

Asbestos: Still the UK's number one occupational killer

A ResPublica report highlighted that asbestos continues to be the UK's number one occupational killer, with nurses and teachers 3 to 5 times more likely to develop mesothelioma than the general UK population. The House of Commons Work & Pensions Select Committee is investigating how the HSE manages the continued presence of asbestos in buildings.

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An ongoing enquiry into asbestos has revealed that this problem still looms large in the UK. The House of Commons Work and Pensions Select Committee is investigating how the Health and Safety Executive (HSE) manages the continued presence of asbestos in buildings. The investigation was prompted by a November 2019 ResPublica report which highlighted that asbestos continues to be the UK's number one occupational killer, causing more than 5,500 deaths in 2018.

The ResPublica report also drew attention to the fact that nurses and teachers are 3 to 5 times more likely to develop mesothelioma than the general UK population. The Education and Skills Funding Agency (EFSA) has estimated that up to 80% of all UK schools contain asbestos, and hospitals are known to contain large amounts of asbestos. The problem is also present in universities. A Freedom of Information (Fol) request sent out by Stephenson Solicitors to 106 universities in England revealed that roughly 74% of the buildings surveyed contained asbestos.

The Work and Pensions Select Committee has heard evidence from researchers and public health officials from the Netherlands, France and Germany suggesting that the UK's approach to asbestos is significantly less stringent and effective than that in other countries. The UK's preferred approach of leaving asbestos in situ where possible contrasts with practice elsewhere which prioritises its removal whenever the opportunity arises. Compared to other European countries the UK's approach to measuring airborne asbestos fibres is less sensitive and less precise, and UK occupational exposure limits are significantly higher, as much as 50 times greater than those in the Netherlands.

The HSE is currently carrying out a statutory Post Implementation Review (PIR) of the Control of Asbestos Regulations 2012 (CAR), which will look at whether the regulations have achieved their intended effect. A previous PIR of the CAR, published in March 2017, reported that "overall CAR 2012 has met its objectives and sets clear health and safety requirements to ensure the appropriate control measures are in place to prevent exposure."

Since 2017 the health and safety regulatory landscape has significantly changed. By the time the current PIR is published it is likely that the new Building Safety Regulator (BSR) will be operational. The BSR has been tasked with exercising its powers in line with regulatory best practice. In relation to the management of asbestos it would seem that the UK has some way to go to achieve this.

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