

THE DAILY HAZARD

Government reveals health and safety plans

Provisional figures from the Health and Safety Executive (HSE) show that fatalities and serious injuries at work rose significantly in the last year of the Tory government – when the final figures are in, the picture may look bleaker still. Workplace accidents killed 302 workers from April 1996 to March 1997, up from 258 in the previous year. Deaths were concentrated in agriculture, construction and manufacturing. The increase in major accidents was even greater; the provisional total of over 28,000 was two-thirds up on that for the previous year.

The HSE declined to offer any explanation for this deterioration which it described as 'disappointing and giving cause for concern.' However, it was noticeable that the rise in the total of fatalities resulted from a sharp increase in the deaths of casual workers. TUC General Secretary John Monks commented, "The rising death toll for the self-employed is especially alarming and should give pause for thought for everyone applauding greater labour market flexibility." But the TUC missed the opportunity to invite Tony Blair to pause and think when he extolled the benefits of flexible working at their conference in September.

All these developments have heightened interest in the new Government's plans for health and safety. Angela Eagle, the junior health and safety minister who liaises with the HSE, has outlined these in recent statements. It is intended to introduce a ban on the import of white asbestos towards the end of 1998 but only after the HSE has carried out a review. There will be an attempt to bring in a European Union-wide ban on asbestos. The HSE will also investigate how much it would

cost to carry out a survey of asbestos in public buildings. There will be a somewhat tougher approach to law enforcement with encouragement for the courts to award bigger fines and an end to the iniquitous 'minded to' system (see Daily Hazard 53). It is intended to provide more protection for home workers and self-employed workers, review the noise regulations, focus more on occupational health and offer some protection to 'whistleblowers'.

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The HSE has also announced its own work plan for the next year which involves a focus on dermatitis and cancer, including asbestos-related cancer, more vigorous enforcement with inspectors spending more time on company visits, assistance for small firms, a review of all guidance on legislation by Spring 1998 and the

introduction of new legislation on major accident hazards.

Some commentators have surmised that the HSE has been given a free hand on policy in return for not challenging the freeze on its funding at Tory levels which will last for at least another 18 months.

A delegation from the London Hazards Centre met the Secretary of State for the Environment, Michael Meacher, who is in overall charge of health and safety in the Government. Our purpose was to make a presentation to the minister on the Hazards Charter. Meacher, who recently

position taken by health and safety spokespersons before the election. This would require new legislation and would be handled by the Home Office; he could not tell us when such legislation might be introduced because of the competing claims on Parliamentary time.

We objected to further delays in introducing an asbestos ban and Meacher clearly nudged his officials towards more speed on this. He was interested in the problems faced by safety representatives and responded favourably to our opinion that the time had arrived to strengthen the law in this area. He had positive opinions on the central role of well trained union reps.

Other topics on which we exchanged views were the Working Time Directive, no fault compensation, stress and bullying, and funding for TUC education and occupational health facilities. Overall Meacher said he wanted to see procedures with some cutting edge in terms of employers' compliance with health and safety law. He invited us to keep in touch.

Since the previous Government never let us in the door, there is obviously a very different attitude on the part of the new team. Whether this will be translated into changes of real substance is another question entirely. What can be said with fair certainty is that it will be just as necessary to campaign for improvements with this Government as it was for the last one. Workers will have to make it crystal clear that they will not accept anything less if the new Government is to fulfil its pledge to make things better.

Copies of the Hazards Charter are available from the Centre – please send a stamped (20p), addressed envelope (C5 size).

Meacher said that he wanted to see the introduction of a new offence of corporate killing, a

Kentish Town residents in action

Residents in Kentish town are campaigning successfully over the proposed redevelopment of a polluted site in their midst. They formed the Ascham Anti-Contamination Action Group earlier this year when plans emerged for the transformation of an old electroplating works into a nursing home. The group was instrumental in persuading Camden Council to reject the first planning application though the developers, Ascham Community Care 2000, are proceeding with a second. The developers have made no effort to meet residents or respond to their concerns.

The electroplating firm has been long out of business but the original building still stands the site has not been cleaned up. The residents were initially worried by the threat of asbestos in the building and then became aware of the risks posed by heavy metal contamination of the soil. Some analysis results from the 1980s showed areas of very heavy pollution in gardens surrounding the site by metals

typically used in electroplating such as nickel. It appears the developers have had their own tests done but have not released the results to the residents. However it is likely the situation hasn't changed much since the old tests were done and that the soil underneath the works is very dirty indeed. These metals can



The Ascham Anti-Contamination Action Group makes its mark on the polluted factory.

harm the development of children, among other effects.

The Action Group kicked off with a public meeting and quickly drew in over 100 supporters in the four streets affected. A representative was appointed for each street and open meetings were held weekly to build the campaign.

The Group organised a petition, made contact with local newspapers and began lobbying Council planners with the aid of legal advice. Representations were also made to local councillors. Not the least of the activities was a highly enjoyable street party. The Group demanded that the Council ensure that there was independent soil analysis and investigation of other contamination. They wanted the method statement for demolition and clearance of the site to be made public with a month's notice of the beginning of the work. The Council should exercise strong control over work on the site with adequate safeguards on such matters as

waste disposal and hours of work. The Group was also critical of the plans for the nursing home intended for the site, believing it would provide substandard accommodation for elderly people.

The campaigners did not form a favourable view of how the planning process operated. Street representative Nandita Dowson comments, 'The Council seemed to think we should be grateful to the developers. They didn't particularly consider what local people wanted.'

But despite that, the Group scored a victory when the first planning application was rejected by the Council. But the developers have come back with a new application and the Group is now gearing up for this second challenge.

Further information on the Ascham Anti-Contamination Group can be obtained from Nandita Dowson, 4 Ascham St., London NW5 2PD; tel 0171 267 1581.

New Labour Council to axe health and safety

Ealing Council claims that it must reduce its budget by £9.3 million during the next Financial Year and proposes to axe the health and safety budget by £30,000 as part of the process.

A Committee Report circulated for consultation in June, recommends sacking the Principal Safety Officer and reducing the Council's corporate responsibility for maintaining safety standards. The report claims that the move is in line with the Council's Safety Policy and the 1992 Management of Health and Safety at Work Regulations. Safety reps and shop stewards argued that since the Safety Policy was adopted 2 years ago, management had done nothing to improve departmental safety standards, or raise the level of health and safety training for managers, both key require-

ments of the Safety Policy. They warned that if the proposed cut and devolution went ahead, the safety of both employees and members of the public would be delivered into the hands of a ragbag of disorganised and ad hoc arrangements.

By September the Committee Report had been agreed by the Council's Central Management Team, consisting of the directors and the chief executive. Safety reps tabled the issue at the September meeting of the Joint Safety Committee. A few days before the meeting, UNISON obtained a copy of a further report agreed by the Central Management Team in March. This report states that the framework of the law and the Safety Policy, 'suggest that line managers must take greater responsibility for health and safety than they do at present',

and goes on to say, 'this outcome will not be achieved in the short term and the Council would be ill advised to attempt it.'

The report also contains the warning: 'The non-strategic safety work could be devolved by 31/3/98 but the Council would need to satisfy itself that safety management was going to be carried out at all by line managers, let alone to a satisfactory standard. The indications are that the organisation (the Council) is not ready for this approach and that safety management would simply not be carried out. There is little evidence for example that much work activity has been subject to even the most cursory risk assessment, and this is already a defined line management responsibility and a matter of Council Policy.'

In the light of this report, safety reps asked the Council what had changed between March and June, and were told quite bluntly that the Budget and the need to balance the books must come first!

Employee-side safety secretary Dave Drury said, 'If this proposal goes ahead it will represent the triumph of pig headed stupidity over common sense. It seems incredible that a Labour Council is prepared to put the safety of thousands of employees, children in schools, social services clients, and all of the people who use Council buildings at considerable risk in order to save £30,000. If this is New Labour you can tell that Tony Blair he can stuff it!'

The unions are treating this as a final proof that the Council has given up on health and safety.

Asbestos in the Home – Part I

There is a very good chance that asbestos is present in homes built between the 1950s and the early 1980s. It may also be found in homes built before or after these dates. If it is in poor condition, gets damaged or releases fibres in any way, you and other residents are at risk. If you carry out DIY on asbestos products, you are putting yourself in danger. This factsheet, part I of two, describes the hazards of asbestos, where it could be found in your home and how it should be dealt with. Part II, in Daily Hazard 57, will cover legal rights and responsibilities and how residents can take action to ensure their safety.

What is Asbestos?

Asbestos is a mineral which is resistant to heat, fire and corrosive chemicals. There are three main types: crocidolite (blue), amosite (brown) and chrysotile (white). It is composed of fibres which are so small most can only be detected under a microscope. As asbestos ages, it becomes crumbly or 'friable' and fibres are released more easily.

What Illnesses can Asbestos Cause?

The minute fibres can penetrate deep into the lung and remain there more or less indefinitely. Massive exposure to dust can cause scarring of the lung and the respiratory disease asbestosis. Much smaller exposure can cause lung cancer. It can also lead to mesothelioma, a form of cancer almost exclusively due to asbestos exposure, and cancers of the larynx and stomach. All conditions can take 10-40 years to develop and all are fatal. All types of asbestos can kill. Children are especially at risk.

Where is Asbestos Found?

Asbestos was used in all sorts of materials found in the home. The following list is not complete and should only be used as a guide. Combined with different quantities of bonding agent, asbestos was used to lag the steel support framework in tower blocks and services such as heating pipes, electrical conduits and ventilation ducts. In hardboard form it was used on the back of service intake doors, panels at the back of gas fires, bath panels, etc. In plasterboard form it was used as wall board, especially where there are service ducts running behind. It was also used as a filler in textured ceiling and wall coverings like Artex, in linoleum floor tiles and artificial slate roofing. It is found in

some storage heaters, ironing boards, brake and clutch linings and garage roofs and walls. It was combined with cement for use in corrugated roofing, pipework, etc.

You cannot determine whether a material contains asbestos by visual inspection. Detection requires analysis (see later).

Is Asbestos Still Being Used?

Blue and brown asbestos imports have been banned in the UK since the mid-1980s. A ban on the import of white asbestos will probably come into effect in 1998.

Asbestos Sampling

Sampling for analysis is a special skill and should only be done by qualified people. Taking a piece of solid material from products such as wall panels is called bulk sampling. Taking samples of dust from surfaces is known as wipe testing. Air can be sampled by drawing it through a pump when fibres are retained on a filter. More reliable results are obtained when dust is made airborne by, e.g., opening and closing doors. This is called a disturbance air test.

Asbestos Analysis

There are two standard tests for asbestos both requiring microscopic examination. The cheaper method uses an optical microscope; the more expensive and accurate way is by electron microscopy. Analysis should only be performed by companies with UKAS (United Kingdom Accreditation Service) accreditation.

When is Asbestos a Problem?

Asbestos is dangerous when fibres can be released. Even minor damage can produce many fibres, sometimes directly in the area of breathing (drilling a hole, for example). Damage can also be done by wallpaper scrapers, rubbing down asbestos panels or Artex with sandpaper and removing asbestos panels to gain access to services. Asbestos products can also be damaged accidentally if they are scraped, knocked or vandalised. Cutting asbestos with electrical tools and smashing asbestos products with a hammer are extremely dangerous and must be avoided at all costs.

If a product containing asbestos is damaged it can continue to give off fibres for a considerable time. In

1985, the London Hazards Centre revealed that even banging a door closed near asbestos wall panels could lead to serious fibre release (see Daily Hazard 3).

When is Asbestos not a Problem?

If asbestos is removed from your home and disposed of safely, it is no longer a problem. If it is sealed safely ('encapsulated'), then it will not be a problem unless the sealant gets damaged.

What Should be Done?

Eventually, all asbestos will have to be removed from buildings. But the amount in homes is so huge that total removal in the short run is not on the cards. Other approaches may need to be taken. In some cases it may be easier to remove all the asbestos from each home in an estate following a programme of works. In other cases it might be better to follow the management approach below. Residents should be fully involved in the planning and execution of this process.

Asbestos Management

All properties should be surveyed to see if there is asbestos present. Any found in a dangerous condition should be removed, preferably, or encapsulated. Asbestos left behind should be put on a public register. All residents should be informed of the asbestos present and of the risk. All properties should be inspected regularly, say every six months. If asbestos is found to be damaged it should be removed or re-encapsulated and the register updated.

Removal versus Encapsulation/ Renovation versus Demolition

Encapsulation is often, misguidedly, seen as the cheaper option compared with removal. What is often left out of the equation is the continual need to inspect, test and maintain or remove any asbestos present, which can be time consuming and costly.

Renovation of an estate may not be the best option as many have intrinsic design faults on top of the asbestos problem. Demolition and rebuilding may be the better option. Grants from central government available for this kind of work tend to be given only if estates are privatised. Whichever policy is pursued, residents must be allowed to decide what becomes of their homes and estates.

Home Owners

Home owners are responsible for any asbestos in their homes. The law only comes into play if asbestos in private homes could harm anyone other than the owner. Many right-to-buy owners are pursuing compensatory claims against their Council for money for asbestos surveys and removal but there is yet to be a successful case. There is an obvious argument for special treatment but the bill for local authorities would be massive and there is no commitment by central government. Consult a solicitor with experience of this issue if you are thinking of making a claim.

Tenants

Your landlord has responsibility for asbestos. But the law does not spell out what this means. Check with your tenants' association or with a law centre or solicitor if you are thinking of taking some action.

Resources

Asbestos Hazards Handbook
London Hazards Centre. £5.00 + £0.50p postage to tenants groups, union branches and individuals (£12.00 + £1.50 postage to commercial organisations).

All round handbook for tenants and workers.

Asbestos Materials In Buildings
Department of the Environment.
Stationery Office. £7.95. ISBN 0117523704.

In depth information on what types of asbestos were used in all locations with information on health issues, surveys, removal etc.

Asbestos and You
HSE. Free. IND(G)107(L). HSE Books. 01787 881165.

Brief leaflet on asbestos health issues, exposure limits etc.

Asbestos. Part 1: Policy and Practice in Local Authorities. September 1985

AMA now the Local Government Association, 36 Old Queen St, London SW1H 9JE. 0171 222 8100.

This sets out policy on asbestos surveys and informing tenants.

National Hazards Campaign conference calls for stronger enforcement

The national Hazards Campaign conference, held in Bradford from 5-7 September, attracted over 300 delegates from a wide range of services and industries.

At this, the first Hazards Campaign conference under a Labour government, Michael Meacher, Secretary of State for the Environment was unable to attend at the last minute. However, in his prepared speech, which was circulated to delegates, he insisted that the government was determined to 'promote compliance with the law through its effective enforcement, with severe penalties for those who break the law'.

Nigel Bryson, national health and safety officer for the GMB union questioned whether this could be done without allocating more resources to the Health and Safety Executive. There would be no progress until money was provided to pay for more inspectors. He called on the HSE to concentrate employers' minds by using prohibition notices more extensively. He also criticised the agency's failure to publicise more effectively the improvements to safety reps' rights to information and consultation contained in the Management of Health and Safety at Work Regulations.

Alan Dalton, national health and safety officer for the Transport and General Workers' Union, focused on the relevance to the Hazards Campaign of wider environmental issues, for example ozone depletion and traffic fumes which increased the threat of skin cancer and asthma respectively, especially to outdoor workers. He claimed that recent research proved conclusively that tighter environmental controls on business were not a threat to jobs and called on delegates to campaign for 'clean production' and compulsory independent eco-auditing of companies.

In an attempt to encourage and focus campaigning on all these issues, further discussions took place on the Hazards Charter adopted at last year's conference. Since then, the Charter has been adopted by the Manufacturing, Science and Finance Union, the Bakers, Food

and Allied Workers' Union and the National Association of Probation Officers, some Trades Union Councils, the Greater London Labour Party and some Constituency Parties. However, discussion has been limited in many areas of the hazards movement and health and safety activists still need to address the issue of how to carry this campaign forward in a more effective manner: perhaps a stronger organising focus on two or three priority issues would be part of the answer.

Workshops on RSI, stress, working time, asbestos, asthma, manual handling, violence, bullying, chemicals, home-working, construction, occupational health services, corporate manslaughter, sick pay and sickness absence, information finding, risk assessment and other issues allowed delegates to exchange ideas and discuss how to take matters forward.

Delegates held a minute's silence in memory of the 302 workers killed at work over the last year, including Doug Jay, a cinema projectionist and member of the Broadcasting, Entertainment, Cinematograph and Theatre Union. Doug was looking forward to attending the conference but was electrocuted at work at the end of August.

Copies of the Hazards Charter and Michael Meacher's speech can be obtained from the London Hazards Centre (s.a.e appreciated).

Centre news

The Centre's Management Council has been strengthened recently by the addition of four new members: John Hague (NAPO), John McClean (GMB), Lynnette Rispoli (UNISON) and Barry Todman (MSF). However, we have lost one long serving member, though hopefully only for a while. Sheila O'Sullivan (AHRTAG) has gone to work in Namibia for a spell though she is still in regular contact by email. Work has begun on the Centre's next handbook, on chemical safety. Publication is scheduled for Summer 1998.



Nigel Bryson and Alan Dalton lead the discussion at the national Hazards Campaign conference.

PUBLICATIONS

- ▼ **RSI Hazards Handbook.** January 1997. £12/£4.50*
- ▼ **The Asbestos Hazards Handbook.** December 1995. £12/£5*
- ▼ **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. Now only £2
- ▼ **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

* Price to community/tenants/union groups when ordered direct from the Centre.

Add £0.50 post and packing up to each £5 worth of books. Discounts for 10 or more copies. Cheques to 'London Hazards Centre'.

For a list of factsheets contact the Centre or send SAE.

HAZLIT is London Hazards Centre's library database, available to members on the World Wide Web at <http://www.poptel.org.uk/london-hazards>

LONDON HAZARDS CENTRE ANNUAL GENERAL MEETING

7.00 p.m.
Wednesday 26
November 1997
House of Commons
London S.W.1

Guest Speaker:

**Michael Meacher, M.P.,
Secretary of State for the
Environment**

Election of Management Council, Consideration of Annual Report & Accounts

All members eligible to send delegates



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