1.00 post and packing up to the first £10.00 worth of books, add an additional £1.00 up to each subsequent £10.00 worth. Discounts for 10 or more copies. All orders must be accompanied by a cheque made payable to London Hazards Centre.

HAZLIT is London Hazards Centre's library database on the Poptel Geonet electronic mail system. For information about on-line access, contact the Centre.

SEND US YOUR PRESS CUTTINGS

You can help by sending us any press cuttings of local campaigns, accidents, inquests, prosecutions or any other health and safety information from your local newspapers, trade magazines, etc. If you think you can regularly check a particular publication, let us know — phone and ask for Tim or Chris.



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