



SUBJECT: Add Just a Pinch of Asbestos!

RECIPIENTS: All Council Services or Service Area/Directorate
(including schools)

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Council fined £200k for exposing primary school staff to asbestos

A Crown Court was told that environmental health officers from the council were carrying out a routine food inspection at the Primary School's kitchen when they found asbestos rope hanging from the ceiling. An investigation by the Health and Safety Executive (HSE) found that the school's caretaker had disturbed an asbestos flue pipe and an asbestos rope gasket during the removal of an air steriliser a year before. Neither the caretaker nor the headteacher were trained in asbestos management or awareness, the HSE said, and the council had failed to control the risk of exposure. It served a prohibition notice on the primary school, which is now an Academy Trust and no longer run by the council.



The notice said: "You have failed to prevent the exposure of employees to asbestos so far as reasonably practicable, in particular the partial steriliser flue and sealant in the school kitchen."

The Council pleaded guilty to breaching reg 10(1) of the Control of Asbestos Regulations, which covers the provision of adequate information, instruction and training to employees, and was ordered to pay the fine plus costs of £21,500 within one month. During the sentencing hearing judge said the dangers of asbestos had been highlighted in reports from 2010 and 2012 as the housing around the flue pipe contained amosite and the flue itself comprised chrysotile, they went on to question why the headteacher had ticked boxes stating that the caretaker had received asbestos training in 2012 and 2013 when they said that he hadn't been given any. "The headteacher's explanation as to why they did this, if it was not correct, is at the very least extremely vague," the judge was reported as saying.

After the hearing a HSE inspector said: "The council had implemented a system, but they had failed to take the simple step of checking to ensure it was being rigorously adhered to, resulting in employees not receiving the appropriate training."

If you require further assistance or clarification on the subject please contact:

Corporate Health & Safety Advisers (see George section: Corporate > Information for Working > Risk Management > H&S Advisers)